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En Route

EN ROUTE
The Journal of the Aspen Center for Social Values

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Timothy P. Jackson

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This article is part of a larger talk given at Candler School of Theology, Emory University.

"You are a people holy to the Lord your God; it is you the Lord has chosen out of all the peoples on earth to be his people, his treasured possession." (Deut. 14:2)

How are we to understand this traditional Jewish claim of being "the chosen people"? Is it simple arrogance? Does it allow for or even encourage belligerence against non-Jews? Though there are passages in the Bible and Talmud that convey a negative and prejudicial view of Gentiles, *what is most distinctive about Judaism is that it provides the wherewithal to overcome the hubris to which it sometimes falls prey*. The vast majority of Jewish texts and rituals are injunctions to overcome egotism and exceptionalism and to embrace all human beings as fellow creatures of God. Indeed, at the very heart of Jewish ethics is the conviction that the integrity of the one true God dictates a similar integrity in humanity and that this integrity takes the immediate form of love of God and neighbor. Being "the chosen people" is *au fond* a mandate – the Jewish people are to be an instrument of God in service to the world. "In you [Abram] all the families of the earth shall be blessed." (Gen. 12:3)

Elaborating "The Chosen People"

Let me elaborate in greater detail. In Genesis 1, all of humanity is made in God's image. With the giving of the Law on Sinai, God calls Israel to participate in a special covenant, a covenant mandating that all Israelites reflect God's own holiness (see Lev. 19:1-2).[1] A central facet of that holiness is God's unmerited love for Israel, made palpable in God's delivering the people from exile:

"It was not because you were more numerous than any other people that the Lord set his heart on you and chose you -- for you were the fewest of all peoples. It was because the Lord loved you and kept the oath which he swore

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to your ancestors, that the Lord has brought you out with a mighty hand, and redeemed you from the house of slavery, from the hand of Pharaoh king of Egypt." (Deut. 7:7-8)

Emphasis is on God's freedom to choose and not on Israel's merit. As a correlative, God is not the possession of any earthly individual or institution, whether political or religious, but rather it is the individual or institution that is responsible to God.

God's unconditional love provides the foundation, in turn, for the command to love God unreservedly and the command to love the neighbor as oneself (see Deut. 7:9). Because the Israelites were chosen and loved by God, an Israelite is to do two basic things: (1) avoid idolatrous attachments to other goods (including foreign gods), and (2) avoid belligerence, judgmentalism, or neglect to fellow-Israelites. Just as God's care for Israel is steadfast (God does not simply abrogate the original covenant when Israel sins), the Israelites' obedience to God must be similarly unqualified, as must their relation to one another be ever-mindful of the mercy and protection God has shown to them as a people. A vital implication of this mindfulness should be practical assistance to the widow, the orphan, and others in special need. "Whoever is kind to the poor lends to the Lord, and will be repaid in full" (Prov. 19:17).

These central Hebrew pronouncements on love are also echoed by Jesus in the Gospels. When asked, "Teacher, which commandment in the law is greatest?" Jesus answers, "You shall love the Lord your God with all your heart, and with all your soul, and with all your mind. This is the greatest and first commandment. And a second is like it: You shall love your neighbor as yourself. On these two commandments hang all the law and the prophets." (Matt. 22:37-40) Christians must remember that Jesus was a Jew, and his reliance on traditional Hebrew teachings must not be understated. Though Christianity is seen as a universalization of the particularism of Judaism, large parts of the Hebrew Bible already suggest an inclusive construal of love of one's neighbor in a general sense: "The alien who resides with you shall be to you as the citizen among you; you shall love the alien as yourself, for you were aliens in the land of Egypt: I am the Lord your God" (Lev. 19:34). Similarly, the idea that the image of God is shared by every human creature (Gen. 1) clearly has universalist and egalitarian implications. Jesus himself says: "Do not think that I have come to abolish the law or the prophets; I have come not to abolish but to fulfill" (Matt. 5:17). Jesus does not generally annul the Mosaic Law; in fact, he refers to the Ten Commandments of Exodus and Deuteronomy as the keys to "eternal

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life" (Mark 10:17-22).[2] In short, Jesus' inclusiveness remains recognizably Jewish, and, portions of the Talmud notwithstanding, Judaism at its core is not anti-Gentile. Just the opposite! (I wish I could say as easily that, portions of the Gospels notwithstanding, Christianity at its core is not anti-Jew. Jesus and Paul certainly were not.)

Recognition of Jewish inclusiveness is crucial, because it counters the proposition common in the Gospels that salvation is extended to the (righteous) Gentiles only because of some fault of the Jews. Either the Jews are culpably ignorant of Jesus as the Messiah (Mark), or they perversely refuse to accept him even when he is revealed as the Christ (Matthew), or only a few Jews accept him because they resent his reaching out to the Gentiles (Luke), or the Jews are providentially compelled to reject the Son of God in any case (John).[3] In this broadly influential vision, the inclusion of Gentiles in the Kingdom is depicted as a result of Jewish defect or sin, and something contrary to the Jews' own plans or desires. In this depiction, the Jews are "a light unto the nations" only in the negative sense that they have burned their draft cards, so to speak, and thus allowed the *Goyim* to enter God's legions. This is a far cry from the *Shema*, which implies that service to and inclusion of Gentiles was a positive part of Jewish faith, hope, and love all along.

Large parts of the New Testament give the impression that salvation is a zero-sum game, with the entry of some in the Kingdom (the Gentiles, the elect) being premised on the exclusion of others (the Jews, the reprobate). How in the world did the Good News of Jesus concerning the universal nearness of the Kingdom get distorted in this way? Indeed, how, in later years, did major strands of the Christian tradition interpret "salvation is from the Jews" to mean, in effect, "we must be saved from the Jews"?

Unchoosing "The Chosen People"

In addition to the long-standing Gentile anxiety over the meaning of Jewish chosenness is the Christian history of trying to "unchoose the Jews" and to elect themselves as God's favorites. The two dynamics are undeniably related. The first Christian communities were mixtures of Jewish followers of Jesus and Gentile converts to the faith of Jesus from paganism. For example, according to Paula Fredriksen, "Mark was a Gentile, of the second Christian generation," who faced a threefold conundrum not present to Jesus and his immediate disciples: "the Gospel's failure among Jews, its success among Gentiles, and the delay of the End."[4] Yet, everything we know historically about Jesus indicates that (1) he was, and saw himself as, a Jew, (2) he and his disciples kept the Law,

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and (3) he was executed as politically seditious by the Romans. Facts (1) – (3) are perfectly compatible with (a) Jesus' practicing and preaching a radical form of Torah piety, (b) his criticizing aspects of the priestly leadership of the Jewish Temple, and (c) his reaching out to Gentiles as also included in God's Kingdom. What the facts do *not* permit, the *Deutsche Christen* and others notwithstanding, is belief in an Aryan Jesus who was anti-Torah and killed by the Jews. To maintain that the Jews are collectively responsible for Jesus's death, rather than Pilate and the Romans, is historically false and prejudicial. Quite generally, any theology that pits Law against Gospel, justice against love, Jew against Gentile, *or Jesus against Jew* is anti-Judaic, for Judaism (and Jesus) insist on holding these things together.

Alas, all four of the Christian Gospels contain elements of anti-Judaism. I do not mean that they are consistent, or even coherent, or that they explicitly call for the persecution or murder of Jews. I do contend, however, that they embrace self-serving and often scapegoating pictures of the Jews that are both inaccurate and dangerous. One cannot study Western history – from Augustus through Constantine, from the Crusades through the Spanish Inquisition, from Martin Luther through Adolf Hitler – without recognizing that the roots of recurring pogroms of the Jews go back to the Christian scriptures. Even the Nazi "Final Solution" could claim a degree of Biblical warrant. Some scholars, including Fredriksen, have maintained that the Christian Gospels and Epistles are not themselves anti-Judaic (a theological judgment) or anti-Semitic (a racist prejudice). The problem, they insist, is rather with how the texts were later interpreted by Gentiles far removed from their original Jewish context.[5] I fear that this is a bit like saying, "Guns do not kill people; people do." (Cf. "Gospels do not kill the Chosen People; do.") John's writing his polemic against "the Jews" – "You are from your father the devil" (8:44) – is like a parent leaving a loaded gun in a house full of children. The parent is at least guilty of criminal negligence if the children shoot each other.

To put the point metaphorically, all four Gospels share the obverse of Aesopian sour grapes. In Aesop's famous fable, a fox spies some ripe but high-hanging grapes and desires them to quench his thirst. He repeatedly jumps to reach but cannot grasp them. His failure to attain the luscious morsels leads him to hypothesize that they are actually sour and thus that he has not missed anything. In the Gospels, the first Christians see Jesus as the fullness of time and themselves as God's first fruits, offered and available to the Jews, but most of the Jews are either blasé or

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actively reject him/them. Now, if you will, it is the grapes that accuse the fox of being off. Unlike Jesus at Cana, the Jews prefer water to wine; unlike the disciples in the Upper Room, the Jews prefer their ancient traditions to Jesus' new blood; so they are labelled tasteless or perverse. Thus the people chosen by God are unchosen by men. We eventually even get "the unchoosing of the unchoosers," as when Matthew and Luke exclude other Christians who interpret Jesus differently from the way they do.

The moral of Aesop's story is "*It is easy to despise what you cannot get.*"[6] As far as the Jews are concerned, the moral of the Christian Gospels is "*It is easy to despise what will not get you*." That the Jewish Prince of Peace should be the occasion for hatred and invidious contrasts between Jews and non-Jews is superlatively ironic and tragic. But all one can do is to try to untangle the context and kerygma of Jesus' original message from later destructive or skewing redactions.[7]

None of this is to say that what came to be called "the New Testament" is worthless or simply to be discarded. One must not commit the Marcionite heresy in reverse. On the contrary, I consider the Gospels and Epistles to be inspired and indispensable for an understanding of God and humanity. Like all humanly mediated documents, however, including what many Christians call "the Old Testament," they remain fallible and conditioned by limitations of time and place. I myself believe that Jesus was the Messiah – indeed, that he was the Word made flesh – but this status is a function of his intimacy with the Father, his loving obedience even unto death, not of his jealous willingness to damn to hell anyone who does not bow down to him. Jesus is the Christ because, in him, power is "made perfect in weakness" (2 Cor. 12:9); his kenotic service to God and the neighbor is undeniably Jewish in content, and it is our enduring model of incarnate holiness. This pearl of great price is embedded in a good deal of dross, but it can be salvaged. A crucial step in doing so is to come clean on Christian anti-Judaism, early and late, and to appreciate that Moses and Jesus, Torah and Gospel, are one. Together they give us a stereoscopic glimpse at the transcendent goodness of God.

Conclusion

We can now appreciate the true meaning of the Jews being "the chosen people." No doubt, the phrase has occasioned conceit among some Jews and resentment among some Gentiles. The chief upshot of the Law given on Sinai and of the Hebrew Bible generally, however, is that Jews are to love as God loves and thus be established by God as "his holy people" (Deu. 28:9). Being such a people entails being set

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"high above all the nations of the earth" (Deu. 28:1), but the rigorous demands of this elevation are for purposes of example and more like a burden than a privilege. Israel is to "faithfully bring forth justice" (Isa. 42:3) and, thereby, be "a light to the nations" (Isa. 42:6), an inspiration for them, not a tyrant over them.

All Gentiles can find joy in this fact, for it makes clear that Law and Gospel are of a piece. In spite of centuries of redacted overlay in which Jesus is depicted as anti-Torah and in which Jews are portrayed as Christ-killers, we can see through this tragic nonsense to the fundamental unity of Judaism and Christianity. "We" Gentiles are chosen because "they" Jews are chosen, which means that there is no longer an "us" against "them," or vice versa. This twofold covenant is primarily God's doing, not ours, but we can refuse to see or welcome it. Let us not make that mistake again … Amen!

(Endnotes)

1 The Holiness Code (Lev. 17-26) applies distinctively to Jews and is not synonymous with the Ten Commandments, which are binding on all human beings.

2 Jesus also stipulates dispossession and discipleship, but these orders seem to follow from or consummate the traditional ten, rather than to add something new and different.

