



# THE JACOB RADER MARCUS CENTER OF THE AMERICAN JEWISH ARCHIVES

*Preserving American Jewish History*

MS-603: Rabbi Marc H. Tanenbaum Collection, 1945-1992.

Series C: Interreligious Activities. 1952-1992

Box 24, Folder 7, International Catholic-Jewish Liaison Committee meeting [Rome], January 1975.

# WORLD JEWISH CONGRESS

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TELEPH. 3413 25 TEL TRAFALGAR 9-4500 TELEPH. WELBECK 0335 TELEPH. ÉLYSÉES 9469 TELEPH. 29150

Rome, May 1975,  
85, Piazza Scanderbeg

Dear Rabbi Tanenbaum,

Enclosed herewith please find the draft minutes of the meeting of the Catholic-Jewish Liaison Committee, held in Rome in January 1975.

Please return your copy of the minutes, with the corrections you may wish to make, to /:

Father Pierre M. De Contenson, O.P.,  
Commission for Religious Relations  
with Judaism,  
Vatican City.

With kind regards,

Yours sincerely,

F. Becker

encl.

MEETING OF THE LIAISON COMMITTEE

Rome, January 7-9

1975

JANUARY 7

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ANNEX 3 : "Judaism and Human Rights" (Prof. L. Henkin)  
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(from "Christian Attitudes on Jews and Judaism" January  
1975)

JANUARY 7, 1975

Chairman: Revd. E. Flannery

Morning Session

de CONTENSON announces Flannery as chairman

MOELLER apologizes for Card. Willebrands' absence due to a little incident.  
In his name he welcomes all participants.  
Expresses apologies for delay in communicating the details concerning the meeting.

de CONTENSON a section of (Annex 1)  
distributes a Catholic text on human rights and copies of the "Guidelines". (Annex 6)

Announces the time-table of the meeting.

FLANNERY asks about day of Papal Audience

de CONTENSON Probably Thursday morning, if the Jewish side agree.  
This audience represents a desire of Pope Paul VI. He has proposed to conclude it with a Scripture reading. In our vocabulary we say "common prayer". The Pope will be happy about it but we do not want to impose this on you.

LOOKSTEIN In the name of all Jewish participants, we are greatly honoured.  
A small committee will meet to discuss about the audience.

The question is raised by some Jewish members if some of their wives could be admitted to the Audience

Mons. MOELLER answers that he thinks there would be no objection.

SIEGMAN Introduces Rabbi Lookstein ( most distinguished spiritual leader and educator in American Jewry and first Vice-President of the Synagogue Council of America - future President of it)

Dr. Henkin (author of the Jewish text on human rights) and Bp. Mugavero (Bishop of Brooklyn) and introduced to the other members.

de CONTENSON again on the Audience: a final list of those who will attend is needed. He explains the plan of the audience. He informs that there could be a change of date, due to the state of health of the Pope (not very good).

RIEGNER About the plan: the Jewish side had discussed it yesterday and approved it.



TALMON We need information beforehand of what is going to be said at the audience.

de CONTENSON difficult to say in advance what will happen and what the Pope will say.

TALMON asked that because he was thinking of an eventual publication - beforehand - of what will be said at the audience.

de CONTENSON It would be better to do it afterwards because we are not in a position to know beforehand what exactly the Pope will say.  
The day after the Audience, the Osservatore Romano will report everything (unless we do not want so). The speech of Pope will be also published.

RIEGNER I think that some kind of public recognition should be given to the audience. Suggests to write something in common which we could submit to the Secretariat of State and then have it published before the audience.

FLANNERY We need a committee of 2-a side to draft a text.

de CONTENSON Mons. Moeller should be in the Committee.

It is decided that a committee will meet in the afternoon, before 4 p.m., in order to produce:

- a) a list of the people who will be present at the audience
- b) a draft of a statement
- c) a proposal for a "common prayer"

FLANNERY suggests that the "Guidelines" (their publication, their reception, their interpretation) should be discussed in the first place on the agenda, i. e. this morning.

de CONTENSON Announces that a reception at SIDIC will take place on Thursday at 5 pm. We have invited people from the Curia (at the level of Secretaries, etc.). It would be a good opportunity for our Jewish partners to meet some high representatives of the Vatican.

SIEGMAN Proposes that this morning discussion should center on the Guidelines and on the newly created Commission.

LICHTEN Proposes to talk about the Commission first.

de CONTENS. Introduces the item:  
Brief iter of the creation of the Commission for Religious Relations with the Jews: the previous Vatican Office for Catholic-Jewish Relations did not satisfy the Jewish members of the Liaison Committee. A more organic body was needed. The Vatican Office was depending in some way on the Secretariat for Promoting Christian Unity.

This was causing some difficulties on the part of our Jewish partners, difficulties which were well understood by the Catholic side.

A proposal was then studied and finally this new body was created. The Commission is a Catholic organization.

It is only "attached" to the Secretariat for Promoting Christian Unity. Its President is the same - its Vice-President is Msgr. Moeller (Secretary of the SPCU). I am the Secretary.

This structure seems to me to be functional but of course it could be flexible.

The linkage between the Commission and the SPCU is positive considering the practical side. The Commission, in fact, has not enough consistence to live by herself.

The reason why the Commission is attached to the SPCU is related to the ecumenical aspects of the relations (the ecumenical work carried on by the SPCU involves also local situations in which Catholics, non-Catholic Christians and Jews live together side by side). The problems of dialogue are then inter-related.

RIEGNER.

When the Vatican Office for Catholic-Jewish Relations was created we thought we had finally overcome. Card. Bea conceived this idea but he could not complete it. We had various exceptions but we understood the difficulties.

We do understand the spiritual background of the link between the SPCU and the Commission. We understand the necessity for an 'organigramme'.

Is it intentionally ambiguous the fact that it is not mentioned whether the Commission has to submit its decisions to the SPCU? This is not clear to me. The autonomy of the concern of Catholic-Jewish relations should have a legal place.

de CONTENSON

The Commission, first, has the right to have its own consultors (8 people - not yet designated - but we hope soon they will be). And this does not exclude that the Commission can ask for the help of other consultants. (In this respect I do not think however that the Comité de Liaison as such is qualified to nominate these consultors but its suggestions will be necessary and useful).

Every year the SPCU has its Plenary Session (assembly of bishops members of the Secretariat who meet to approve decisions, proposals general line of the Secretariat). On this occasion part of the Agenda will be composed of the Commission's work.

In this case only, an authoritative body will be the same for both the SPCU and the Commission.

SIEGMAN

Will the decisions coming out from the Plenary, concerning Judaism, be considered separately from the SPCU?

de CONTENSON

Every decision will be taken with the title of the Commission



DUPUY

it is very important that a clear distinction be made at each Plenary between the current affairs of the SPCU and the work of the Commission.

The Plenary in fact works with the help of experts who not always are experts who are active in the Commission.

de CONTENSON

It is clear that when in the future the Plenary will discuss on Jewish problems we shall ask for the presence of people experts in Judaism.

We will now move towards a clearer distinction in the Plenary. It is our responsibility to do so.

MOELLER

Agrees. Need to have this more explicit.

On the other hand let's look at the "Guidelines": in them there is no mention of the SPCU.

In this line it is useful to remember that the Commission is attached to the SPCU, but distinct from it. Connection: for financial and practical reasons.

There is no intention to swallow the Jewish concern into the larger ecumenical field.

The problem of the relations with the Jews should be a concern of all Christians and at the same time there must be a distinction.

FLANNERY

What are the functions and operations expected from the Commission?

(to de CONT.) What about the future of the Commission ?

de CONTENSON

The Commission is a "new-born baby". Possibly things will develop. Possibly one day we could become autonomous.

In the paper:

a) action on the world level

(From the Catholic side the Commission is sponsoring the Liaison Committee and its activities)

b) action at grass-root levels

(in full respect of the autonomy of the local Churches).

(Here is my role: to be a sort of trait-d'union man, a liaison man who is enabled to give useful information in order to encourage work on the local level and receive also information from the local levels).

c) need for a permanent representative of Jewish concern in the Curia.

MOELLER

Scope and work of the Commission (which we remember is essentially meant for the Catholic Church):

--- sensibilization of Catholics on the problem of Jewish/Catholic dialogue. Fostering of joint activities. Support of various local commissions (like "Amitié judéo-chrétienne etc). Sponsoring the creation of new ad hoc similar commissions. Inviting Catholics to produce writings useful for our dialogue. And so on.