3 Paula Fredriksen, *From Jesus to Christ,* Second Edition (New Haven and London: Yale University Press, 2000), p. 211.

4 Ibid., p. 177.

5 See Fredriksen, "The Birth of Christianity and the Origins of Christian Anti-Judaism" in *Jesus, Judaism & Christian Anti-Judaism: Reading the New Testament after the Holocaust,* ed. by Paula Fredriksen and Adele Reinhartz (Louisville: Westminster John Knox Press, 2002), p. 28.

6 *Aesop's Fables*, ed. by Jack Zipes (New York: Signet Classics, 2004), p. 15.

7 Admittedly, this project will be forever speculative, but to try to avoid it is to leave in place the sort of anti-Judaic orthodoxy that funds hatred and finally genocide.

Friendship and Social Media

Ira Bedzow

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We all have friends. As social beings we cannot live without having a connection to other people, or even to our (personified) possessions for that matter. Over and above our identifying friends as people we have just met or whose posts we have "liked" on Facebook, think about how dogs are considered "man's best friend," how Wilson (the volleyball) was Tom Hanks' best friend in the movie, *Cast Away*, or how, in the movie, *Her*, Theodore Twombly (Joaquin Phoenix) develops a relationship with Samantha, an intelligent computer operating system personified through a female voice. Technology makes it easier to keep in touch with friends who are no longer as geographically close as they used to be, and it also allows us to make new friendships with people we might never have met. The benefits of social media are undeniable; they allow people to connect to others, to ideas, and to themselves in new ways. Yet the use of social media (in the colloquial sense), when utilized without any self-reflection, has two deleterious consequences. First, it is replacing the use of other social media that have long served to build familial and communal relationships, such as face-to-face interaction. Second, it has changed the way we have idealized love and friendship by turning the two concepts primarily into things we have or receive instead of things we give. These two consequences are intimately related, yet by separating them into two distinct points of concern, I can emphasize the social values that are affected by this phenomenon.

An example of the way in which social media is enveloping all areas of social interaction is evident in the Orthodox community's discussion of the new Shabbat app. By creating a way to use one's cell phone in a Sabbath-appropriate way, the Shabbat app is meant to solve the "problem" of the isolation experienced by Sabbath-observant Jews for 25 hours every week. Regardless of how this app speaks to a greater discussion among rabbinic

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scholars of the need for technology and religion to accommodate each other so as to maintain observance in a technologically advanced world, the Shabbat app highlights the fact that the absence of social media is perceived as isolation and not as an opportunity to cultivate other forms of connection. Just think about how often one's time is filled by checking one's email or browsing the web for nothing in particular while waiting in line or even at social gatherings. Think about how often family dinner consists of silent eating and texting rather than conversation. "Words with Friends" and social networking are easier than difficult conversation. The number of friends one has online is now more of a status symbol than the number one has in times of need.

The manner in which social media gives value to friendships has also made friendship an economic/utilitarian matter. For example, every time a person receives a positive email or a "like" on Facebook, his or her body releases dopamine, the chemical related to pleasurable feelings, which can create a situation in which a person develops social media relationships, as well as other relationships, for the sake of the pleasure that he/she intermittently receives from them. When this is the case, the decision to engage in or continue a social relationship becomes an economic calculation. I do not mean that we choose our friends based on their socio-economic class—though people do tend to relate almost exclusively to others who share similar educational histories, incomes and occupations. Rather, the economics of friendship is based on a net present value calculation and an assumption of diminishing marginal returns. Rebecca Carroll, in her article in *The Guardian*, "How do you tell who's a real friend and who's just a 'Friend' on the internet?" describes the phenomenon beautifully. She writes,

"[W]e all throw around the word 'friend' to describe almost anyone with whom we're vaguely acquainted and don't already hate. It feels increasingly that 'friends' are seen primarily as potential opportunities – and, if you're not attuned to the cultural dilution of the word, you are likely to think people are actually your friends when they are not. What used to be limited to my professional life feels like it is spreading. I have friends on the internet, though social media increasingly feels like an adult high school purgatory complete with cool kid and loser kid lunch tables in the cafeteria. Facebook has all but co-opted and destroyed the term 'friend', allowing and encouraging us to measure the value of our friends in shares, mentions, retweets and Instagram likes, commoditizing who has the most followers."

When we meet a new person or consider whether to maintain a friendship, we project what benefit

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we might gain from the person's acquaintance over a period of time given the personal cost (whether it be social, emotional, etc.), and then we discount that projected benefit to accord us with what we think the friendship is worth in today's terms, i.e. a net present value. Because we value the present so much more than the future in terms of considering our happiness, we greatly discount future benefits to the point at which our calculation of what a friendship is worth is heavily based on our expectations of what we can presently receive from the association. Moreover, we consider the amount of work required to maintain a friendship to increase at a faster rate than the amount of benefit received in developing it. The beginning of a relationship always has the air of the romantic, while its continuation is always seen as hard work. This diminishing marginal return in deepening a friendship causes us to favor making new friends when our present relationships become strained.

This view of friendship and its effect on our experience (or perception) of love can be contrasted with the following rabbinic maxim:

"Any love that is dependent on something — when the thing ceases, the love also ceases. But a love that is not dependent on anything never ceases. What is [an example of] a love that is dependent on something? The love of Amnon for Tamar. And one that is not dependent on anything? The love of David and Jonathan."

Many contemporary philosophers and theologians would see the distinction between the love of Amnon and Tamar and that of David and Jonathan as representing the distinction between *eros* and *philia*. Eros is an intimate love of sexual passion; *philia*, on the other hand, is affectionate regard or friendship between equals. In other words, romance fades but friendship lasts. This view of love and friendship makes the contingency an erotic pleasure, yet the underlying premise of both forms of love is a pleasure received, even if subsequently given in return. Yet the rabbinic maxim is not making the distinction between types of pleasure; rather it is making a distinction between the focus of affection.

The story of Amnon and Tamar is as follows: Amnon was in love with his relative Tamar, but she had no interest in his pursuits. Rather than try to win her heart, Amnon forced his love upon her. After he took advantage of Tamar, his love quickly turned to hatred for her, yet it is more likely that it was a projected sense of shame than a true hatred for the woman he once loved. The Bible describes the beginning of David and Jonathan's friendship as one in which each loved the other as himself. To describe how Jonathan loved David as himself, however, the Bible mentions the battle garments

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the he gave David and the covenant they made between each other. Both of these actions by Jonathan set a model of love and friendship through giving. Each loved the other like himself, which manifested in the joy that each experienced in giving to the other; it was as if they were gaining something rather than losing it.

Amnon loved Tamar for what he thought Tamar could give him, and when he took it from her, his love turned to disgust. David and Jonathan loved each other as a consequence of what they gave each other. For this reason, their love lasted even when they were no longer able to interact. Amnon's love was one directional and self-interested. David's and Jonathan's love created a bond between them.

A friendship, like that of David and Jonathan, is not economically grounded, since its value cannot be measured like any other commodity. It does not depend on the supply of friends one may have, nor is the effort in deepening the friendship considered a cost. Also, the more you give of yourself to the other person the more valuable the relationship is to you, the giver, and not only to the receiver. The loyalty between the two men did not depend on defining the terms of a relationship or on identifying an abstract ideal that the relationship sought to fulfill. In the words of the rabbinic sages, it did not depend on anything. Rather, their loyalty developed through meaningful interaction that fostered the mutual responsibility for the welfare of one's fellow.

Aristotle's views on friendship may also provide a productive framework to allow for societal reflection on the effects of social media in this realm. Aristotle distinguished between three types of friendships, i.e. of expedience, pleasure, and goodness. Expedient friends are those from whom one draws an immediate benefit, and the friendships usually end as soon as that benefit is no longer worth the cost. It is a friendship that is wholly dependent upon a good external to either person. Friendships based on pleasure, are those in which both people are drawn to the other's good looks or personality. These types of friendships depend on how the person makes one feel in the now, yet it is not an appreciation for the intrinsic nature of the other person. I like to think of them as "friends for the moment" or "dates for the short-term", i.e. fun for now but without any thought of marriage. Because these two types of friendships are contingent upon circumstances which can change, the value of the relationship is based on a cost-benefit analysis. Friendships based on goodness, however, are based on recognition of the other person as a being and not as a means of gratification or utility. Because of the mutual recognition and concern, they allow people to develop through dialogue and audience, whereby friends can serve

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as mirrors, exposing the individual's motives and their consequences. Seeing oneself through the eyes of friends can allow for self-reflection and moral growth because the individual can see how his or her decisions directly affect the emotional state of those for whom he or she cares. Yet the benefit of this form of friendship emanates from the person's acting as a friend and not only in the receipt of another's friendship. However, while Aristotle describes the benefits of a friendship of goodness, the benefits should not be the reason for the friendship but rather the consequence of it. True friendships are made through mutual concern and care and not from a pursuit of a personal good.

The difference in direction from the self to the other is also found in the rabbinic view of happiness. *Simcha* is popularly translated as happiness, but, unlike the word *oneg* (happiness), which connotes a sense of self-indulgence, *simcha* should not be understood in a hedonic sense. Rather, it is a visceral contentment that one experiences when he or she understands the importance of his or her actions, which reinforces one's behavior and strengthens his or her relationships. This is easily seen in the manner in which *simcha* is prescribed as part of Jewish law. For example, according to Maimonides, *simcha* does not consist of temporary periods of elation, nor does it involve frivolity.[1] Rather, *simcha* is a constant good-natured temperament of magnanimity and patience.

The commandment to have *simcha* during the holidays is not simply a matter of enjoying the day.[2] To fulfill one's own obligation of *simcha*, one must give to others.[3] While eating meat and drinking wine is part of the commandment to have *simcha*, this, as well, is not simply gustatory delight but rather a symbolic gesture that evokes communal memories and participation. The communal aspect of eating is further demonstrated by the demand to feed converts, orphans, widows, and others who are destitute and poor. One who locks the gates of his courtyard without feeding the poor and the embittered is not rejoicing as commanded, but rather is "rejoicing with his gut." Maimonides calls the latter type of happiness a disgrace.[4]

Just as with the value of friendship, happiness is not a unit of acquisition in the utilitarian sense, nor is it a goal towards which to strive. It is a consequence of acting with integrity and with loyalty to another. Even if we amass "likes" and "friends" on our social media, the joy of friendship comes from being a friend and acting as a friend.

(Endnotes)

1 *Hilkhot Deot* 2:7.

2 That would be oneg. See *Hilkhot Shabbat* 30:7; *Hilkhot Yom Tov* 6:19.

3 *Hilkhot Yom Tov* 6:18

4 *Hilkhot Yom Tov* 6:18.

What is a Patient's "Real" Decision?: The Difficulty in Distinguishing between Hard and Soft Paternalism

Eliza Blanchard

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In the field of bioethics, autonomy and paternalism are often discussed as opposing principles. Autonomy supports a patient's right to make decisions for herself, regardless of whether a doctor believes that decision to be in the patient's best interest; paternalism, in contrast, gives doctors or other medical professionals the right to make decisions that would lead to the best outcome for a patient, regardless of whether this is the outcome the patient herself would choose. However, some scholars argue that doctors should adopt a blend of autonomy and paternalism, known as soft paternalism. Soft paternalism supports a doctor's right to act in a patient's best interest, in violation of the patient's stated choice, if the patient is in some way acting involuntarily—because she is drunk or drugged, coerced, or ignorant of relevant facts. In medical ethics, this form of soft paternalism oftentimes is justified through the assumption that there is implied consent. Unlike hard paternalism, which directly violates an individual's autonomous choice for the patient's own good, soft paternalism temporarily violates an individual's choice because that choice is not truly autonomous, and violating that choice is necessary in order to uphold that individual's true autonomy.

This distinction is an important one. Yet there may be instances in which hard paternalism would justify the same action as soft paternalism, and the only way to determine whether the physician took a position of hard versus soft paternalism is to determine whether the patient can act in a voluntary way. As there may be cases in which a doctor cannot reasonably be expected to determine whether a patient has or has not acted voluntarily, and as the doctor's value judgments play a role in how she determines this, there may be cases in which it is impossible to know whether an act would be an example of hard as opposed to soft paternalism.

Soft paternalism is justified under

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philosophical liberalism, a framework that allows people to engage in whatever behaviors they choose as long as these behaviors do not harm other people. Liberalism, for example, would give an individual the right to end his life if that choice is the product of sober, rational thought and does not harm anyone else, as has been argued by many "right-to-die" advocates. However, if that person were experimenting with drugs and suddenly went into a fit where he attempted to stab himself with a butcher knife, a doctor would be justified in stopping this person from ending his life on the grounds that suicide is not his "real" choice but is instead the product of his drug-induced fit.