From all that we can see the connection which exists between the Commission and the Liaison Committee.

In fact the Commission can try to implement what comes out of the Liaison Committee.

MUGAVERO

Agrees

LICHTEN

Our problem is more difficult. We represent more a coordinating body than a body which can make a programme.

ETCHEGARAY

I wonder whether the creation of the commission may lead then to a re-consideration of the role of the Liaison Committee. In order to really have a 'Liaison' it is necessary for the Catholic party (and viceversa for the Jewish party) to concert. It would be useful then to have a more reduced Liaison Committee which would deal with precise and concrete subjects. It could give birth to working commissions including experts in the subject each time dealt with. The Comité de Liaison should not do all the work.

de CONTENSON

I am reluctant to speak of a reduced Liaison Committee (perhaps of 2-3 people, living in Rome...) Joint working groups (as it is done in the ecumenical field) include experts coming from various parts of the world. I think the Liaison Committee must not lose this characteristic. If we were a restricted permanent group we would remain far from eventual new insights. What I strongly wish is an increasing number of contacts between two meetings of the Liaison Committee. Many factors work against a more frequent contact and this is also my responsibility since I am overloaded with work. But we should do something in this regard.

TALMON

Yes, we should open our minds to the possibility of more frequent meetings of the Liaison Committee. One year is too long. We ought to investigate the possibility of more formalized contacts in USA, in Israel, in Europe which may help to make a more pragmatic relation (some small groups, for example).  
I would also suggest that the present president and secretaries of the Liaison Committee should maintain the flow of information among the members.

MOELLER

The Liaison Committee should be a kind of joint working group (like the one we have with the World Council of Churches), sponsoring projects, pooling information. We could take the inspiration from that JWG between the SPCU and the WCC. It meets once a year. In between a Cabinet meets twice (a restricted body of 3-a-side). This is a body which can assure a continuity during the year of work of the JWG. But this is only a working hypothesis I am proposing.  
I agree with de CONT. on the fact that it could be extremely dangerous to restrict the Liaison Committee. On our side we also need representatives of the local Churches.

LICHTEN

An analogy of structure with the RCC (for us) risks centralization.  
Each of our organizations would like to retain a certain sovereignty. They would like to be in direct contact with the Commission. Against the idea of a "sub-Liaison Committee".

SIEGMAN

Bearing in mind what TALMON said, I think it would be premature to solidify structures and procedures now. I would suggest not to vote at this stage on some procedures which could bind our committee. We have to discuss this with our organizations.

ETCHEGARAY

wishes a larger communication between the new Commission and the Liaison Committee. It would be very significant.

At the Plenary Sessions: there should be a Jewish presence, some Jews should be invited on a friendly basis.

FLANNERY

Important suggestion to be annotated.

SHUSTER

What are the terms of function of the Commission?  
As it is, I do not know if it is a consultative, deliberative team. Once we know that, we will know how to relate to it.



FLANNERY

This should be discussed later. Now I would start a discussion on the Guidelines.

(to de CONT.): Are they the same as the text we had available a year ago?

de CONTENSON.

No. Between the first draft and the last= 7 years..

The original draft, redacted under the direction of Rijk (with others), has only partly been maintained (and it represents the best part of the document). Many stages after. The document had been approved by SPCU Plenary, then amended, etc. Many ups and downs.

The original text is the French text.

At our last meeting in Antwerp, though, the text we had was not produced officially.

Draws attention on its Introduction, a Note on the document which was distributed at the Vatican Press Office and circulated to all Bishops. In some way this may be considered a semi-official document, and must be considered with great attention.

(Hands it on to FLANNERY and announces that it can be reproduced and distributed to all those who do not have it already).

This Introduction has also been given to the US press.

LOOKSTEIN

It did not appear on the New York Times

SIEGMAN

We stress and understand <sup>that</sup> the Guidelines <sup>are a</sup> document by Catholics for Catholics. This is reflected in the document. We do consider it a very significant step forward. Enabling legislation which sets foundations going beyond the statement itself.

This document has a significance not only for those countries where not much progress in dialogue has been made but also for the contrary (i. e. for USA, France, etc.)

The Guidelines will give a new impetus, will reinforce what has already been done, in order to advance the cause of Catholic/Jewish relations.

Regret that a very essential aspect of the Jewish self-understanding is not reflected in the document and this is not a marginal, an incidental comment : peoplehood and its implementation.

Some criticisms on "common prayer": in fact this term is never used in the document. The document speaks of "common meetings in the presence of God". This issue we understand is not simple for the Catholic Church as it is not for us. But we appreciate this fact. I see in it an indication of seriousness on the part of the Catholic Church who wishes to encourage relations between our two communities, and wants to engage in dialogue with us on the same level.

I believe this is a problem which ought to be considered for its implications.

And this problem becomes serious in the larger context of another one (which comes out from the document). i. e. the concept of 'witness' and its relationship to proselytism.

Witness-Common Witness: Jews are unfamiliar with this terminology. Witness for the Jews means conversion. You will have to face this misunderstanding.

Are the Catholics ready to publish some explanations on this point, referring perhaps to some formulations used in their joint (WCC-RCC) document on "Common Witness and Proselytism" ? (Some of these formulations are very good)

The reservations we have expressed and we will probably express here in the meeting should not obscure the fundamental sense that we have that this is a very important document which lays the foundations for future activities.

The condemnation of anti-semitism: particularly timely and appreciated.

Call for social action : to be elaborated in our future work.

FLANNERY

Expresses gratitude for the evaluation of the document.

de CONTENSON

Takes this opportunity to share with everybody the difficult situation in which he found himself when he was called by his authorities about the premature declarations made on the document:

- 1) Deutsche Press Agentur of December 26 ( his hypothesis is that the news came from some source of the German Episcopal Conference)
- 2) in the USA ( where on some papers there was a clear statement by one of you , or at least attributed to one of you).

ETCHEGARAY

Very interested in the commentary by Rabbi Siegman.

As for common 'prayer' : we can see the difficulty of some segments of the Jewish community.

As for the lack of a proper self-understanding of the Jews in the document: more detailed explanations would be needed. Our dialogue would gain something from them.

re to 'common witness': the Liaison Committee could appoint a small team of experts ( i. e. 2-a-side) to produce a paper on this subject and then we shall decide what to do with it. (Here is already a concrete immediate example of what the Liaison Committee's function can be).

FLANNERY

There are different positions also on the Jewish side on this question and this could create difficulties for the preparation of the document.

RIEGNER

Very glad about the suggestions made by Abp. ETCH. in response to Siegman's intervention.

This is exactly what we ought to do. To define areas of possible or impossible collaboration. To clarify several points. We should not look at the document as a 'static' declaration. But we should consider it as a starting-point from which some new perspectives of cooperation can arise.(dynamism) .

To FLANNERY: we ought to work on the basis of mutual respect of what the other is in its self-understanding. Although it is clear that in your text you do not want to do theology, there is in it an "implied theology".

FLANNERY

The text should be read without going beyond its immediate meaning. Ex.: Para . 3 of "Dialogue" = there are here two way in which it could be read. If one reads it by implications, one can even come to the conclusion that the idea of "conversion" is in there !!! And this of course is not so.

SIEGMAN

I do not think we should go too much into the detail. It is now up to the Catholics to define what is their mind in this respect. This is a sine qua non of our dialogue. It would be interesting if our partners could re-define the meaning of common witness. Your understanding of common witness is not clear for us. Further clarifications would be good and helpful.

de CONTENSON

But we have to do this work in dialogue with you , since you have to help us to understand your difficulties.



Afternoon session

LOOKSTEIN

The Guidelines represent a tremendous progress and in them there is an open spirit but in them we find an omission: peoplehood and land. We are anxious to convey the unique character of Jewish faith, the sole faith in which belief, theology, land and peoplehood are interchangeable.

There was a time when an attempt had been made to make a dichotomy between land and faith (Germany in 1945: Protest rabbis: There was a group in Germany for which Germany=Palestine/Berlin=Jerusalem). In the USA: a corrosive process of assimilation of the Jewish communities.

But then there was a fusion between the elements of Torah, of God and of Land. They became one.

Each Jewish festivity is related to the Promised Land - is associated to the Land. See, for ex., the Pentecost, the Feast of Tabernacles. It is a feast of thanksgiving. We dwell in booths. Even in places where the festivals fall in bad weather. Our festivals are feasts always related to the land.

The Jewish rites, i. e. circumcision after birth - all the prayers are related to the land, they mention Palestine. Another example: the rite of marriage, with the broken glass which is a symbol of the destruction of Palestine. The matrimonial blessing speaks of God creating man and the marital rite is associated with the land. The burial also is associated with the land of Palestine and the graces after meals, too.

Every moment of Jewish life is associated with the territory and associated with the territory is the peoplehood of Palestine. So, if we try to understand Catholicisms - and we must try to understand it - Catholics must try to understand Jews and the association they make between religion and land. We do not endorse the claim for a recognition of the State of Israel, but the recognition of a Jew as a member of a faith community implies that he be recognized as a member of a people and that for him there is a connection between Land and People.

This omission in your document does not stop our dialogue, of course. The atmosphere is one of understanding, collegiality, wish to get to know one another. Draw closer in order to grow together, to understand each other in our common destiny of children of God, hoping for the coming of the Kingdom of God. I am sure that this omission will find in the future a way to be verbalized.

FLANNERY

I think Rabbi LOOK. has very well expressed what for us can be defined as a dilemma.

de CONTENSON

As a matter of fact in the first draft of the document the link between people and land had been mentioned.

If the present final document does not talk about it, it is not only for a possible political problem.

Is it possible for a Catholic paper to propose a synthesis of Jewish belief, of a Jewish creed? If the Catholic Church was able to say that, there would probably be no need of dialogue between us.

We have to admit that very often the traits that are for the Jews the essential of their belief are ignored in the Catholic Church. That is why we are in need of a dialogue. We need to listen to you since alone we are not able to have the right idea of what exactly Jews are.

DUPUY

A few words on the question just raised by Fr. de Contenson. I would like to speak of the very heart of the document. I am conscious of the difficulties he feels for us Catholic to be able to present a conception of Judaism. During the centuries there have been various presentations of Judaism. But can we really say that we do not yet have a conception of Judaism? In fact, if our conception about Judaism is not clear, neither would be our identity as Christians, since Christianity is rooted in Judaism and can only be defined by reference to Judaism.

FLANNERY

We can say that the question of the omission in the document of "people-nation" can be inserted in the explanation of the self-understanding of Jews.

DUPUY :

This Liaison Committee has been trying for three years to carry on a study on this topic, which has never been achieved. I would also suggest, if this does not create difficulties, that a study be made on relation between Jewish people and Christian people.

RIEGNER

Here we go back to last year's discussion. We should continue with them.

MOELLER

Agrees that the views reached last year must be further deepened.

DUPUY

Also it would be very interesting for us to have one day an informal Jewish text on Christianity !



SIEGMAN

It would be good to go further in detail on all these points but our agenda is overcharged and we now have to move on to the problems of the hour.

ETCHEGARAY

Agrees. It is impossible now to discuss on all these subjects seriously. What we can do is to locate the main points to be studied during the coming year. We have to make a self-criticism of our working methods. My impression is that we are only passing over these problems. This is important if we do not want to be frustrated.

RIEGNER

Proposes to delegate two people to organize the agenda. One meeting per year is not enough. It is necessary to have a strict time-table.

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A representation of the Pontifical Commission Justice and Peace is introduced  
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Mons. di MONTEZEMOLO

Expresses his gratitude for having this opportunity to meet the members of the Liaison Committee. He introduces himself - Pro-Secretary of the Commission, Mgr Lalande, secretary of the section called "Peace Committee" and Fr. Romano Rossi, a collaborator, especially competent in the field of human rights.

They have no particular document to present. They will give some introduction on the Commission's activity. (A document on the "Church and Human Rights" is going to be published soon. It has been redacted in Italian and has yet to be translated before its publication).

They are interested especially to listen and to enter in some dialogue with the Liaison Committee.

KARLIKOW

(guest)

di MONTEZ.

Asks what exactly is the task of Justice and Peace.

They would have liked to prepare some written pages but they did not do it since they did not know which type of contact they were going to have with the group.

Justice and Peace was established after a desire of Vatican II: a special office which should deal with problems concerning justice, peace and development. It was created at the same time as the Laity Council, and on an experimental basis. It has a simple structure which corresponds to the real problems they have started to consider. Its main role is of study more than action. (In the Curia many are the different bodies whose task is to act. Justice and Peace's role is to study in view of an action).

The role of the Commission is to arise problems and to cooperate with other bodies, at the Curial, diocesan and local levels.

Three main fields of action: 1) International justice (all the action of the U.N. and of international organizations, including those institutions depending on the U.N.) 2) Human promotion (more connection with local problems). Educating, conscientizing people, etc. 3) Peace, including Human Rights. In this connection the main task of the Commission is double: a) to announce - b) to denounce. These are two aspects of the same reality, with different methodology.

As far as the above point 1 is concerned the Commission's task is to study in order to conscientize and animate people on the various problems connected with justice. As for point 2: to intervene directly. To provoke interventions indirectly.

There exist more than 60 national commissions for Justice and Peace which belong to the local catholic organizations (Bishops' Conferences), etc. There is a circular system of exchange of information, of reflections, etc. These commissions act locally (this in some circumstances could be difficult for the Vatican Commission, due to the various political implications...) For this reason we insist that action should be taken as much as possible on the local level.

On human rights:

It is difficult to speak on this matter in a few words. The fundamental approach to the problem of Human Rights is the same for Christians and Jews (we have the Bible in common). In our doctrine we have tried to explore the roots of the doctrine of the Church in this matter. This doctrine can be found in the writings of the Magisterium (official documents). The most important sources from which we have drawn elements for the drafting of our document come from official papers issued in the last decades. Recently there has been an increased attention given to this question. The Synod of Bishops of September 1974 has produced for the first time a document (see Annex No.1) which has directly tackled this issue.

H. Rossi

In our paper we have made an attempt to gather all these elements.  
Fr. Romano Rossi can now illustrate to you the document.

It

ROSSI Reads the enclosed text (Annex No. 2)

di MONT. Our document (at present, as previously said existing only in Italian) is now being translated in all European languages. Its translation should be available in about a month. We will send it to you all.



LALANDE

My intention is to give here some central ideas. I do not want to list the various human rights. I am just considering here how human rights are located.

I see two origins: a double reference - divine revelation, faith, on one side; human rationality, reason, on the other.

From these two origins, two currents of doctrine, two strategies, connected so as to create some solidarity between faithful (believers) and "men of good will" (as Pope John XXIII called them): those who have no belief.

(a) For the believers, rights are 'received', 'delegated', since they are a gift of God. It is a vertical pattern.

From this verticality<sup>it</sup> develops an attitude of respect, of obedience towards natural law.

Stress is laid on "order" in a perspective of change, of accomplishment in history, culminating in eschatology.

Law is seen as obedience to God, notwithstanding the geographical situations, as fidelity to God, urging man to create a society to his likeness.

These are the characteristics of those who believe in revelation, which can be found in the teachings of the Pope and of the bishops (the Magisterium).

This gives a basis for a 'connatural solidarity' between Christians and Jews.

(b) To refer to human nature as the basis of rights can seem strange to those who belong to a monotheistic religion (It could be understood as a sort of atheism). John XXIII tried to solve this difficulty (see Pacem in Terris and also Paul VI's messages on the occasion of the anniversaries of the Declaration on Human Rights).

It can be noted that the apparent tension developed in a time when Catholicism was the official religion of the State against which human rights were proposed without reference to God (man has no need of God to create rights). In this view, human nature - i. e. existential man with his dignity and self-consciousness, far from being perverted ~~is~~ good and the victory of law is possible.

Pacem in Terris has trust in human nature, not only individual but collective.

If we consider human rights as given by God or as rooted in human nature, we come to the same moral laws for the regulation of human activity. There is a twofold solidarity of men: in the perspective of revelation, a solidarity of equality, dialogue, cooperation, work for the common good of humanity with explicit reference to God.

HENKIN

In what Mgr Lalande has said I find interesting parallels but also differences with the Jewish approach.

The Jews have to refer back to the past. They have not accepted the notion of natural law. All is divinely revealed. They admit that many commandments can be supported by reason but their origin is divine. They have neither the advantage nor the disadvantage to refer to human reason.

The Jewish tradition as such as never spoken of "rights" but only of "duties". It is in recent times that the concept of rights came in the field of Jewish consideration.

To Mgr di MONT. = What does Justice and Peace do in special cases (ex. Russia), where you do not have your national commissions. What about practical collaboration? Has your group joined with others in this cause? (ex. Africa).