This distinction is sound in theory, but there are cases in which it is difficult to determine whether someone's choice is voluntary or "real." Determining if someone's choice is influenced by drugs or derangement may be possible, but determining whether someone's choice is not real because of ignorance or coercion seems much more difficult. In a medical context, doctors may have nothing more than their own value judgments to help them determine if someone's choice is or is not "real," meaning that they may be acting under hard paternalism even if they believe they are acting under soft paternalism. Furthermore, this is not a distinction that can be made through law, since capacity, as opposed to competence, is a medical evaluation and not a legal designation.

The clearest way of knowing that someone's choice is involuntary is if that person tells you so in advance. The most famous example of this is when Odysseus tied himself to his ship to prevent himself from chasing after the Sirens. Odysseus knew he did not want to chase the Sirens, and he also knew that the influence of the Siren song would cause him to make the involuntary choice to chase after the Sirens. In advance of approaching the Sirens, Odysseus tied himself to his ship so the influence of the Siren song would not cause him to make a choice that he did not truly want to make. He temporarily limited his freedom in order to uphold the choice he really wanted to make. This type of action could also occur in a medical context. For example, a pregnant woman may truly want a natural childbirth because of her deeply held belief that this experience will connect her more deeply to her child. She may tell her doctor in advance that she does not want an epidural no matter how bad her pain is, and may even ask her doctor to ignore her requests for an epidural if she does in fact make that request during the pain of labor. This is an instance in which a patient would be asking someone in advance to disobey her temporary wishes in order to

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uphold what she truly wants. Odysseus' advance directive to his crew can be seen as analogous to the arguments that advance directives truly uphold a patient's autonomy when he or she becomes incompetent.

There may also be instances in which someone is expressing the desire for self-harming behavior and it is necessary to intervene temporarily to determine whether that desire is truly voluntary. Imagine, for example, that in a state where physician-assisted dying is legal, a patient in tremendous pain tells his doctor that he wants to die. His doctor would be justified in alleviating the patient's pain rather than giving the patient a drug that would cause him to die. Once the patient was no longer in extreme pain, he would be able to relay to his doctor whether he truly wished to die, or whether he had expressed that wish only as a result of the extreme pain he was experiencing. Temporarily keeping the patient from self-harming behavior is necessary in order to determine whether the patient's expressed desire to die is "real."

Imagine another case in which a patient comes into the hospital after a car accident. She has lost blood and needs a blood transfusion. She has also suffered a concussion and tells her doctors that she does not want a blood transfusion, but cannot tell them why. If they wait to give her a blood transfusion until after the fugue caused by her concussion has lifted, it will be too late to save her life. Her doctors would be justified under soft paternalism in giving her a blood transfusion, because this intervention is necessary in order to determine whether the patient's reluctance to accept a blood transfusion is based on her real desire or is the result of her disorientation after her accident and injury. Even if the doctors later find out that the patient is a Jehovah's Witness and wanted to refuse a blood transfusion for religious reasons, the doctors' decision to give the confused patient a blood transfusion seems justified under the definition of soft paternalism and because there is a general presumption that people want to have their lives saved.

However, there may also be instances in which a doctor can have no way of knowing whether a patient's choice is voluntary or is the result of ignorance or coercion. A *New York Times* blog post by Dr. Barron H. Lerner entitled "Pressing Patients to Change Their Minds" describes one of Lerner's patients, Suzy, who took herself off the active liver transplant list, even though she would almost certainly die without a liver transplant. Suzy was a Pentecostal who "had recently had a discussion with the pastor of her church, who told her how God had healed his own illness. He added that he would never submit to surgery. Although the pastor never told Suzy

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to decline a transplant, she was moved by his story and concluded that if she showed the same type of faith, God would provide a 'miracle of healing.'" Lerner, however, strongly opposed this decision and actively started pressuring Suzy to change her mind. He knew Suzy well, having treated her for many years, believed that Suzy's decision to take herself off the transplant list did not reflect her true wishes, and frequently asked her why her religious beliefs precluded a transplant.

In this instance, Lerner seems to have believed—in spite of Suzy telling him that her pastor never told her to decline a transplant—that Suzy was coerced by her pastor and church into choosing the self-harming behavior of deciding against a liver transplant. Imagine that Suzy had a doctor who believed as Lerner did and also believed that, since Suzy's behavior was coerced and since her decision was involuntary, he would be justified in giving her a forced transplant. This forced transplant could be considered soft paternalism, and it could be considered hard paternalism; the distinction lies in whether Suzy was or was not coerced in deciding to take herself off the transplant list. It is possible that Suzy was, in fact, actively coerced by her pastor and religious community. She may have been explicitly told that she would not be allowed back in church if she accepted a transplant or been repeatedly told that, if she accepted the transplant, she would go to hell. If she decided to take herself off the transplant list because she was under duress from her pastor or broader religious community, then her doctor would be justified, under soft paternalism, in giving her a forced transplant because giving her that transplant would reflect real rather than involuntary desires.

However, it is also possible that Suzy genuinely did not want a transplant. Her conversation with her pastor may have given her the confidence to voice the belief in faith healing that she has held all her life. She may fully understand that she is likely to die without a transplant but believes that she will either miraculously be saved or that she will die and go to heaven as a reward for her faith. Her decision is a truly autonomous and truly voluntary one, and it reflects her deeply held values and desires. In this instance, if Suzy's doctor gave her a forced transplant it would be an example of hard paternalism because, in this case, a doctor would be acting for Suzy's own good—by giving her an organ that would keep her from dying—in direct violation with her autonomous decision.

The difficulty in this example is that Suzy's doctor cannot know whether Suzy is acting voluntarily or under coercion. If Suzy expresses her desire for a transplant, and her doctor was

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not privy to a conversation in which she was coerced, then he can only guess at whether she was coerced or not. Furthermore, the doctor's values may play a role in influencing whether he believes Suzy was coerced. Doctors are likely to prioritize medicine over a belief in faith healing. The value that Suzy's doctor places on medicine might be so strong that he believes Suzy's decision to forego surgery could only be the result of coercion, since he believes that no rational person could ever make that decision. If her doctor intervened, he may be intervening due to a liberal, soft paternalistic desire to uphold what he sees as Suzy's true and voluntary choice. However, if he is wrong about Suzy's being coerced, then he has, in fact, acted for her own good but against her autonomous choice, thereby acting under the auspices of hard paternalism. Because it is difficult, if not impossible, for him to know whether Suzy's decision was coerced, the doctor cannot know if his intervention is soft or hard paternalism.

Let's take another example based on a case Catriona MacKenzie brings up in her article "Relational Autonomy, Normative Authority and Perfectionism." MacKenzie describes the hypothetical example of a patient, Mrs. H., who has cancer, and, as a result, has had her leg amputated. Mrs. H's husband leaves her because of her illness and the changes in her appearance; as a result, Mrs. H. expresses her desire to die. McKenzie goes on to say that Mrs. H. does not have a sense of herself and her rights and that her identity is tied up entirely in her femininity and her status as a wife. She wants to die because she has lost these core pieces of herself.

As with Suzy, one can imagine two possible scenarios that apply to Mrs. H. The first is that her desire to die is a result of her ignorance of how much women can contribute to society independent of their status as wives and her ignorance of the value she possesses apart from her good looks. If Mrs. H. were truly ignorant, and her desire to die were based on this ignorance, then her doctor might be justified in keeping Mrs. H. from dying and giving her further treatment for her cancer—at least until she is in a psychological state in which she can imagine a happy life without her husband and with a disability. This interference in Mrs. H.'s desire to die would be justified under soft paternalism, since her decision to die is an involuntary decision resulting from her ignorance and since she would make a different decision if she were better educated about the ways she could contribute to society and lead a happy life.

However, it might be possible that Mrs. H. would really and truly never be happy without her husband and having lost, as she sees it, her femininity. Her

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desire to die might not be the result of ignorance, but rather the result of a genuine self-knowledge regarding the necessary components of her own happiness. If her doctor intervened in this case and gave Mrs. H. treatment against her will, then the doctor would be acting out of hard paternalism by doing something that she reasonably believes is in Mrs. H.'s own good—keeping her alive—even though it violates Mrs. H.'s voluntary decision. As with the Suzy example, it is difficult for the doctor to know whether Mrs. H.'s choice is voluntary or not, and the values of Mrs. H.'s doctor might influence whether she sees Mrs. H.'s choice as voluntary. If the doctor believes that women who see themselves as incomplete without husbands are only acting out of ignorance, then the doctor would believe that Mrs. H.'s decision is involuntary and that interference would be justified by soft paternalism. However, there would be no real way for the doctor to know whether Mrs. H. is acting out of ignorance or knowledge, and thus there is no way for the doctor to know whether interfering would be soft or hard paternalism.

Soft paternalism differs from hard paternalism in cases wherein an individual has clearly expressed his/her real desires or is demonstrably drunk, drugged, or mentally incapacitated by pain or injury. However, in cases in which it is difficult to know if a patient is ignorant or coerced, an act committed using the justification of soft paternalism may actually be hard paternalism. In these cases, the doctors' own values influence his or her view on whether the patient is coerced or ignorant or is acting based on his or her real desires. There are cases in which there is no way for a physician to know whether interfering with a patient is soft or hard paternalism.

When Political Ideology Meets Jewish Law: The Dispute over the 2010 Safed Ban on Selling Land to Israeli Arabs

Shlomo M. Brody

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The pronouncement of Safed Chief Rabbi Shmuel Eliyahu in 2010 to ban selling or renting homes to Arab citizens elicited heated responses, with some denouncing it as undemocratic and racist and others defending it as bold and patriotic. A nationwide group (including several municipal rabbis) declared their support for this ban, which, in turn, led to massive condemnation by prominent rabbis, amongst others. Unfortunately, polemical sound bites generate more heat than light. This essay will seek to calmly provide the Jewish legal background for this debate and articulate the various sides of the argument, even as I state from the outset that I strongly opposed the proclamation. In my mind, the proclaimed was a classic example of an ideology (reasonable or otherwise) driving Jewish legal interpretation toward political goals.

When enjoining the Israelites to uproot the seven nations residing in the Promised Land, God declared, "You must doom them to destruction: grant them no terms and give them no quarter (*lo tehanem*)" (Deut. 7:2). While the last clause clearly denies the inhabitants any mercy during war (MT Laws of Idolatry 10:1), the sages understood this verse as further proscribing the offering of accolades, gifts, or territory within the Land of Israel (BT Avoda Zara 20a).

One major question regards the scope of this expanded prohibition. Rabbi Joseph Karo (BY HM 249:2), followed by more recent figures, such as Rabbi Avraham Karelitz (*Hazon Ish, Shevi'it 24*), applied it to all Gentiles. Many, however, contended that it pertains only to idolaters (*Tosafot* Avoda Zara 20a), thereby excluding Muslims, for example (*Bah* HM 249). This distinction would stem from the perceived goal of these commandments: to distance Jews from idolatrous influence (*Sefer HaMitzvot, Lo Taaseh* 50–51). The prohibitions would certainly not apply to a g*er toshav*, a non-Jew who has accepted the seven Noahide laws (Raavad MT Laws

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of Idolatry 10:6).

Rabbi Menahem HaMeiri (*Beit HaBehira* Avoda Zara 20) and Rabbi Abraham ibn David of Posquieres (Raavad, MT Laws of Idolatry 10:6) asserted that the ban applied only to the immoral seven nations that inhabited Israel in antiquity, not to ethical people guided by religious norms. Similar sentiments were adopted by Rabbi Barukh Epstein (*Torah Temimah* Deut. 7:2), though this remains a minority position, as noted by Rabbi Yaakov Warhaftig (*Tehumin* 2).

Beyond this dispute, many qualifications minimize the scope of prohibited activities. Regarding accolades, the talmudic passage cited above states that one should recite a blessing when seeing a person of unique wisdom or beauty, since this is ultimately praise of God for His wondrous creations (OH 225:10). Following the medieval philosophers who lauded Aristotle and other Gentile thinkers, Rabbi Eliezer Waldenburg contended that one may praise great inventors of medicine and technology (*Tzitz Eliezer* 15:47). Rabbi Moshe Feinstein even deemed it appropriate to hold a dinner honoring a Gentile for his communal service (IM YD 2:117).