ETCHEGARAY

About the distinction proposed by Msgr LALANDE between two perspectives (revelation-reason), if nature and natural law can be seen in a theistic frame it seems that they have been sometimes developed in an atheistic and anti-religious view and not only in a rational view.

RIEGNER

In the framework of the new Guidelines may I ask if it could be possible to undertake in common with Justice and Peace joint studies? (i. e. on liberty, religious freedom, etc.)

di MONTEZEMOLO to HENKIN :

Practical defense of human rights does not depend on Justice and Peace. Practical action falls in the competency of other Vatican offices (i. e. the Secretariat for State in cases which have a political dimension). Our task is to propose and stimulate action, directly or indirectly. It is not easy, though, for the Holy See to intervene directly. But in many cases we have succeeded. Justice and Peace receives denouncements from many bodies ( Catholic bishops and different bodies not necessarily Catholic) and then proposes some action to the Secretariat of State.

Ex. Chili: the WCC proposed to Justice and Peace some practical action. We proposed to the Secretariat of State (through the Secretariat for Promoting Christian Unity which is in charge of Christian activities in the world).

These cases are usually not publicized, although some time they may be.

Often, too, we ask local bodies to take action in order to defend something or to produce statements, and not always through the channel

of the Holy See. For instance at present Justice and Peace with the National Councils of USA, France and England are investigating on trade of arms. Local action is sometimes more effective.

Another example of our activity: on the occasion of the 25th Anniversary of the Declaration of Human Rights, the World Council of Churches, through Sodepax, proposed to do something in common and a declaration signed by Cardinal Roy and Dr. Potter was produced.

So we will be delighted to engage in some joint studies with you.

But if some action was to be included, then we should have to refer first to our authorities. The final word in order to act or to publish something is up to our higher authorities.

FLANNERY My office would be happy to collaborate with the national council of Justice and Peace in USA.

di MONTEZ. re: Africa:  
We have always had problems. Our action in this respect is not always publicly known. We have always tried to stimulate organizations in Africa and outside Africa for some action of defense, sensibilization, etc.

re: Russia:  
This is a very delicate and very difficult problem for us, since we do not have real concrete, sure and sufficient information.

LICHTEN Have you studied the Russian situation?

di MONTEZ. Yes, but not too much since our possibilities to provoke some reactions are very few. We are too weak. We cannot intervene at a political level.

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The Chairman expresses his gratitude to Mons. Di Montezemolo for his intervention and his information about the work of the Pontifical Commission Justice and Peace and closes the session.



JANUARY 8, 1975

Chairman: Rabbi Lookstein

Morning session

RIEGNER

Proposes items for today's and tomorrow's agenda:

- this morning: Human Rights (presentation of Prof. Henkin's document and discussion);
- This afternoon: Middle East situation
- Tomorrow: follow-up of discussion on the Guidelines and on the Commission. Plans for the future.

Everybody agrees.

MUGAVERO

and

RIEGNER

Remind that some time must be kept for the drafting of the Press Release and the Summary of Conclusions, bearing in mind that Thursday afternoon the reception at SIDIC will shorten the meeting.

TALMON

has listened this morning to the Israeli radio. There has been a connection made to the statement of Raphael Yitshak, Ministry for Religious Affairs.

Dr. Colbi, of the same Ministry, delivered a new statement, stressing the importance of the Guidelines, their religious value, their non-political character. These Guidelines demonstrate good will and open avenues to brotherhood and relations. The "Journal d'Israël" has been quoted in Hebrew by the Israeli Radio as a counter-action against the premature and immoderate statement made by Yitshak.

The Chairman introduces Professor Lou Henkin, stressing his high knowledge in Talmudic literature.

HENKIN

Presents his paper. (Annex 3)

This is a personal paper. Nobody has approved it. It was written without any reference to the Catholic study-paper. My paper is a religious approach of the problem of human rights. The Jewish attitude is rooted in the past and has never been renewed. In today Judaism there is no authority qualified to propose teachings. By being able to refer to recent official declarations and statements of their authorities, Catholics are in quite a different position.

The document I present has 3 main parts:

- 1) Human Rights in Jewish religious thought.
- 2) The Jewish experience and the protection of human rights.
- 3) The Jewish contribution to human rights, law and institutions.

All three parts are to be understood in reference to the Jewish concept on human rights, which is basically a religious concept but is actual nowadays for all Jews, non-religious Jews included, since Jewish religion and its history are active in the conscience of all Jews (practicing or not)

He reads it out, commenting and expounding some paragraphs:

- on last para., page 1:

my paper speaks of human rights in the modern perspective of human rights in confrontation with the State. Mgr Lalande had quite another approach, but his perspective is quite legitimate.

- last paragraph of "the ancient societal context", page 2:

Without a divine foundation there cannot be any natural law, any rational law, any human law. Thus there is a radical difference between Jewish tradition and modern thought.

But, in fact, at the concrete level, there is less opposition and more relation than one could imagine, between the Jewish tradition and the Catholic and modern tradition about human rights. The distinction between right and wrong is essential and common to all of us. We could say grossomodo that "right" and "wrong" originate in Judaism. Jewish law is binding for everybody: kings as well as subjects.

The King has to submit to the law. In England the first limitation of the power of the king was established by the Magna Charta imposing limits on the royal power.

And this is a typical old Jewish idea - when the king does not observe the Law, he is a sinner.

This is a key-concept in human rights.

LOOKSTEIN

Questions and observations are welcomed.

MOELLER

Congratulates Henkin for his most enlightening paper.

RIEGNER

Congratulates Henkin for his brilliant presentation. "It is the most honest Jewish presentation of human rights I ever heard."

A few nuances on what HENKIN has said (without taking away the value of the document):

a) Concepts of rights and liberty do not exist in Bible and in ancient tradition (rights from the point of view of modern thought and law); from a theoretical point of view the law can be defined in a set of duties.

b) It is only because we have experienced the modern conception of state and law that we can make a distinction between rights and duties. Prof. Henkin says that rights exists by divine law and that there are not natural rights.

c) H. 's statement is that human reason is not the basis of rights because the origin of rights is only divine. This is true only to a certain extent.

When we come to interpret the law, some kind of measure can be applied. Interpreting the law is in some way equal to creating the law. (A whole process, from the general to the concrete and also from the concrete to the general).

The individual law-making is due to apply to another measure than revelation.

Those, like myself, engaged for years (in my case since 1946) in the fight for human rights on the international scene (i. e. International Labour Conference, UNESCO, International Conv. on Racial discrimination) have always fought not for Jewish rights but for all rights, for traditional, religious motives.

HENKIN

RIEGNER is right when he says that to interpret the law is equal to law-making.

Original interpretation of Jewish law: 1) you had to be godly inspired (Prophets); 2) within the tradition (back to Moses). (The rabbis did not use their 'reason' to interpret the law).

LALANDE

A question to HENKIN.

- 1) Man has no rights. All rights belong to God.
- 2) The individual has rights against the society
- 3) Judaism: divine law only - no natural law.

I agree that God has all the rights (The One who is - Myself: who I am Everything comes from Him (rights as well as the aspects of the human being). To say that man has no rights provokes an inverted



reaction (an attitude of individualism, of anarchy), a moral refusal. Would you agree on the formula (necessary for all victims of discrimination, Jews, Catholics, Protestants...) that man has rights through the mediation of God's creatures (men - free beings)? These are conjunctive gifts between man and God.

HENKIN

Judaism as such has not spoken of the present condition. We can say - as a basis - that God has given rights but this does not solve the problem. Do not forget that the rights given by God include also rights towards the other men. Unless one wants to look for a formula which refers to atheists....

LALANDE

I did not mean to talk about atheists. I was only looking at the heart of the question. Has man rights? Yes, of course. But I did not want to mean towards God. Rights in general on the society ("against" or "with").

HENKIN

I accept Lalande's remarks when he says that rights of man are in favour of the society. But for the good of the society man has essential individual rights which cannot be violated. He has rights on the society, and not against the society, i.e. the right to dissent. Here comes the difference between Western constitutionalism and Socialism. For the latter, on the contrary, the rights aim to the good of the society, to bring to this society a better human standing.

KARLIKOW

When we started our work in 1946 what we had in mind were first of all individual rights.

Now we can say that on the international sphere the rights which are promulgated today are more and more the rights of collectivity against individual rights.

But rights should be balanced between individual and collective ones.

Today, in U.S.A., for instance we see how the collective belief is increasing. I think we are near a dangerous situation. Those human rights we have been defending are now threatened.

LALANDE

My intervention was operational: what I intended was how, together, we can reach common good (when I say together I mean believers and men of good will). The problem is open, though, to further conversation and discussion.

LICHTEN

Difference between socialism and communism.

.....

Communism uses the rights of man in constitutional terms.

Sionism is also a constitutional trend.

To Henkin = you spoke of the recurrence of anti-semitism against rights.

But there is one aspect of religious anti-semitism where no recurrence is found. It is an always present anti-semitism. It would be a good thing to mention it (it denied in the past Jewish rights).

I cited Sionism only to express the right Jews have for their own rights.

As for socialism: essentially it is not preoccupied with individual rights.

Mention of Chinese Constitution (in a revolutionary socialist regime) where there are no rights but only equalities.





TALMON

In the first page of his paper, Prof. Henkin speaks of "risks...". It is indeed very difficult to confront modern concepts and the biblical tradition. I do not see where, in biblical societal life you can find an origin for the modern idea of individual human rights. Buber stresses that in reading the Bible we are confronted with a primary type of social life. In the O. T. you find a historical presentation of the development of the concept of law. When you speak of a constitution, you are in a modern perspective. When you consider the development of Jewish law, I doubt you can speak of a "rabbinic" law or of rationalization of law and you cannot oppose "inspired interpretation" to "rational interpretation". In fact a Jewish law develops where concrete situations impose themselves on us.

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The session is ajourned to 3 pm

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Afternoon session

LOOKSTEIN

Announces Fr. de Contenson's report on his recent visit to Israel.

Gives a large account of his visit to Jerusalem and the Holy Land Nov. 10-28

- a) The time-table of his stay, the names of the people met and the list of his activities.
- b) Main themes raised during his encounters with various Jewish personalities and groups ( the new Commission, its scope, possibilities of action; the Holy See and the State of Israel; Christianity and Judaism :common trends and discrepancies; the Christian claim for universality and Christian totalitarianism; the political future of Israel).
- c) The meetings with both chief Rabbis.
- d) Other meetings with different Jewish authorities (Teddy Kollek, André Neher, David Flusser, leaders of the MAPAM, officials of the Ministry for Religious Affairs and of the Ministry for Foreign Affairs).
- e) Visit to various Christian religious authorities.
- g) Final conclusions.

MOELLER

Some comments on the morning discussion on human rights.

-He draws attention on the document issued by the Synod of Bishops. (Copies are available for those who wish to have them).

-Stresses theological and philosophical foundation of human dignity.

-Underlines possibility of coming together to a study stemming from a common ground.

Words of appreciation of fr. de Contenson's work and for the outcome of his visit to Israel.

LOOKSTEIN

It was also decided to discuss the problem of Middle East in the course of this meeting. Rabbi Siegman was supposed to read a paper.

SIEGMAN

I did not really prepare a paper. I just want to touch on a few discreet aspects of the problem. (See Annex 4)

LOOKSTEIN

I think this is an attempt to share with brothers in faith and fellow religioners some concerns which agitate us today.

FLANNERY

I believe this Liaison Committee should try to do something. In the past there have been silences and mistakes. Our Commissions (mine in the USA and also fr. de Contenson's) are not too powerful in these questions, but we are, I think, in need of a 'bridge' between ourselves and those Curial bodies which are more directly dealing with these more specifically political problems.

We in the U.S., are approaching on a national level various people to come to common meetings with Justice and Peace on this question. Our object is to see that all phases of the problems are considered. Anything which pertains to Israel, to the Jewish people, is to be considered.

In a meeting at which among others Archbishop Bau'n and Cardinal Pignedoli were present (one year ago, and more recently also two months ago) we had the opportunity to speak of the M.E. question and consequently of Israel. Cardinal Pignedoli was pleased of our frankness. Here I come back to my idea of the necessity of a 'bridge'.

de CONTENSON

It is difficult to know what kind of action is the most effective: the public action and the underground action are both effective.

After this meeting I will write a report on these issues and it will be sent to our higher authorities. This is certainly an effective means. I do not say it is a sufficient means. But certainly effective, as for my experience.

LOOKSTEIN

All methods all welcome.

MOELLER

Thanks rabbi Siegman for his intervention. It was a very moving and difficult moment of our meeting.

Agrees with fr. de Contenson opinion that sometimes the most effective means are the informal ones, without publicity.

About the Capucci's case, we had nothing to do with it but we will transmit your comments to our authorities.

It is always very important that you send to us all kind of information. It will be our task to forward what is of importance.

This is one of the tasks of the newly created Commission.

We are progressing, in a private way, not always visible, but still progressing.



de CONTENSON

One of the tasks of our Commission is indeed to ensure communication between the Jewish people and the leaders of the Roman Catholic Church.

In order for us to be able to face our responsibilities in this field of communication we need information. Please send it to us constantly.

RIJK

has the impression that the Christian way to react to these problems is not the right one: these problems are considered as if they were 'complaints' on the part of the Jews.

We have to be aware that all this is our own concern, our own interest and responsibility - a moral, Christian concern. I think the Commission then should present these things not as Jewish complaints, but as our concerns.

He strongly criticizes "Le Lien" (a melkite journal) and certain statements coming from the Middle Eastern part of the Roman Catholic Church.

There is a need for us Christians of a deeper understanding of what we are doing in these relations.

He believes that some time public statements on the part of the RCC must be done.

MOELLER

One of the tasks of the Commission should in fact be to be attentive to all these things and denounce them. Another task will be to sensitize people to the dialogue with the Jews. We can therefore represent a new means for better Christian-Jewish relations.

de CONTENSON

To Prof. Rijk: We do not consider these problems as Jewish 'complaints'. This is not correct.

As for public statements: he thinks it would be impossible for the Commission to make them. It would be a good thing if bishops, on the local level, would make them, when necessary.

TALMON

As a Jew living in Israel I am always hesitant to turn this committee into a complaint hall. I am grateful to RIJK for what he said. Some of our worries concern common morality, part of the Christian concern. We share with you something which concerns our common view of the world. I am sure you understand this.

As for the question of information, communication: very difficult in my case. We handle often very delicate matters and corresponding could not be the best solution. There should be a person, acting as a liaison for these things.



Another point: there has recently been a public denouncement of the Vatican regarding a complaint for the diminution of Christians in Israel: this is a complete misinterpretation of the facts. In the last years we have recorded on the contrary an increase of Christian communities in Israel (almost 50 per cent). Also an increase in their economic situation.

Capucci's case= The Western Christian reaction could not have been more critical than what it has been. He has become, in the eyes of many, almost a 'martyr' ! During the process, he had audiences in the court. His community came to see him. His declaration has been a definite incitement to genocide. And it was accepted without any comments.

He then refers on his conversation with Abp. Carew about the latter's declaration to the Press. In fact Carew declared that he did not intend what some people understood from his words.

TANENBAUM

Makes some comments on the signification of the Capucci's case. Capucci has been seen as an anti-Israel symbol. Vatican declaration was badly received, not only by Jews but by Christian circles (in USA). See for instance the current issue of "Christianity" (an evangelical periodical).

Personally he has received various complaints ( two telephone conversations with evangelicals). One evangelical has also brought him a text of an appeal to send to Pope Paul VI.

This is extremely important since the Capucci's case in entered an ecumenical dimension . It is causing a large conflict, at least in the U.S.A.

de CONTENSON

I am sure the Vatican has already received many reactions to Mr. Alessandrini's statement reproduced in the Osservatore Romano and is paying serious attention to it.

RIEGNER

It will be our care to send you all information which could call for some action and could be forwarded by you to your competent higher authorities. You are on our mailing-list.

I think, after SIEGMAN's intervention, that some of the things he said should be taken up. It is clear that some of the issues are not only Jewish self-defence etc. !

Another point: I have appreciated <sup>the</sup> specific statement from the Pope on UNESCO but I am looking forward for his leadership in this fight

of bringing UNESCO again in the right way in the spirit of its constitution : respect of people cultures, etc., reconciliation. etc. UNESCO today seems to have lost its aims, to have given them up. It has lost its sense of responsibility. The beautiful words of its Constitution (defense of peace, etc.) are now lost.

Here we look then now at the spiritual forces, especially the Catholic Church and the Pope to do something.

And the same applies to the U.N.