Similarly, the sages limit the prohibition of gifts to cases in which there is no reciprocity, and therefore assert that one may give a gift to a non-Jewish acquaintance with whom he enjoys a mutually beneficial relationship (*Taz* YD 151:8). Moreover, to keep the peace, Jews should care for impoverished or sick Gentiles (YD 151:11).

The prohibition of granting territorial claims led to major controversies. One concerned the temporary sale of Jewish agricultural land (*heter mekhira*) to Gentiles during the Sabbatical year (*Shemitta*), thereby allowing Jews to continue supporting themselves by farming in the Land of Israel. Beginning in the late nineteenth century, scholars debated the propriety of this sale. Some, like Rabbi Naphtali Tzvi Berlin, denounced it as a legal fiction.

Proponents of the sale, however, offered several justifications. Rabbis Yehoshua Trunk (*Yeshuot Malko* YD 55) and Eliyahu Rabinovitch-Teomim (*Eder HaYakar* 9) asserted that, as in the case of gifts, the prohibition did not apply when it benefited a Jew. Rabbi Karelitz retorted that this dispensation was inapplicable here since any sale inherently provided financial benefit, yet it would still remain prohibited. Yet Rabbi Abraham Isaac Kook argued that the prohibition did not apply if the non-Jew already resided in the land, especially if he was a monotheist. Rabbi Kook further noted that this sale was merely temporary and would strengthen long-term Jewish settlement (*Shabbat HaAretz*, ch. 12).

However, the more recent debate

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over relinquishing liberated territories clearly entails a long-term transfer of land. Yet Rabbi Ovadia Yosef (*Tchumin* 10) and others argued that a peace deal with the Arabs (non-idolaters) might strengthen the Jewish people's hold on the remaining parts of the land. Moreover, these decisors claimed, the principle of saving lives overrides the "no quarter" prohibition. But Rabbi Shlomo Goren retorted that this principle does not trump the settling of Eretz Yisrael, for which we are commanded to fight and risk our lives (*Torat HaMedina*, ch. 8).

Within the contemporary Israeli scene, many members of the religious community who passionately oppose territorial concessions also adamantly insist on employing the various dispensations to support the Sabbatical sale. These Jews reasonably contend that their position remains legally consistent in supporting the long-term Jewish settlement of the land. Yet one must always distinguish between what is religiously inspired and what is halakhically required, especially in controversies that combine political perspectives with spiritual values.

Likewise, with regard to this controversy, one must appreciate the political background from the perspective of the ban's proponents. Safed – a city of Jewish historic, religious, and national significance – serves as the central provider of medical, economic, and educational resources in the Galilee region, whose Arab and Muslim population has rapidly increased relative to its Jewish inhabitants. Some local rabbinic figures have found this trend (also characteristic of cities like Lod and Acco) troubling, especially since popular groups like the northern branch of the Islamic Movement support Hamas and similar causes. These rabbis further fear that fraternization with friendlier Arab neighbors might lead to intermarriage. Concomitantly, some political activists claim that international Palestinian sympathizers have attempted to purchase strategically located real estate (like Jerusalem's Nof Tzion project) to prevent Jewish settlement, even as the Palestinian Authority continues to forbid land sales to Jews.

Critics have responded that, even if legitimate political concerns exist, one cannot deny property rights to non-Jewish Israeli citizens. (In one notorious case, a Holocaust survivor was harassed after renting his apartment to three Druze students, themselves IDF veterans, who are pursuing degrees at Safed College.) The ban's opponents further contend that just such discrimination was directed at Jews for centuries. If the Galilee needs to boost its Jewish population, the appropriate response is government incentives and more Zionist education, not discrimination.

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Beyond these criticisms, the ban was condemned in rabbinic quarters for legal reasons. Rabbis Yosef Shalom Elyashiv and Aharon Steinman, leading ultra-Orthodox decisors, insisted that it would lead to anti-Semitism and similar discrimination against Diaspora Jews. These figures further declared the ban hypocritical, since many of the municipal rabbis behind it support the *heter mekhira*, the legal mechanism discussed above to circumvent Sabbatical year restrictions. Rabbi Hayim Steiner, a defender of the ban, retorted that *heter mekhira* is entirely different, since it is a temporary sale that actually sustains Jewish settlement. And Rabbi Eliyahu pointed out that Rabbis Elyashiv and Steinman had previously declared a similar ban in Bnei Brak, albeit more quietly.

More fundamental critiques, with which I identify, came from other segments of the religious Zionist camp. Rabbi Hayim Druckman, head of Yeshivot Bnei Akiva, contended that one may prohibit real estate deals with "enemies of the state." Yet it remains unacceptable to issue a blanket prohibition against all Gentiles, including many loyal citizens, such as college students, IDF veterans, and health care providers.

In a statement supported by the Tzohar rabbinic organization, Ramat Gan Chief Rabbi, Yaakov Ariel, cited the State's self-imposed obligation to ensure equal rights for its citizens. He endorsed the classic stance of Israel's first Ashkenazic Chief Rabbi, Isaac Herzog, who declared (before the State's establishment) that, as long as real estate deals were not intended to harm Jews or undermine Israeli control over the territory in question, they remained permissible (*Tchumin* 2).

Rabbi Aharon Lichtenstein of Yeshivat Har Etzion launched a more trenchant critique, contending that the Safed rabbis had greatly oversimplified Jewish law. It remains unquestionable, he noted, that there is a halakhic basis for prohibiting the sale of land to Gentiles within Israel. Yet, as we saw, a few figures limited the prohibition to the seven Canaanite nations, while many other scholars applied different dispensations to the rule, including a strong albeit not exclusive tradition – originating with the medieval school of the Tosafists – that severely narrowed this and similar laws. These points and others were made years earlier by Rabbi Hayim David HaLevi in sweeping essays that presented a Jewish legal stance in tune with democratic values (*Aseh Lekha Rav* 4:1, 8:68, 9:30).

In short, genuine political problems may exist in various parts of the country. But the solutions lie in education and political wisdom, not in overreaching legal statements that distort – and disgrace – Jewish law and its adherents.

Special Section
What a People Hopes: A Dialogue between Rabbi Mark Moshe Goldfeder and Father Mario Cucca

➢ *Introduction by* **Andrea Pin**

Jews and Christians surely share life. Do they also share faith, hope, and the meaning of life? And to what extent? What follows is the most faithful transcription of a dialogue between two friends who had never met before.

Rav Mark Moshe Goldfeder is Senior Lecturer of Law & Religion at Emory University (Atlanta, Ga – USA); Fr. Mario Cucca is a Franciscan Monk and teaches Exegesis of the Old Testament at the Gregorian University (Rome, Italy).

Both deeply into their faith, they were willing to exchange opinions on what their respective traditions say to their own lives. And, since Jews and Christians see in the First Testament a common well from which they both extract water to live, it is no wonder that their opinions overlap, their reasoning resonate with each other, and the dialogue becomes perhaps even moving.

This dialogue was originally conceived in late 2014 by the Rosmini Association, which is based in Padua (Italy). The organizers then thought that – among the myriad of topics that Rav Goldfeder and Fr. Cucca could focus on – the issue of hoping in an uncertain world, which is characterized by rampant violence, economic difficulties, and political instabilities, would be a good starter.

This intuition has proven even truer with the passing of time. Isis's threat is expanding; Europe is experiencing the Ukraine crisis; Christians are slaughtered from Libya to Pakistan; Jews have been repeatedly murdered and threatened in the last few months and are considering moving to Israel increasingly.

It is no surprise, then, that this dialogue, which concretely took place on March 12, 2015 in Padua, started out with questioning the capacity to face reality and to hope that human beings, both individually and as a people, have. The keywords throughout the debate are precisely hope, trust in God and obedience to His law, personal and collective failures, and the self-understanding of Christian and Jews as

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peoples. These are not treated as bright but cold theological concepts; they are considered instead as fundamental truths upon which Jews and Christian live on. Life is not a clean slate, after all.

As one will see easily, Rav Goldfeder insists on the role of law, while Fr. Cucca underlines the assimilation of Christians into Jesus' life through his martyrdom. What one would probably expect less is how much the wisdom that the two traditions embed, actually resonate and speak to each other. This is not a mere, though sound, theological dialogue; it is rather an existential confrontation with the challenges that life poses to everybody, and through which everybody feels closer to anybody else. Here is where two unknown to each other become friends.

With many thanks to Tania Pagotto, who provided the translation of Fr. Mario's talk and translated Rav Mark's speech for the audience at the conference.

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Speaking about hope, easily the relationship of the Jewish people with God in the remote past as well as in the contemporary age comes to mind. It seems that the history of the Jewish people is characterized by an intense relationship with God, on which the Jews relied from the time of the escape from Egypt to the end of the Shoah. But this is not the whole story of it. There's also a story falls and failures, and of temptation.

Rav Goldfeder, would you like to tell us more about the hope of the Jewish people?

There is an old Jewish concept, famously formulated for example by Nachmanides, which says that '*maaseh avot siman labanim*' the actions of our forefathers are meant to shed light on our own lives and experiences. And so in order to answer your question I want to turn back in history for a bit to the story of our forefather, Jacob, and his famous dream, in which he sees a ladder full of angels ascending to and descending from heaven.

Jacob's ladder is one of the most iconic images in Jewish history. The Rabbis have given us multiple meanings full of deeply symbolic significance. Philosophers from Philo to Kugel, artists, kabbalists, and songwriters have all turned to Jacob's ladder for inspiration and claimed it for their own.

One of the most commons themes, expressed for instance, by the Ohr Hachaim Hakadosh, is to see the ladder as a ladder of opportunity, as a lesson in how we are supposed to develop in our lives. We should have a

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solid foundation, rooted in the ground and then we are supposed to elevate ourselves, step by step, rung by rung, until we reach the sky.

I've always liked that interpretation because it's simple and it's so full of hope and trust in the human ability to rise above challenges and find the pathway to perfection.

But there is a Midrash, an old Jewish teaching that sees Jacob's ladder in quite a different light. Jacob is watching the angels going up and coming down; the Rabbis tell us that they represent the various nations throughout history that will rise to prominence and then fade into the background. And then the Midrash writes that God said to Jacob, "Jacob, why aren't you climbing the ladder as well?" At that moment, Jacob became afraid, and he asks, "If I climb God, will I fall like them?" G-d says, "Do not fear Jacob, if you go up, you will not fall down," and God waits for him. But Jacob doesn't climb. And so God says Jacob, "If you had only climbed the ladder, Jacob, you would have never fallen down. But now since you didn't believe, your children are destined to be subjugated by these other various kingdoms."

This Midrash sees Jacobs ladder not as a ladder of opportunity but as a ladder of lost opportunity, as a reflection of what could have been. The Rabbis in the Talmud tell us that Jacob is a reflection of Adam. Adam, of course, is famous for his own fall from grace, for Paradise Lost. And now Jacob says to God, I can't climb the ladder, because I am afraid that I will fall.

What exactly are we supposed to take away from this story?

I think that the answer actually comes from our first approach, the Ohr Hachaim's approach, which saw the ladder as a lesson on how we are supposed to develop as people. Yes, we should always make sure that we are grounded. And yes, we should always make sure that we climb step by step, rung by rung, that we don't bite off more than we can chew and that we take things slowly and methodically. But there is another important lesson to remember, says the Midrash. There is another aspect to this story that we have to keep in mind.

Often times in life we are presented with new challenges, new opportunities to rise to the occasion and to climb to new heights. What Jacob teaches us is that no matter how difficult it may seem, we should never ever be afraid to climb, even if it means the risk of falling.

Nelson Mandela is famous for having said the greatest glory in living lies not in never falling, but in rising every time we fall. In reality though, Nelson Mandela was merely paraphrasing a verse from Proverbs 24:16; the righteous man falls down seven times and arises.

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Rabbi Yitzchak Hutner in his work the *Pachad Yitzchak* writes that people often misunderstand this verse. It does not mean that a righteous man falls seven times and gets back up. It means that in order to become a righteous man one has to fall seven times, one has to face failure many times and overcome it. Because a righteous man falls seven times he will rise.