These organizations have been overcome by political majorities, by the policy of 'blocks'. This destroys the prestige and the authority of the U.N. which could represent the only means left for preserving peace in the world.

We have great confidence that the great moral power of the Catholic Church will be heard

HENKIN

Here we always hear talking of reacting, but never of preventing. There is a kind of prevention of which one ought to think. UNESCO is one case but there could be thousands of UNESCOs. We ought to do something to prevent this situation. How could we organize our forces to prevent this to happen?

MOELLER

I think the new Commission can try to awake the consciences of all Bishops Conferences in the world about the Catholic/Jewish concerns. We have to ask them to be attentive to all publications which appear in this context and bear presentations of Judaism, to be attentive to all sort of anti-semitic propaganda all over the world, to all questions concerning human rights.

This is what our Commission could do. And the fact that it is connected to the Secretariat for Promoting Christian Unity, but at the same time distinct from it, gives the Commission the chance to do something more.

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The Chairman closes the session with a prayer

JANUARY 9, 1975

Morning Session

Chairing: fr. Bernard Dupuy

de CONTENSON

Announces that the Audience of the Holy Father will not take place today, but tomorrow at 12'noon.  
A definitive list of participants is needed as soon as possible.

RIEGNER

Sees in this audience an important and significant moment for our relations.

DUPUY

Reminds the points of the proposed agenda of this meeting:

- 1) The new Commission for Religious Relations with the Jews: how its action is articulated with that of the Liaison Committee.
- 2) Directives and modes of action for the future.
- 3) The Secretary of the Commission's staying in Jerusalem
- 4) Relations between Jews and Christian in the Near East.
- 5) Recent information on anti-semitism. Religious intolerance in the world.
- 6) The problems of human rights.
- 7) World hunger
- 8) Decisions on the eventual follow-up of the study on People, Nation and Land ( according to the Jewish perspective/ according to the Christian perspective).

(Points 1 and 8 have been proposed by both sides/Points 2 and 3 by the Catholic side/ Points 4-5-7 by the Jewish side/ Point 6 has involved the presentation of a document prepared by the Jewish side and by the Pontifical Commission, Justice and Peace)

It is now important to

- a) <sup>see</sup> if important issues have been forgotten;
- b) reflect on the future of the Liaison Committee
- c) go back to last days discussions on the "Guidelines" and see which questions they put for the future.
- d) date of next meeting
- e) press-release
- f) minutes of the meeting.



RIEGNER

Something ought to be left out at this stage of our meeting:

i. e. human rights (already discussed)  
world hunger (no time).

But it is important to talk about

- 1) up-dating information about anti-semitism
- 2) Future of our Liaison Committee

And also it would be necessary to talk about last year's study-paper and its follow-up.

de CONTENSON

As for the future of the Liaison Committee it would be useful perhaps to follow the example of what for example the Secretariat does with other bilateral conversations, i. e. between two general meetings there are what we call 'cabinet meetings' (steering committees, ad hoc committees). In them no decisions are taken but they are important to ensure the follow-up of what decided in the previous meeting.

Does the Liaison Committee accept this idea?

MUGAVERO

Supports it. (Our experience of the present meeting should stimulate us to do so). The presence of a committee which could push us to implement our decisions is indispensable. My hope would be that this committee could work out a well defined agenda with supporting papers we can study and prepare. I urge the adoption of such a committee working in the interim.

RIEGNER

Agrees, although it would be necessary that our side knew in advance and in detail what will be discussed so to be able to know the minds of the various agencies on this.

We should re-organize our committee in light of this.

SIEGMAN

Our committee with the World Council of Churches, for instance, has, every two years, larger meetings with representative people who discuss on more important problems going in depth. This could also be an interesting proposal. Of course it implies an adequate preparation and the impact will be widened (such meetings affect not only those who are here, but also representative of larger constituencies).

In between we could have more restricted Liaison Committees.

RIJK

Suggests to define better today's agenda.

DUPUY

I think it would be good to discuss first the structure of the Liaison Committee and the way of working.

RIEGNER

- a) We had started with a committee of 5-a side.  
Then consultants were added.  
Working groups had also been foreseen (but this was then never implemented).

On the Catholic side could the Liaison Committee involve not more people but a larger geographical representation or could the Liaison Committee involve other dicasteria ?

- b) I would support Siegman's idea of larger meetings of the Liaison Committee, incorporating 10-15 people from outside according to certain agreed criteria for specific discussions or specific subjects.
- c) The Liaison Committee as such must keep its annual meetings but could delegate three people on each side which could meet in the meanwhile once, or when there is an urgency.

About human rights, can we continue the study ? For this follow-up could we imagine special groups working on specific problems ?

TALMON

The Jewish delegation has to face a new problem of organization. Could we distinguish between business meetings and scholarly meetings? It is really difficult to switch from one kind of discussion to another during the same meeting, from study-groups to business meetings. The Guidelines open possibilities for joint studies. Could we prepare an agenda for the next meeting about common studies that ought to be engaged ?

I propose three stages:

- 1) Annual meetings of the Liaison Committee prepared by a smaller 'steering committee'.
- 2) 'Steering committee' - 6 members
- 3) Wider audience if we are ready to put before it something worthwhile.

Our studies made in common ought to resolve in some kind of publication.

LOOKSTEIN

We need more time for committee meetings during the meeting of the Liaison Committee.

Could we plan a timetable that would leave place, everyday, for committee-meetings ?

de CONTENSON

Why not an annual meeting of four days instead of three ?

LICHTEN

I would like to say that we have come to a central point. After four years of experience we have proved <sup>our</sup> good will ,

our mutual confidence. It would be a guilt if we did not progress. We have come to a point where we must make new decisions. Actually we are engaged in a circle

There is a lack of rigueur in the way we proceed. We must have 'rules of order' for our work. There is a lack of spirit of continuity and our work has not been fruitful enough.

It seems to me that some conclusions reached at Antwerp have not received a follow-up. What about the question of publication of our study on People, Nation and Land in the two religious perspectives ?

The publicity of our studies and work is very important.

On the Catholic side the creation of the Commission is a new step and this Commission has to engage itself in action. Can we expect for soon the nomination of the consultoré or experts ?

If the Commission works well on its side, and the Jewish group on its own side, the Liaison Committee will be able to find new strength.

We are in need of concrete suggestions for next year's meeting.

ETCHEGARAY

Since the Guidelines have been published and distributed to all local churches, I suggest that all Catholic reactions be collected and that information be gathered about what is going along on the local level between Jews and Catholics. For the next Liaison Committee we should have <sup>a</sup> report on all this: reactions to the Guidelines and common activities.

Concerning studies, our experience is that we cannot engage ourselves in many studies at the same time. We must ensure the follow-up of the studies already engaged. They have to come to some kind of conclusion.

We heard remarks about the Roman document. Some of these ought to be developed.

In our meetings the exchange of information is important.

Could we have every two years a larger meeting <sup>in</sup> which could participate people engaged in Jewish-Christian relations for



some specific area - local, regional or national?

There is a question of representation. Our group is French-American. Could it be enlarged? (Great Britain, Argentina, etc.)

A concrete suggestion: I would like a joint committee to follow the business going along between two meetings. This joint committee could inform us by some kind of leaflet or information-letter.

SIEGMAN

Agrees.

MUGAVERO

We ought to limit to four or five main ideas this large amount of suggestions.

- A small steering committee
- A permanent working committee to keep members informed
- The steering committee will prepare material for the future meeting and also ensure the follow-up of the precedent meeting.

It is bad to come to a meeting unprepared.

de CONTENSON

Need for an extension of representation in the Liaison Committee  
Difficulty for the Commission to sponsor directly any kind of publication.

SHUSTER

All this has to be put clearly. All these suggestions have to be separated from one another. The minutes of this meeting have to be circulated to all of us for reflection.

de CONTENSON

You shall receive them.

ETCHEGARAY

- More than 'minutes', we need concrete conclusions.
- We must find a way for the publication of studies.

de CONTENSON

As for the Commission, it is difficult to publish something under its direct authority.

SIEGMAN

Since we engage experts for some work, there must be some kind of publication.

It would be more useful to our work to have after each meeting a sort of 'summary of conclusions' than extensive minutes of our discussions.

TALMON

As for last year's meeting, I have personally worked carefully for their revision, but I would not have done it if I knew that not all of us were going to do so.

We need some kind of publication on a world-wide level. Remember the Guidelines: they invite us to do some studies. We must give some

publicity to our studies.