How does this work? Chassidut teaches us the idea of '*nefilah litzorech aliyah*,' a fall that ultimately empowers man to rise to even greater heights. The verse in Genesis 1:31: "And God saw everything that He had made, and, behold, it was very good." The Midrash comments that the word *tov*, good refers to the *yetzer hatov*, man's Good Inclination, but the extra *tov meod*, the very good refers to the *yetzer hara*, the evil inclination. Now why is it that the Rabbis consider the *yetzer hara* the evil inclination even greater than the *yetzer tov* the good inclination in terms of developing a person's character? Because it is in the struggle that we define ourselves; it is in the fire that we purify and forge ourselves; it is in the moment of crisis that we reflect and rebuild.

In Hebrew, there are forty two letters in God's Ineffable Name. When the Torah describes the travels of the Jews in the desert, the Torah lists 42 *masaot*, or journeys. And commentators have often wondered why all these journeys needed to be listed. They've all been recorded elsewhere and if you look at them from a literary perspective it's not really the most compelling read.

The verse that starts the list might give us a clue about its meaning. *Eileh masei bnei Yisrael* these are the journeys of the children of Israel, *asher yatzu m'eretz Mitzrayim*, by which they went out of the land of *Mitzrayim*, the land of Egypt. And then the Torah lists forty two different travels, which at first glance that doesn't seem to make sense. Only the first travel was out of *Mitzrayim*; they went from Ramses to Sukkoth. The second travel wasn't out of *Mitzrayim*, the second travel was out of Sukkoth!

What does the verse mean then when it says that they traveled forty two times coming out of *Mitzrayim*?

The Lubvavitcher Rebbe notes that the word *maitzar* in Hebrew means a constricted or limited place. Etymologically it come from the word *tzar* meaning narrow. Perhaps the verse then is not talking about the land of *Mitzrayim* at all, but of the concept of *meitzarim*, limitations. These are the journey the Jewish people took to break free from all of their constrictions, to overcome their limitations.

But what is the secret message that the *pasuk* is trying to describe?

Why doesn't the verse doesn't tell us is exactly how they did it, how they rose past their limitations, from the depths

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to the heights? Where is the secret ingredient, all we have is list of places?

And then take one more step back and realize that the answer is there:

They kept on traveling.

It took 42 stages for the Jews to get from Egypt to the land of Israel.

It took them 42 steps to climb that ladder, and it took them 40 years to do it.

But the Jewish people kept on traveling. That list is a testament to their enduring spirit.

Depending on who you are and on how you're relating, the Torah has a reaction for each situation. To the person who thinks that they have fallen, the reaction to that person is: Do not despair because God never intended that a person go from Egypt to Israel in one move. The Torah told us from the very beginning that it's going to take 42 small journeys.

The Baal Shem Tov writes that the forty two encampments replay themselves in every individual's life. From the moment a person is born, they are faced with a constant stream of new stimuli, challenges, perspectives, points of view. The trick to getting anywhere, the trick to achieving greatness, is to keep on traveling, and growing, and to never despair if it seems to be taking a long time. God never intended that a person go from Egypt to Israel in one move.

Small steps over a long time lead to greatness nationally, and individually as well.

And the truth is that I also think the same is true of history. During the three weeks we commemorate the destruction of not one, but two temples. The Bar Kochba revolt, the Spanish Inquisition, the deportation of the Warsaw ghetto, and the list goes on and on. But somehow we are still here, and in Israel, and we are growing ever stronger. And the secret, again, to that greatness, is hidden in the small steps and decisions that we made along the way.

When we lost our Temple 2000 years ago, it would have been very easy for us also to have lost our identity as a nation, but we didn't, we kept moving forward. We built new communal centers; we established a new system of mini-temples, in every community, the synagogue. Every time they knocked us down, instead of giving up, we immediately began the process of taking small steps forward again.

No matter how hard you try to succeed, it is inevitable that you are going to fail at some point in your life. The test of greatness is how that failure is handled. Some people make excuses. Others try to shift the blame. True greatness and leadership, comes with owning and embracing failure and not being afraid to try and try again.

The stairway to heaven may be a spiral staircase, and it may not be very steep.

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It may take years to reach the next landing, but the important thing is to keep moving forward. The important thing is to never be afraid to keep on climbing. And, if there are any setbacks, to realize that falling isn't failure.

It took Thomas Edison years to finally get the lightbulb just right, but he took every setback as guidance, he saw every fall as a chance to climb higher. "I've never failed, he said, I've just found ten thousand ways that don't work." As it turns out, 10,001 turned out to be the invention that would literally light up the world. And so as the Jewish strive to be a light onto the nations, we have to remember that *vrosho magiah hashamahyim*, the light at the end of our ladders, really is heaven, and it is worth the climb.

Our hope then is to always keep on climbing.

Fr. Cucca, Speaking about the idea of people, could you describe us the newness of the Christian people? I would like to know what constitutes them as a people, and distinguishes them from the Jewish people. Did such novelty appear as soon as the creation of the first Christian community? And does this novelty say something valuable for us now?

Christianity (the early Christianity from an historical perspective, Christianity as such from an existential perspective) is deeply rooted in Hebraism.

Last decades – in particular from the Vatican II Council – have been marked by a positive recovery of the Jewish roots of Christianity: indeed, Christianity has to face the belonging of Jesus of Nazareth to the people of Israel. Here is St. Paul's famous reference to the Jewish heritage of Christians:

"I am speaking the truth in Christ, I am not lying - my conscience bears me witness in the Holy Spirit, that [...] they are Israelites; whose is the adoption, the glory, the covenants, the giving of the law, the service, and the promises; of whom are the fathers, and from whom is Christ as concerning the flesh." (Paul's Letter to the Romans, 9, 1-5)

The most significant authorities are the Council Constitution *Nostra Aetate* and the directives of the *Orientations and Subsidies Commission for the Relations with the Jewish Institutions.* There, it is explicitly reaffirmed that "Jesus is a Jew, and he will be so forever". Even the Risen Jesus is still a Jew.

Perhaps, the extent of that statement has not been enough considered yet: Jesus, in fact, "belongs" to the people of the Promise – that is the people of God – and, as testified by the Gospels, lives as observant Jew. He is sharing expectations and hopes according with the faith of Israel: his faith is a "Jewish faith". Let us enumerate some of the most striking aspects that confirm this assertion:

- He is circumcised (Luke 2, 11)

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• He makes the profession of faith in one God through the daily recitation of the Shema (Mark, 12, 28-30)

• He normally attends the synagogue on Saturdays (Luke 4, 15-16) and goes to the Temple, if not properly as place of worship, as place of education (Mark, 12, 35; John, 7, 14)

• He participates to the main celebrations of Israel

• He is aware of the clear distinction between Jews and Gentiles (Mark, 7, 26-27)

• He preaches during the day, using typical Jewish expression *(malkût 'elohîm)* which combines together the sovereignty of God and the appreciation of man

Now, something along the same lines must be carried out regarding the first Christian Community.

The preaching of Jesus and the first Churches did not do anything else than place themselves in the framework of Judaism (mostly Galilean) of the First Century. Indeed, it may be said that Jesus and the first Christian communities contributed, in a certain way, to outline the Judaism of that time (and maybe of the following moments, too) in its own configuration. It must be stated clearly that the movement started by Jesus of Nazareth is not only historically incepted within the Judaism of the time. It constitutes a variation and a further confirmation of a plurality of "Judaisms". In fact, Jewry vests Christianity and is ineradicable from the identity of Jesus himself, a Jew among Jews, and the movement originated from him. Christianity was firstly a Jewish movement made by Jews and then a Gentile movement breaking away from Jews.

Accordingly, all novelties of the relationship between God and mankind through Jesus, must be considered starting from the Jewish faith.

Of course, however, recognising the integral Jewry of Jesus does not imply that his figure is completely steeped in the Judaism of that time until its dissolution. By contrast, in the contest of Israel, Jesus stands out on several grounds of originality.

A first and striking element of originality arises in the unique relationship between Jesus and the Mosaic Law. He is often struggling with the groups of the Scribes and the Pharisees, and also the Sadducees. He disregards the observance of the Shabbat (which he violated several times) and the norms on purity, neglected with absolute freedom. He approaches all the "impures" such as lepers, menstruated women, publicans and prostitutes.

A further aspect of originality (and the decisive one) is the focus of the announcement of Jesus on the idea of the Kingdom of God. This new idea is not conjugated in the future or conceived in a special way, as it

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was something similar to a "political" domain: Jesus rather underlines the dynamic character of the Kingdom. He refers the Kingdom to the saving action of God. And, even more surprisingly, Jesus connects the Kingdom with his person. In Jesus's words, the Kingdom lies within the very fact that he is preaching to the poor, welcoming and accepting the marginalized people, healing the sick; "The kingdom of God is in your midst" (Luke, 17, 21).

All these elements show in a clear way how Jesus, the Jew, "stands out" within his context. Moreover, some of Jesus's innovative marks – such as his original relationship with the Jewish law, or his critique of the Temple when his death was imminent – made him frontally oppose the establishment: and this was, ultimately, the reason that prevented him from dying comfortably in his bed.

Jesus put himself and his relationship with the Father at the core of his own predication. And this is the fundamental point of departure of the Christian people from the Jews.

In the dead and risen Jesus of Nazareth, we, Christians, recognize the only begotten Son of the Father, the Redeemer Messiah of all the peoples, who brings to completion the promises of God. In this faith we recognize the fulfilment of the Torah and of the Alliance (Paul's Letter to the Romans, 3, 31).

From an historical point of view, the (progressive) awareness of the disciples about such facts slowly generated the inexorable separation between Judaism that was later named as Christianity (the term appears for the first time in Ignatius of Antioch - around 107 AD).

The principal elements of this process are the following:

- These premises have been laid by Jesus himself. Behind these premises stands the demand of his Self as the fulfilment of the promises and of the Alliance, as recalled before. However, his dramatic epilogue demonstrates that he wasn't pacifically accepted: he was confronted by other Jews.
- A step forward was made by the First Church of Jerusalem, when he announced not only that Jesus was risen, but also that he died "for our sins" (First Letter to the Corinthians, 15, 3). In this way, the primacy of the Torah in mediating the mutual relations between God and men was implicitly undermined.
- Paul, by his side, made another further step forward, declaring that the ethnic belonging to the people of Israel was useless, as far as the justification before God was concerned.
- The Gospel of John finally describes in an explicit manner the divinity of Jesus as united to the nature of the God of Israel and, at the same time, introduces the concept of incarnation.
- The formation and arrangement of the Rabbinical Judaism after 70

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AD, echoed also in some texts of the New Testament such as Matthew 23, deepened the elements of division. The lines that divided Jews from Christians, the two movements that survived the catastrophe of ancient Israel and the destruction of the Temple under the Romans, became apparent to both communities by that time.

• Between the 70 AD to the outbreak of the second Jewish rebellion (132-135 AD) a further detachment between the two "Judaic denominations", the rabbinical and the Christian one, took place. Simultaneously, an osmosis between the Gentiles and Christians happened.

The features of the ancient detachment of Christian from the Jews that I have briefly sketched out here are still alive. Even nowadays, we can observe two peoples – the Jewish and the Christian – coexisting but appealing to two different understandings of affiliations and fundamental characters. What lessons can be learned from such features?

• The ecclesiological thinking is called to clarify how the boundaries of the two communities of the Alliance, the Church and the Synagogue, both partake the common mission to serve God and mankind without blurring the lines that divide the two.

• The element of radical novelty brought by Jesus of Nazareth is extremely thought provoking. It calls Christians to be open to novelty, conceived as a dynamic of history as place of revelation of God. Sometimes the lifestyle of our Christian communities is too much anchored to the habits of the past. Oftentimes, under the explicit proposal to safeguard the value of our tradition – which is actually a rather elastic concept – we fear of novelties, of what is a product of creativity and innovation; we prefer the repetition of well-known formulas. But the tradition, as Gustav Mahler would have said, is the preservation of the fire, not the adoration of the ashes; unless our purpose is to reduce the scope of the tradition to repetitions of particular customs of the past.

The Council Vatican II – which is a point of no return in the self-awareness and praxis of Catholics – self-understood itself as a "refresher" project. It therefore stated that present always requires new readings, new perspectives in faith. The necessity of a progress, of a development, of a maturation lies within the same faithful obedience to God and to his word. But this renovation in thought is feasible only if the Christian people is rooted in the foundation of the Christian faiths and waters at the source of life. It is necessary, moreover, to welcome the stimulus to grow in the adherence to the one God, fully aware and thankful for the potentialities of reality, and able to react to the demands of

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contemporaneity and of its "signals".