RIEGNER

Cannot understand why a publication about human rights could not be done.

The idea of a publication - whatever its processus may be - ought to be accepted by all.

The new Commission should be more action-oriented.  
I have the impression that too much accent is laid on studies.  
I think we have engaged ourselves in a considerable number of studies and now I believe is time to switch to action.

Ours should not only be a study-group.  
The Commission should help to be in touch with other departments of the Curia, not only for transmitting information but for urging them to take some action.  
There are many organs in the Roman Catholic Church, on the international level, which touch especially on Catholic/Jewish relations.

An example of what has been done in USA: we, too, we have a problem of lack of personnel. We feel that in USA there is a certain indifference towards the problem of Jewish-Christian relations. There is a need to stimulate and sensitize people. It is therefore necessary to convince in some way certain Curial bodies to take action in this respect.

ELANNERY

Liturgy= we have realized our Lectionary Project.  
We have gathered a group of Catholic scholars who have met once a year (sometimes more) in order to see what could be done on the Scriptures (offensive passages etc.). In fact the right motivation of this work was to bear in mind and progress in achieving a better Christian self-understanding.  
It was realized that the chances to come to such a large work were small, so we have narrowed them up on a project of a Lectionary (in vernacular) to be read on Sundays or every day. We have gone through the New Testament, book by book and we have decided to restrict the project to the minimum so that to achieve something very concrete. We have limited ourselves to those parts which touch directly the problem. It could seem that we have not done enough or that we have ignored various things.

- There are existing possibilities to re-translate certain paragraphs.  
- " " " " " leave out certain phrases (probably better that re-translate them)

- Selection of those parts which are offensive to mutual understanding or to our own self-understanding.

We shall decide what will have to be done.

The Project will then go to the Administrative Board of Bishops. If and when approved, it will go to the Episcopal Conference.

This Project could be of help to change certain things.

In 4 or 5 year there will be a new Lectionary.

In the whole process of working on this Project we are in contact with the Liturgical Commission of the Episcopal Conference.

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#### Catechetical Directory =

It is a very large work. Thousands of people have been contacted. You could probably ask yourselves how this is connected with the Jewish problem. We must say that recently there has been a 'de-judaization' of Christianity in catechetics.

We consider it a serious omission. We have therefore acted in this direction, sending relevant documentation to different people and expressing our concern.

We have been informed that a 100 contributions touching this question arrived from everywhere ( 7 or 8 of them really very important). They have been well accepted. This work has not been done in vain. 4000, 000 copies of the present directory have been sent out for reaction.

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Priestly formation, education of clergy: we are in touch with our education office in this respect.

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I give all this as an example of an action-oriented programme which could be of inspiration to the work the new Commission for Religious Relations with the Jews could do.

Is the Education department of the Roman Curia conscious of these problems? And is the Liturgical department ?

The Commission ought to sensitize the various concerned departments of the Curia on this aspect.

As for our direct experience, we can say that this has been the most fruitful work we have done up to now.

What we are doing here ought to be a preliminary stage to such a task.



DUPUY

This question perhaps relates more to the new Commission than to our Liaison Committee here gathered.

LOOKSTEIN

Expresses appreciation for the work illustrated by Rev. Flannery.

Years ago, the Anti-Defamation League and the American Jewish Committee had done a similar work on text-books.

He expresses the hope that these activities should prosper.

FLANNERY

The work done on text-books was very useful ( it was to omit the negative parts) but now we are trying to underline which are the ties between us.

We shall use what said in the Guidelines for our presentation. In them there are authoritative statements of the higher level which can back up what we have done by ourselves.

DUPUY

This afternoon we shall have to design those who have to draft the press-release.

ETCHEGARAY

I would like that we summarize the decisions taken and propose some precise points.

RIEGNER

Agrees. We are not yet able to draft a press-release . A Press-Release will be prepared tonight and discussed tomorrow morning.

DUPUY

In the afternoon we shall sum up our decision and work a programme for the future.

de CONTENSON

Msgr Moeller and I do not want to play a directive role. We do not want to give this impression. This is the reason why I, personally, sometimes refrain from expressing my opinions on the organization.

MUGAVERO

There is a need for a 'steering committee'. We shall discuss this point this afternoon.

Concerning work on the local level: all Episcopal Conference should have special Secretariats for Jewish Relations, like Fr Flannery' What has been done in that Secretariat should be an example to everybody

I stress what Fr Flannery has said about the need for a relation to other organisms of the Roman Curia: this is one of the possible tasks for the new Commission to carry on.

Afternoon session ( 15:00-16:30)

Chairman: Rabbi Siegman

A paper is distributed summarizing the discussion held towards the end of the morning about the necessity of some intermediary meetings between the annual plenary meetings of the Liaison Committee about the procedure of the regular meetings of the Committee and about their nature, (See annex 5 )

LICHTEN

is not ready to accept these proposals. He is not against but asks for some delay in order to be able to consult its constituency. The idea of a "Steering Committee" is as such questionable but it is clear that some step could be taken in such a direction but only after consultation.

MUGAVERO

We are not ready to make a definitive decision. But we must take some kind of decision now since our meeting is coming to an end.

SIEGMAN

Some of the points of the paper proposed by Fr. de Contenson may be questionable. Nevertheless we must discuss these points and we and we could try to come to some agreement concerning the acceptable points.

TALMON

Understands quite well the problem raised by Lichten. "We should keep the ball rolling, but it is clear that on the Jewish side we are not ready to make an immediate discussion". He suggests that it could be acceptable to all if an "ad hoc committee" was allowed to meet between this Liaison Committee meeting and the next.

For this ad hoc committee, each delegation, the Jewish and the Catholic, should make a decision about who will take part in its meeting and the possibility of alternates ought to be considered with favour.

The ad hoc committee may invite as consultant or participant any person who could be useful from a technical point of view.

The question is to limit or determine the competency of the ad hoc committee.

Discussion takes place at a general level and comes to some principle:

"The ad hoc committee makes no decisions having some impact on the orientation of Jewish-Catholic relations and cannot decide new steps, but ensures the follow-up of the precedent meeting of the Liaison Committee and cooperates for the preparation of the following meeting".



SHUSTER

opposes to all what has been said about a possible "steering committee", if such a committee received some kind of authority.

He also expresses his disapproval for the publication of the "Guidelines", considered by him as a unilateral action of the Catholics without common agreement. And he points out that his opposition is also based on the fact that the text can be the occasion of various and numerous difficulties.

For these reasons (unilaterality of the action taken, unsatisfactory redaction) he expresses his opinion that the publication is regrettable.

SIEGMAN

Reading the proposals made by Fr de Contenson as a summary of the discussion of the morning, he feels that the suggestion about a so-called 'steering committee' is the most important point in this paper. There is among us a general dissatisfaction about the way things have been dealt with for this Liaison Committee meeting. We must change something in our procedures.

Z. Shuster is right: we must be clear about the competency of this new body actually designated by the name of "steering committee". If this new Committee is given some authority, some power, then we are creating new structures and this is questionable. But we could quite well have a committee for the study of questions and for elaboration of proposals presented to the Liaison Committee. Are we deciding for the setting up of a "study committee", a "technical committee" that could study what could be done and make proposals?

RIEGNER

Agrees on the proposals for the steering committee that are expressed in the paper of fr. de Contenson.

This steering committee could refer to the Liaison Committee, make proposals to the members of the Liaison Committee for new structures for the future. This steering committee ought to think about the new steps that could be taken, the modifications which could be decided by the Liaison Committee. Could this committee elaborate a synthesis within the coming six months and propose concrete ideas?



LICHTEN

We are not a "parliamentary body". There is no necessity for new structures. We must be very careful not to create new "bodies". This could not solve our problems.

MUGAVERO

I suggest that we accept the possibility of an experimental committee which would limit its activity to the elaboration of proposals addressed to the Liaison Committee and to ensuring the follow-up of the precedent meeting of the Liaison Committee and the preparation of the new meeting.

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\*\*\*\*\*

General agreement is given to this proposal: the possibility of an experimental committee or "ad hoc" committee is accepted by all. This "ad hoc committee" could meet as often as necessary and possible. On both sides, the members and participants will be designated by the responsible bodies, IJCIC on the one side and the Commission for the Religious Relations with the Jews on the other side.

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DUPUY

We may now move to the question of the date and place for the next meeting of the Liaison Committee

(General exchange of views on this question)

SIEGMAN

Could we envisage the possibility of meeting in Jerusalem?  
What about a meeting in Latin America?