That is the reason why the Word of God constantly requires that its readers convert themselves: in other words, that they remain open to change, renovation, acceptance of the novelties that God sends us.

This lifestyle conflicts drastically with the stereotyped repetition of the past. Adopting the dynamic of the conversion, individually and collectively as a people, requires the availability to recognize our setbacks and walk a path of radical innovation and change.

Rav Goldfeder, as a Jew, what differences strike you most when you observe Christians and their belief? How would you describe the difference between Jews and Christians, when it comes to how they both conceive themselves and life?

Most people, when they are asked this question, would describe the difference between a religion based on law and a religion based on love. I think the difference is actually not as great though, because Judaism sees itself a religion based on law, but in many ways as a legal system based on love.

The question we have to consider then is what would it look like for law to be based upon the concept of love? And as I will attempt to demonstrate, when you move from an ethical ideal to a systemic translation, when you try to ground a principle like love in practical day to day legislation, it naturally has to become bound by practicality and immediacy, and law based on love begins to look a heck of a lot like good old fashioned democracy in many ways.

But being that love and law often come back to a religious perspective, let's start there. The difference between love as a general principle as compared to a legal system based on love, is very similar to the difference between how Jews and Christians read the bible.

Traditional Judaism sees the commandments in the Bible as legal imperatives, fully operational and even actionable. Christians tend to read the commandments in the Bible as ethical moral, spiritual directives, not necessarily law in the way we normally use the word.

To give you an example of what I mean, here I will quote from a question and a thought experiment that my friend Chaim Saiman once asked in an article- what is the first commandment in the Bible? Does anybody know?

Be fruitful and multiply. But what exactly does that mean?

Many Christians see this as an ethical imperative, a command for man to go forth and conquer the world, and have children. But how do you know when you've done enough? How do you know when you've fulfilled that mandate? It doesn't really matter if it's just a principle. You fulfill the idea and

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move on.

But if you think of it as a law these are questions that you need to have answered. And that's where Jewish law begins. You see Jewish people have been reading the Bible as a law book since time immemorial. Jewish law sees be fruitful and multiple and it says ok, children, that's plural, must be two children, and so on and so one. There are pages of discussion in the Talmud on how to translate an ethical principle into a legal requirement.

And that's why Judaism and the State of Israel are an excellent place to start when you want to see what it means to translate an ethic like love into a legal system. We have been doing this forever. When the Bible commands us to love thy neighbor as thyself, that isn't just a nice idea, it comes with a whole history of jurisprudence.

When we ask what would it look life if Law was based on Love, and if it was subject to judicial review by Love standards, that essentially treating the problem as a Jewish law problem. If we are going to see Love as a Legal Imperative, then we have to ask really hard questions, like how much love is one required to show? What is an actionable violation of a love law? Define love, in practice. Does it mean equality? Justice? Mercy? How much mercy? etc. etc.

And again, I want to come back to the point that when you try and translate an ethical directive into a legal imperative, when you try make love into law, what you end up with is essentially democracy. And if you are curious as to how exactly that works, lets take a quick look at the Israeli legal system.

Now of course, we do have to distinguish between Jewish law and Israeli law, because Israeli Law is not Jewish law. And yet, in 1948, the Israeli Declaration of Independence affirmed that the State and its laws would, "be based on freedom, justice and peace as envisaged by the prophets of Israel." Now it is clear even from this statement that the laws of the land are not to be Jewish law exactly, with all of its technicalities but that they should be based on the Jewish legal spirit. So if you had to strip away the technicalities to get to the sprit of Jewish law, what would it look like? What is the defining foundational principle of Jewish law that all of Israeli law is to be based on?

And thankfully that answer is really easy.

When asked to formulate the main principle behind all of Judaic law, Rabbi Akiva famously said that it is to "Love your neighbor as you do yourself. That is the overarching principle in the Torah." Period. The Jewish legal spirit is based on love of neighbor.

From the religious perspective then, if the law of loving neighbors is in fact the meta-legal principle operating behind

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the entire corpus of Jewish then when the Declaration invoked the spirit of Jewish law, when it said that the laws would be based on its main principles, this must be what it was referring to. Loving the neighbor.

And lest you think that I am overreaching, that this is not what the declaration meant to do, that Israeli law is not based on the law of love, well no less than David Ben-Gurion himself, the first Prime Minister of Israel, confirmed that this is so.

In *Rebirth and Destiny of Israel*, a collection of his essays and addresses, Ben-Gurion writes,

"By these will the State be judged, by the moral character it imparts to its citizens, by the human values determining its inner and outward relations, and by its fidelity, in thought and act, to the supreme behest: "and thou shalt love thy neighbor as thyself." Here is crystallized the eternal law of Judaism, and all the written ethics in the world can say no more. The State will be worthy of its name only if its systems, social and economic, political and legal, are based upon these imperishable words. They are more than a formal precept which can be construed as passive or negative: not to deprive, not to rob, not to oppress, not to hurt."

And so far from being just a theoretical notion of what the Fathers of the country might have meant, when we look at the law of 'love thy neighbor' what we are really seeing is the essence and the backbone of what we now think of as Israeli law.

Chief Justice Barak once wrote an article literally called "The Values of the State of Israel as a Jewish and Democratic State." In it he writes, "What are the values of the State of Israel as a Jewish state from the heritage aspect? We learn about these values from the 'world of Halacha' (religious law). They include the values of the State of Israel as a Jewish state in various levels of abstraction; from a specific law on a certain issue to abstract values such as '*love your neighbor as yourself*,' or 'do that which is honest and good.' It contains particular and universal values; it contains values developed over generations throughout the history of the Jewish people."

And so internally, Israeli law is based on and is reviewed according to the standard of love thy neighbor, the foundational rule in Jewish law.

And when that happens guess what. There need to be rules put in place. Standards if you will. Minimum amounts of love and respect you have to display- for instance, no hurting other people, no robbing them or taking their things. etc. etc. and before you know it there's a civil and a criminal legal system. Minimum standards, actionable standards of Love tend to translate into things like equality and

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justice, maybe tempered with mercy but again not too much mercy, we have to set limits or else one persons love ends up leading to allowing for another persons harm.

So Jewish law is law, but it is our way of expressing love, the Divine commandment to love, in practical finite terms. It is our way of taking the mundane and making it holy.

And the truth is that many people think of Judaism as an overly ritualistic system, concerned with the minutia and not the spirit of the law, but the truth is that for Judaism, both civil and ritual law also fall under the category of religious law.

If you take a look at the Old Testament, you will notice an almost sudden change in the middle of exodus. The book seems to be reaching a crescendo, we have the revelation at Sinai in Chapter Twenty, and the commandment to build an altar and then suddenly…. We turn to a very technical discussion about Tort law. Chapter Twenty One and on is essentially a law book. What happened? You might ask yourself. How could a discussion about tort law be at all meaningful when it stands in contrast to the last chapter's monumental encounter with the Divine?

The famous biblical commentator Rashi was bothered by this question. Rashi asks: "Why, in the Torah, was the subject of civil law placed next to the commandment to build an altar?" And he answers, "To teach you that the Sanhedrin, the final arbiter of civil law, has to be located next to the altar."

Judaism does not believe in the separation of synagogue and state. Immediately after the Ten Commandments and the laws of the altar, the Torah turns to discuss the minutia of private rights and remedies. For Judaism, civil law and ritual both fall under religious law. Which raises an interesting point because if civil law and ritual law are one and the same, then either both are holy and meaningful, or neither one is holy and meaningful. Assuming that they are in fact meaningful, the question is how? Again, how does one find spirituality in a law book? I'd like to answer that question based on an idea that I heard from Rabbi Mendel Blachman.

It's very common for people learning Talmud for the first time to start with Tractate *Bava Metzia*, one of the tractates that that is part of the section of Talmud called *Nezikin*, damages, which is largely based on laws derived from these tort passages in exodus chapter 20 and on.

If you take a look at the very first Mishna, the first teaching in Tractate *Bava Metzia*, for many people their first window into the world of Talmud study, you might be surprised at the law it teaches. The Mishna begins: "If two people are holding onto a piece of cloth, this one says I found it, and this

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one says I found it, this one says its all mine, and this one says its all mine, what do they do? This one swears that he owns at least half if it, and this one swears that he owns at least half of it, and they divide it." That is the first case in the Mishna.

And you might be surprised that this case is how people are introduced to Talmud. Is THIS the fabulous Talmud that Jews have died to protect? Is this the treasure? Is this the source and wellspring from which Jewish people derive meaning?

And then you take a step back and you realize that no, that Mishna is not the whole story. It really is like a case book, it is just an example to demonstrate a greater truth. There is an underlying principle throughout the whole Tractate *Bava Metzia*, that if a doubt arises between two parties, the money in question should be split. The Mishna's story is just an example, it's a way of putting some meat on the metaphor so that the principle will pop out at you, and you can see how it looks when it is translated into reality.

But still, is that it? Is that principle really that impressive? Is THAT the great secret of the Talmud, that money in question should be split?

And then you realize that no, that principle itself is just an example, it itself is a way of fleshing out the real idea behind most of *Nezikin*. There is a meta-Halacha behind *Nezikin*. It is spelled out in Tractate Sanhedrin, which says *yafeh koach pshara mikoach din*; the power of Compromise is even greater than the power of strict justice. Splitting the money is just a way for us to concretize that notion. Splitting money when emotions are high is an example of a practical compromise.

So we're getting a little more meaningful. Compromise is a wonderful value. But is that it? Is that the spirituality of the Talmud, that compromise is the end goal? And then you realize that no, that's not it. But it is close.

At this point you've felt the pulse of the Talmud, you've heard the heartbeat of the Halacha. But when you take that meta-Halacha of Compromise, and all the other meta-Halachot that crisscross all of the Talmud between the lines, if you add them all up together you'll see that they are all just an illustration for one much greater truth, the verse in Psalms 28:11, "The LORD gives strength to his people; the LORD blesses his people with peace." The idea that peace, harmony, is the ultimate blessing that God will give His people. Compromise is just a way for us to make that Shalom something finite and real, to bring it into existence.

That's the truth behind the Talmud, all those layers underneath those laws. Shalom. Peace.

That is what the great Sage Hillel meant. The Talmud in Tractate Shabbos

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famously tells us that once a man came before Hillel and said teach me all of Torah while standing on one leg. Hillel answered that "What is hateful to you don't do to others. That is the whole Torah, the rest is just commentary, go and learn it." In the Talmud Yerushalmi, Tractate *Nedarim*, Rabbi Akiva echoes this sentiment- love your neighbor like yourself, this is the essential rule in the Torah.

The great truth that all of these laws connect us to is the concept of Shalom, Peace.

And now take just one more step back, and recall the Tractate Shabbos which tells us that *Sheim Gufei Ikrei Shalom*. G-d's Name itself …is Shalom.

And now we've found our meaning, because you realize that for a Jewish person, when they open up a Talmud, the source that they just plugged into is God. And when you ask them, do you know what the outlet was, how you plugged yourself in to the Divine? Do you remember how this esoteric thing called shalom first entered into our world of tangible physical reality? The answer is;

In the form of a compromise, when you split the money, because there were two people holding a cloth, and you told them to divide it. These so called mundane laws are, to Jewish people, the very practical and very finite expressions of God's Name in this world.

In Tractate *Bava Kamma*, Rabbi Yehuda says, "He who wishes to become pious, let him observe the matters of Nezikin."

Back to answering Rashi's famous question, as the great Avnei Azel does, the reason that civil laws are right next to the laws of the altar is that these are *mitzvot*, commandments, just like those are. The altar is how we worship God in the Temple, and civil law is how we worship God in our everyday lives.

The last chapter told us about the open Revelation at Sinai. This chapter, if you just pay close enough attention, gives you the keys to experience revelation daily, by connecting with the Being behind the laws.

So we are not actually that different. Jewish law is how we believe we are supposed to EXPRESS divine love in this world, in a practical and finite manner, in order to raise our everyday lives to a higher plane of existence, to take the mundane and make it holy.

Fr. Cucca, what does Christianity teach us about the relationship between God's promise and the experience of God that is available to human beings in this world? Which is the relationship between the experience of real, concrete items (such flowers, trees, the sky, or the pain), and the experience of God?

Here I would make two points:

- Taking into consideration what Christianity shares with Hebraism, I

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would stress that for Christians the relation with God begins as He wants to establish an alliance with us, addressing us His words. We need words, we need someone who talks to us. It is not true that words are chitchats. The ability to speak a word singles out *human* being from any *other* living beings.

An example, presented (and interpreted) by the psychoanalyst Massimo Recalcati seems to be revealing in this contest: "Wanting to know which was the basic language among all the spoken languages [...] Frederick II conducted a cruel experiment, which only a tyrant could have considered. He decided that some children would have been raised by nurses who were obliged to remain silent all the time. Children grew up without exchanging any words. […] This might have provided to Frederick II the verified prove of the existence of the basic language. Indeed, the first language these poor kids would have pronounced, would have been the basic language, since they would have spoken without suffering from external influences and distortions. But all the children died, because the living word of an Other was missing...There is no basic language, but only the language which is living through the words of the Other."

You will die, if none addresses you any word. The tragic epilogue says that the cruel experiment of Frederick II was excessive; but the absence of words would always bring an exclusion of life with it. Such exclusion can also mean for an individual being abandoned to his own impulses. When the human being is addressed a word – even without understanding it – he is recognized in his unique dignity of person.

The words, in fact, cannot be reduced to communicational instrument of some determined sentences. Words are much more: they are the place where the human being house each other; where the human person occurs as own person, he is recognized in his unique dignity and irreplaceable relational partner.

He who speaks offers his words: he builds a bond, a relational alley: language is indeed a gift. It is not a proposal of something, but rather proposal in itself: it is the vital suggestion of a link with someone. As every gift, a word is not an offering of something, of a content of a certain type or of a specific meaning. It is the free homage of a pact, of a relationship, of a sharing, of being with and for the Other [...]. Language as a gift is therefore the occurrence of an *ethical intrigue*, of a bond, of a link, of the sheer event of community, of being together, with the Other and for the Other. It means being exposed to the Other – in other words, it makes the human being a responsible being who replies. The human being that is called into this relationship becomes part of that bond.

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Having spoken since the beginning, God offers himself as the spring of relations: this is the absolute novelty of the biblical revelation. In fact, this is opposed to every other religious traditions of the ancient Near East, whose gods "have a mouth but they do not speak" (Psalms 115, 5; 136, 16).

If we go through the whole history of the Church, we realize how each spiritual experience has been decisive for the Christian people and has had the matrix in the Sacred Scripture. It was the explicit and resolute welcoming of a word capable to change men and society. "You beat my heart, and I loved you", reminds Augustine in his *Confessions.*

We can say that the objectivity of the meeting with the God of Jesus Christ – that is the conception of God's promises – happens again and again in the experience of listening to the Word of God. That is the reason why the Council Vatican II in *Dei Verbum,* has stated that "the church has always considered and considers the Sacred Scriptures as a rule of her faith".

Now, considering the Scriptures as a rule of faith means becoming conscious of the fact that the Church lives of the Word of God and not of universal doctrines, of rites or rebuttable rules, traditions or devoted customs. The fundamental "code" of the Church is the Sacred Scripture. It is absolutely necessary – as Paul affirms in the First Letter to the Corinthians and as Francis did as well – contemplating again our faith, acknowledging that its origin is in the listening of the Word of God. It is necessary to return to think Biblically. Thinking not in a Biblical way makes us limited: it imposes blinkers, and prevents us from understanding the breath of the vision of God.

- The second point constitutes the originality of the Christian experience. It becomes inevitable, at this time, to take as the basis of our history the fundamental event of the Incarnation, which is condensed in John 1, 14: "And the Word became flesh".

His Word, since the very first day, is instrument of communication and relation (Genesis 1, 3). That word, which was "at the beginning" (John, 1,1), at a certain point becomes flesh. It literally makes itself flesh: it does not merely "acquire" a body as a dress, but it becomes itself flesh, body. This is a radical transformation: a fundamental change is enlightened. This change is not in the essence of the Word and in its divinity, but rather in the relation that the Word has with the creatures. It is not by chance that John, 1, 14 continues: "and he lived with us, and we saw its glory".

Here is our starting point, what allows us to mark the fundamental importance and value that corporeity has in the relation with the other: the body is taken by God himself as instrument of

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relation. The Word itself, of the Father, becomes a body to be shown among men, to let men contemplate the Word; the Word becomes a body here to change the quality of the relation with men.

The relation between man and God is sublimely played out and expressed in the body of the Word within history. This creates a constitutive link between Christianity and concreteness (carnality) of history, between the present occurrence of Christ and the continuing donation of himself in the carnal contemporaneity of our freedom. This is linked with the physicality of God's presence in the history of men (this constitutes the ultimate meaning of the sacramentality which is typically Catholic). This allows to recognize the positivity of all the reality (even in its wounds): it has been stated, indeed: "He is the image of the invisible God, the firstborn over all creation. For in him all things were created: things in heaven and on earth, visible and invisible, whether thrones or powers or rulers or authorities; all things have been created through him and for him. He is before all things, and in him all things hold together" (Colossians, 1, 15-17).

This means that the event of his incarnation, in relation with the Eastern Mystery and Sacrament, lets us to recognize a global positivity in all realities, where the creative actions of God flows as goodness, as beauty, as life, even in the wound, in the drama and finiteness of reality itself.

Rav Goldfeder, do you think that you personally, and the Jewish people as a whole, have experienced that the hope is reliable? How can one survive pains and sufferings in life? I wonder what keeps you on track when things get bad.

Well, in the last answer I just explained to you how the Jewish people translate their personal and national understandings of the world into and through the commandments. And so to answer your question about hope I want to talk about a particularly famous commandment that many of you are probably familiar with. The commandment I am talking about is the commandment to light the Menorah on Hanukkah. And through the medium of that commandment I want to talk to you about light, and about hope. But first, I want to talk about gifts.

Maimonides writes that the observance of Hanukkah is so important that even a person who has to rely on charity to survive is still obligated to light the menorah, even if he has to sell or rent his clothing in order to afford the candles. Now obviously we don't that to happen, we don't want it to come to that level, where someone has to sell their clothing, and so people would give extra charity on Hanukkah. Pretty

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soon the custom developed that people would also give each other gifts on Hanukkah, usually gifts of money so that no one would be able to identify those poor people who were actually relying on that charity to light their candles.

Now Maimonides seems to be basing himself off of the Talmud in Tractate Shabbat. But what's interesting is that the Talmud never actually says that rule outright, that a person has to sell their clothing to light the candles. In fact the normal rule is that even to fulfill a Biblical commandment a person only has to spend up to twenty percent of their total net worth. Hanukkah is rabbinic commandment not a biblical one. The only rabbinic commandment in the entire Talmud that explicitly requires a person to spend more than twenty percent of their net worth to fulfill, is the commandment to drink four cups of wine at the Passover Seder.

And so the Maggid Mishna explains that Maimonides is reasoning by analogy. He says these two mitzvot must have the same requirements because both laws share the same purpose; they are based on *pirsumei nisa*, they are both designed to publicize a miracle. The wine at the Seder reminds people of the wonders of the exodus from Egypt, and the candles of Hanukkah remind people of the Maccabean victory, and the burning of the oil for eight days. And so, the Maggid Mishnah concludes, based on this similarity Maimonides feels that both of them require this extra spending, more than twenty percent.

But there might also be a deeper connection between the four cups and the Menorah.

The four cups of wine at the Seder represent the four expressions of redemption that God used when He took us out of Egypt. They are so important because in a very real sense they symbolize the hope we have that slavery can turn into freedom, they celebrate the trust we feel that darkness can turn into light.

Now that's a really important message to keep in mind, for many people and for the Jewish people in particular. Sometimes throughout history it has been hard to see the light at the end of the tunnel. Think back again through Jewish history to the story of Hanukkah, a band of brothers managing to defeat a Seleucid army. It was a crazy war, it defied all odds. There have been casualties, their leader, Judah, is dead. But they've recaptured the Temple, right? They've finally won! And then they get there- remember they haven't been there in years- they get there and they realize that its in ruins. That must have been a horrible moment. They get there and they realize that there isn't even oil. Imagine the Maccabees standing there in the murky twilight of a desecrated Temple.

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The afternoon is fading the menorah is waiting and there's just no way that this oil is enough for what they need.

There is a dispute in the Talmud between the House of Hillel and the House of Shammai about how we light the Hanukkah candles. The House of Shammai says that we start with eight and we count back down to one. The House of Hillel says no, we start with one, and we count up. The law is in accordance with the House of Hillel, perhaps because as Jews we have always firmly believed that the light grows. And maybe that's why it is so important that the poor person who relies on charity to survive, maybe that's why he has to light the candles, no matter what the cost. Because lighting the candles is a personal reminder. It sends the message that the Maccabees sent by never losing faith in the Temple. Lighting the candles is an acknowledgement that no matter what happens, no matter how dark it gets we will always do our part, we will continue to light our candles and trust in God to help us spread the light. That's a very lofty belief, and yet Hanukkah is the perfect time to put the belief into practice. The Maharal writes that a menorah is an amazing concept, because it ties together two very different things, it binds intangible light to a material substance, it takes ephemeral dreams and brings them into reality.

But sometimes, as in the case of the Biblical Joseph, dreams can be delayed, and that's a really important message to keep in mind, we have to remember that life is a process, there is a ladder here that we have to climb, step by step, and rung by rung. We have to remember that even when there are setbacks, and yes even when we fall, we have already done so much, and we cannot lose hope, because if you only keep on climbing God will be there to life you up.

When things look bad and times are tough, we stand with the Maccabees in the shadows. But we will continue, always, to light candles, and the light will continue to grow. We need to remember that over the course of this ladder slavery can turn into freedom, we need to trust that darkness can turn into light, and we should remember that- as the Maharal points out- one always needs to look for ways to turn light into substance and to turn dreams into reality.

Fr. Cucca, let us go back to what we started with. Pope Francis constantly affirms the necessity of hope and the reasonableness of hope that derives from Christ. Are there any differences in how such hope in shaped in the Catholic tradition, if compared with the Jewish understanding of hope? And what makes the Catholic hope effective in today's world? How can this hope help facing the current anthropological challenges?

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The difference lies on what we were saying at the beginning: hope is something different from the attitude of "thinking positive", it is different from the optimism that makes you see the "cup half-full". Hope is something different and has a name. For Christians, hope is not a moody attitude, hope is rather a person: hope is Jesus himself. We cannot say: "I have hope in life, I have hope in God". No, unless you say also: "I have hope in Jesus, in Jesus Christ, living Person, who now comes in the Eucharist, who is present in his Word"; to say otherwise it is not hope. It is good mood, optimism.

Christian hope lives in the shadow of the Cross.

Saint Paul, speaking about the Cross, did not labeled this experience as mere suffering. The Cross is a reference, a symbol representing the real face of God. This is manifesting in the crux of Christ and our real face is doing so in the crux of Christ.

The Cross is a place where the real God shows his real identity... and where even man is supposed to show his own identity... the real ID card, not those fake cards that we build so easily. A dialogue on the Christian hope should face that reality.

I would like to turn with you the optimistic, a bit immature conception of the Christian hope unto an interpretation that, at the current status of arts, seems to me more appropriate to the Christian reality. I am speaking about a hope living in the shadow of the Cross.

The Cross excludes an enthusiastic hope

The Cross of Christ excludes first of all the enthusiastic hope, even a Christian enthusiastic hope. Saint Paul has experienced in Corinth the enthusiastic Christian hope – supposed to be Christian, that he did not believed was actually Christian.

The Christian enthusiastic hope is the one that think the future as easy enough: the hope that it could be possible, with good will and few efforts, to obtain results, maybe in a short time, and even important ones. It consists in the illusionary conviction that it is possible to approach the future without paying a heavy price. An example could be hoping that meeting another person and falling in love might be an easy thing, a shining reality, radiant, without shadows, a reality achievable and to be lived in the purest joy. Yes, you are available to pay, but not that much; and anyway with the perspective of a life of great joy, of excitement.

Let us turn from the interpersonal field to the social field: you might believe that with some techniques and a little bit of good will, it may be possible, in a short time, to change the environment, and the contemporary society, without having to pay a heavy price for delusions, failures, doubts,

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fears.

Here you are the enthusiastic hope: believing in a future at your fingerprints, holding for man only great joys, great satisfactions, success, conquest. This is an enthusiastic hope typical of some non realistic Christians, people who do not face the world, terrible in some of its aspects; people trying to evade reality.

An enthusiastic Christian hope is supported by a certain way of seeing God, thinking that God will save man from the Cross and death. The Cross here is conceived not in a suffering meaning (which is not, by the way, the core aspect), but the Cross as doubt, fear, failure, disorientation.

If we carefully read the Bible, the God who showed his true ID card in the mystery of death and resurrection of Christ, is a God who does not save anyone: he did not save Jesus from the Cross, death, the general sufferance of his all his lifelong failure. The Father who became man in Jesus, his Son, did not save him, did not provide an amnesty. And he could not even save him. I refuse to think to God Father who, having the possibility to safe Jesus from death and suffering, did not do so.

The enthusiastic Christian hope promotes the idea of a too powerful God or powerful only unilaterally, powerful to save us from narrow paths, fears, death. The powerful God, which would be able to pave the way in front of us, does not exist: this is an idol that suits us and, accordingly, we have created him. The authentic God is the one who showed his ID card on the Cross, God did not save Jesus from the Cross and do not save even us. He cannot do that, otherwise he would negate himself. The Christian God is a God who cannot save us from death, he cannot avoid us to face it.

The enthusiastic Christian hope is a powerful God, *Deus ex machina* in the world, ready to pave our path. The Cross of Christ tells that this enthusiastic hope is a mere illusion, a pure utopia, a dream. Psychology speaks about extrapolation of our desires: we incubate dreams and kick them out and ahead. Actually, all the dimension of hope reflects the dimensions of desire we have inside, an ephemeral reality; it is the mere artificial product of our desires. The Cross nullifies this easy enthusiastic hope, it tells that we need to pay for the true hope a very heavy price, the price of the Cross. You are not going to live enthusiastically; the price consists in the fact that you will have to go through doubt, fear, uncertainties. The only true and authentic hope is to be paid at heavy price.

The hopes after the Council, around 1960-1968, were born in the shadow, in the land of the enthusiastic hopes. The outcome of enthusiastic hopes is always delusion. Today, we are paying in the Church, because we wanted to

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hope cheap, without personally paying. The Cross tells that hope is expensive, it does not consist in clarity, security, nor in the psychological peace. Sometimes we cast doubts against our faith: holding them is not a sin, not having them or claiming not to have them would be so. The Cross of Christ tells us that the Christian hope is weak. The French poet Peguy says that hope is like a small girl who needs to be kept by the hand; she is weak.

The mystery of the Cross is the mystery of weakness, precariousness, temporariness. The Cross nullifies an enthusiastic hope and introduces, as the only possibility, a hope at a very heavy price, difficult, hard, to be defended tooth and nail against everyone and everything. It is vested by who has to climb the Cross day to day, and experience does not facilitate it. Christ hoped while he was hanging from the Cross, in a moment when he could not hope anything. And this God, in front of our hope, is not able to give us an amnesty. In this way, we have finally understood the Cross in the most complete meaning: death and resurrection, accordingly to Saint Paul.

The Cross of Christ excludes a titanic or promethean hope

The titanic hope is the hope of a man who believes to be strong and powerful. The Titans were men, legendary and mythological heroes, who tried the climbing of the world of gods, in order to take their possessions. Their venture ends up with a breakdown.

Prometheus represents the man who tries to grasp a divine reality: fire. The titanic hope is the hope of the man who feels a Titan, strong, powerful, confident in his capabilities, in his resources. The titanic man is the contrary of the enthusiastic one who does not foresee any difficulty, supposed to be able to walk in the "highway of flowers". The Titan sees obstacles: but he acts as the Hercules-man of big labors, having the absolute confidence to dismantle obstacles and reach impossible goals.

At the time of Saint Paul, the titanic hope was the one of the Jews. A Jew felt he was strong: he believed to build a new humanity, relying on his skills. A Pharisee was the typical man who trusted in his good works in the observance of the law. Another titan was the Greek man who believed to save and build himself, to save history, to remake the world thanks to his religious knowledge, the gnosis. Today, the Titan is the technological man, who reached enormous achievements in the field of science, technology, able to subjugate the forces of nature, to harness them and, if any are still escaping, for him it is just a matter of time. The technological man is very powerful, holding in palm the whole world. You can just think about the development of human sciences that today are measuring the present, the

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past and the future.

The hope of the nowadays Titanic man is saving himself, building a new humanity, a new society, a new world, relying on his own skills and unlimited possibilities. He desires to save the Man, setting mankind and society free from any alienation. He is a man who believes to perform well, having all the right credentials; the luckiest player who always has the trump card to solve all the problems of the man, society, of humanity, of history. He believes to have in his pocket, for the first time ever, the solution to problems such as oppression or injustice, hate, enmity.

The Cross weighs this hope as titanic, not only from the profane point of view, but also from the religious one. This includes the conviction to save ourselves thanks to our own efforts, to our religion, our sacraments, our impeccable morality: this is a Titanic hope, too. But the Cross (this mystery that seems to be more and more the centre of all Christianity – and it is not without reason that we have the crucifix as distinctive sign) judges this hope as Titanic. It condemns it as the attempt of titans to climb the sky, of Prometheus to steal the fire from the gods.

The adventure of Gilgamesh is fallacious as well, if we enter into the domain of oriental mythology. He is the man of all times, the legendary hero who reaches the universe of gods and takes the small plant of life; on the way back, sure to have succeeded, he stops to refresh up at the spring, nearby his city, Uruk. While quenching, he leaves the small plant of life on the edge of the spring, and a snake stole it.

The Cross teaches that man, with his sole possibilities, cannot set himself free. The huge mission of embarking in a new adventure of radical liberation or salvation, is intended to failure. On the Cross, all human hopes based on man only and his own resources are dying. All the hopes of technological and omnipotent man are doing so as well. Throughout history, a moment so powerful in the domain of world to give up God has never existed. The Cross tells that this man, holding several possibilities in his hands, is not able to redeem himself and save history, to set mankind free.

This embodies the ancient speech of the prophets who gave us extraordinary revelations on the meaning of human adventure. Jeremiah asks himself: "Could an Ethiopian man ever (who was, at that time, a black man with dark skin) change, however hard he tried, the color of his skin? And could the panther ever change its fur?" Jeremiah and Ezekiel tells that the heart of man, the decision-making centre of man, has been possessed by idols: idols have penetrated in the depth of the essence of human being. They are idols of money, of success, of supremacy, of pre-power. Going further, it says that idolatry has

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been sculpted in man's heart with the diamond tip.

The Christian hope is at the opposite pole to the Titanic hopes: it is the hope of the man who recognized himself as failing, failing in his self-sufficient and independent resources to save history. Christ, on the Cross, was failed as man, once and for all, without any coins to spend, completely over; do not think to the soul of Jesus, going... who knows where; he was nothing but a corpse.

The Cross says that the hope is based on God's capability to awakening the dead, it is the hope of dead people, of crucifixes. The crucifix is the most impotent man ever, he cannot move even the arm, can only wait for death.

The Christian hope judges the Titanic hope, which is self-confidence and trust in resources, possibilities, capabilities, human strengths. It opposes the Christian hope, which is pure hope in the impossible, in the resurrection, as impossible was the dream of the Titans, of Prometheus, of Gilgamesh. The impossibility of the Christian hope turns in the possible God. The Cross is the place, Paul tells, where the power of God awakes dead. God, did not save Jesus nor men from death; God is unable to save us fro death; the Christian God is the one who awakes dead. Meditate Romans 4: God is the one who awakes dead, who recalls things that are not in being, who calls our radical impotence of saving ourselves to do so.

In the chapter 37 of Ezekiel, there is a beautiful vision of God opening the sepulchers of his people: this was reduced to death, to an expanse of arid bones. And the words of God about these arid bones are: "Prophesize, Son of the Man"; Ezekiel pronounced the word of God and those bones started to revive and join them one to another, to grow and turn fleshy. And all of them stand up. Nonetheless, they are not able to walk yet: the word of the Spirit has to be said, God's spirit, the creator power of God has to be blown. Then the prophet, in the name of God, blew the Spirit and they start to walk. In the end of Chapter 37, Ezekiel explains the parable. The people was in exile, he lost everything, the king, the tent, the temple, the law, the priesthood; While desperate as to the possibility of salvation, the people rebuilt the future. Then, the word of God descended opening the sepulchers of his people.

God, who is not able to save us from death, is able to resurrect us: these are two different things. The resurrection presupposes the Cross, the death, the courage to enter the way of the Cross, the hard decision to take responsibilities; you know that this Cross and this death are not the last word, because the last word is the resurrection from death. The Christian hope stands in impossible events: the impossible salvation of man, the liberation of man, the build of a different world and society. Isaiah,

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writes of a beautiful promise of God: "Here I make all things new". The absolute novelty is the breadth and the enormity of Christian faith: God creates resuscitating dead. Of course, God does not awaken every dead: he awakens Christ dead. Among all the dead, God awakens Christ, the one who face the death and the Cross, full of hope and trust. Not hope in himself, in his resources (he lost them all on the cross) but hope in God awakening dead. Resurrection exists for the ones who confidently face failure, fear, doubt, uncertainty, unsure, suffering.

At this point Paul involves Abraham, who was hoping against every human hope, but relying on God's word. He could not have sons, dead, as well as Sara, his wife, in his generating force.

The Cross of Christ excludes the spiritualistic hope

The Cross of Christ nullifies the third type of hope, the spiritualistic and disenchanted hope. This was, for example, the hope of the Christians in Corinth, saying: world, history, time, body, our sensible reality are to be thrown away; we cannot redeem them, they are an evil reality to set free from. Save your soul! World and history can be lost. The spiritualistic hope is dualistic, gnostic: it does not express history and believes that flesh is an irredeemable reality, therefore it discards it. Let's save what could be saved: soul and spirit! The Cross of Christ nullifies this reductive hope which tells us to let the world, the body, history and time go away and save only the soul.

The cross of Jesus does not mean resurrection of corpses, as Paul states in the Letter to the Corinth, chapter 1. The Christian resurrection is not the resurrection of soul, the salvation of souls: resurrection is the salvation of the integral man, salvation of body, history, of this world that must be saved and not thrown overboard.

The Christians in Corinth believed that Jesus was resurrected in the soul. Therefore, they were immersed in a spiritualistic hope. But the hope of the Cross is the hope of man saved as body. And body, according to Saint Paul, is not the material part of the man, but it is the man as expressed towards the external dimension, you can touch it, see it, he enters in connection with others, he opens up to God, to the world, he opens up to the world, he is in the world. This is man as body. The Christian hope is the hope of salvation not of an inner or spiritual "ego" rather of the man who is in the world because it is open to God.

Therefore, he is hoping in the salvation of the world, time, flesh, materiality. It is not a disembodied hope, hence, spiritualistic, but hope in the resurrection of bodies, of world.

In Romans 8, the world is seen as a woman about to give the birth to the

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new world and groaning in labor pains, having to give birth to a new man, a new body. That is not a hope detached from earth. The Ancient Testament has some passages that recalls this fundamental link between man and earth, world, universe, which Jews called earth (*adam* = man; *adamà* = earth): man is earthly, the son of earth, the son of this world.

The hope of man exists for the world, for history, for our current time, for this exteriority, for this carnality that is our way of being. It is the integral hope of health, very mundane, for this world that has to be born anew while always remaining world in all his visibility. The Christian hope lives in the shadow of the Cross, but also in the light of the Cross. The Christian hope, not the enthusiastic one, but the one to be paid with heavy price, is struggling against enormous obstacles, a bloody battle. A Christian hope as negation of titanic hope, namely as a total trust in man alone and in his resources.

In the light of the cross, the Christian hope is trust. It occurs when man abandoned himself to the God who creates, who opens sepulchers, who resurrects those who are inexorably dead.

It is an active trust – not a lazy expectation – but a reliance on Him, on the power of his Spirit. That Spirit is able, according to the image of Jeremiah, to change the fur of the panther and the color of the skin of the Ethiopian man, to write law in hearts, to make the heart made of stone pulsing, as Ezekiel tells.

Finally, the Christian hope, in the shadow and light of the Cross, judges and condemns the spiritualistic hope, a hope which is not grounded on earth, the hope of a new world, of a hew history, of new bodies, of new integral people, of new human societies.

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