TALMON

Could we meet in Latin America, since there is no representative of Latin America in the Liaison Committee?

He, too, proposes Jerusalem

SIEGMAN  
RIEGNER

A meeting in Latin America could have a significant impact on the people all over the world.

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The meeting comes to an end without any decision on these points.

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a) Teachings of the magisterium

- 1) Key points and motivations in the field of human rights on the level of reason and natural order.

36. The doctrine held by the magisterium on fundamental rights of man derives in the first place from, or is suggested by, needs that are rooted in human nature itself on the level of reason. In other words, it is part of the teaching on natural rights. Here we shall briefly recall some of the more important points.

§1. Freedom and fundamental rights

37. Since the social order is directed to the good of the person (25), and every human being is endowed with intelligence and freedom (26), and the human person is and should be the foundation, the subject and the end of all social institutions, the magisterium declares:

- 1) All men are equal in nobility, dignity and nature (28), without distinction based on race (29), sex (30), religion (31).
- 2) All therefore have the same fundamental rights and duties (32).
- 3) The rights of the human person are inviolable, inalienable and universal (33).
- 4) Every human being has the right to existence, to physical integrity, to the means that are indispensable and sufficient for a fitting way of life, especially with regard to food, housing, means of subsistence and other services required for social security (34).
- 5) All have a right to a good name and to respect for their own person (35), to preservation of their own private life and privacy (36), and to a public image (37).
- 6) All have a right to action in accordance with the proper dictates of their own conscience (38) and to the free search for truth according to the ways and means proper to mankind (39). Under certain conditions this can also mean the right to dissent, for reasons of conscience (40), from certain rules of society.
- 7) All have the right to manifest freely their own opinions and ideas (41) and all have a right to objectivity in information (42).
- 8) All have the right to worship God, in accordance with the proper dictates of their own conscience, to make a profession of religion in public and in private, and to enjoy a just religious freedom (43).
- 9) A person has a fundamental right to protection of law concerning his or her own rights, a protection that should be efficacious, impartial, based on objective criteria of justice (44). In this regard all are equal before the law (45) and have a right in the judicial process to know their accuser and to have an adequate defense (46).
- 10) Finally, the magisterium draws attention to the fact that the fundamental human rights are indissolubly linked in the person itself, which is the subject of them, with corresponding respective duties, and that both rights and duties have their root and nourishment and indestructible force in the natural law which confers and imposes them (47).

§ 2. Civil, political, economic, social and cultural rights

38. Also in the area of civil, political, economic, social and cultural rights the magisterium of the Church has put in focus some freedoms and fundamental rights that have as their object association, marriage, family, participation in political life, work, private property, culture, development of peoples -- things which constitute the key sectors in every individual or collective activity. Thus the magisterium teaches:

- 1) All men have the right to free gathering and association (48) as well as the right to confer on their associations the structure that they think suited to the attainment of the objectives, and the right to action in achieving the concrete fulfillment of them (49).



- 2) All have the right to freedom of movement and to residence in the state of which they are citizens, and to immigration in other political communities and to establishing themselves there (50). Special attention and help should be given to refugees (51), in the humanitarian spirit of the right of asylum.
- 3) All have the right to free choice of state of life and therefore to creating a family, with rights and duties equally shared by man and woman, and to following the vocation to the priesthood and to the religious life (52).
- 4) With regard to the family, natural and essential nucleus of society, founded on marriage, contracted freely, forming a unit and indissoluble, considerations of economic, social, cultural and moral nature are to be applied which consolidate the stability of the family, facilitate the fulfillment of its specific mission and assure for it conditions of sound development (53).
- 5) Parents have the right to produce offspring and they have a right of priority in the upbringing of their children and in their education in the bosom of the family (54).
- 6) Above all, children and young people have a right to an upbringing and an environment and means of communication that are morally sound (55).
- 7) In virtue of the respect owed to her dignity as a human person, a woman is to be regarded as equal to a man in the rights pertaining to participation in the cultural, economic, social and political life of the state (56).
- 8) Old people, orphans, the sick and all kinds of abandoned people have the right to appropriate care and assistance (57).
- 9) From the dignity of the human person comes everyone's right to take an active part in public life, the right to make a personal contribution to the achieving of the common good (58), the right to vote and the right to participate in social decisions (59).
- 10) Everyone has the right to a job, to development of one's qualities (talents) and one's own personality in exercising a profession (60), and to free initiative in the economic field in a responsible way (61). Such rights imply conditions of work that are not injurious to physical health and sound morals and that do not impede the full development of young people. In the case of women, the right to work calls for conditions that meet their needs and respect their duties as wives and mothers (62). It should be acknowledged that all have the right to appropriate rest and recreation (63).
- 11) All who engage in work, manual or intellectual, have a right to compensation determined in accordance with justice and equity and therefore sufficient, in proportion to available funds, to enable the worker and his family to have a way of life befitting human dignity (64).
- 12) Workers have the right to strike as a last resort in their defense (65).
- 13) Everyone has the right to a sufficient share of this world's goods for himself and his own family. Such private property, therefore, inasmuch as it assures each man of an indispensable zone of personal and family autonomy, should be considered a necessary extension of human freedom and a right that is not unconditioned and absolute but limited. In fact it has by its very nature a social function which is founded on the common destination of this world's goods, willed by the Creator, which should flow equally into the hands of all men and all peoples and therefore should never be used to the detriment of the common good (66).
- 14) All persons and peoples have the right to development, considered in the mutual dynamic complementation of all these fundamental human rights on which the aspirations of individuals and of nations are based (67), and they have the right to equal access to the cultural, economic, civic and social life as well as to equal share in the national riches (68).
- 15) All have the natural right to share in cultural goods and therefore to a basic education, to a technical-professional formation that is proper to the grade of development of their own political community, to access to higher education in accordance with their merit in order that individuals may assume responsibilities and be entrusted with tasks proper to their natural talents and acquired abilities (69).



16) Societies, organizations and minority groups have the right to life, social dignity, organization, development in a protected environment and one that is improved, and an equal share of the resources of nature and the fruits of civilization (70). Above all the magisterium declares it is necessary that the public authorities promote the human development of minorities in efficacious ways, in favor of their language, culture, customs, resources and economic initiatives (71)

17) It is stated and recognized that all peoples have the right to preserve their own identity (72).

39. The value that the Church puts on the human being is therefore one of incomparable greatness. Some years ago Paul VI had these words to say about it: "... No anthropology is the equal of the Church's when it comes to an estimate of the human person, even taking only one, with regard to its originality, dignity, intangibility, and the richness of its fundamental rights, its sacredness, its educability, its aspiration for a complete development, its immortality. . . . One could make a whole Code of rights that the Church recognizes man has as man (that the human person has as a person), and it will always be difficult to establish the whole range of rights that man has by reason of his elevation to the supernatural order through his becoming a part of Christ (73).

# NOTES

- 25) Cf. Pio XII passim. Dottrina cattolica comune ; G S. 26, 3.
- 26) Cf. P T. 8.
- 27) Cf. O A., 14 ; G S. 25,3 ; MM. 222
- 28) Cf. P T. 86 ; O A. 14 ; G S. 22-29.
- 29) Cf. P T. 44, 88 ; 17, 33 ; O A. 16 ; G S. 29 ; PP. 63.
- 30) Cf. P T. 15 ; G S. 29, 2 ; 60, 1 ; Messaggio del Concilio alla Donna 8, XII, 1965.
- 31) Cf. G S. 29, 2 ; Paolo VI Messaggio, o.c. ; Const. Nostra Aetate, 5.
- 32) Cf. O A. 16 ; G S. 26 ; P T. 44, 89.
- 33) Cf. P T. 9, 86 ; G S. 26.
- 34) Cf. P T., 11 ; MM. 56 ; 61 ; 197 ; Appello Sinodale 1974, o.c.
- 35) Cf. G S. 26 ; P T. 12.
- 36) Cf. G S. 26.
- 37) Cf. Paolo VI, Discorso ai responsabili della Federazione Nazionale Italiana della Stampa - 23 giugno 1966 - in "Insegnamenti di Paolo VI", IV (1966), Tipografia Poliglotta Vaticana pag. 312, ed altri discorsi detti in varie occasioni da Paolo VI, Giovanni XXIII e Pio XII ai giornalisti.
- 38) Cf. P T. 14 ; G S. 26, 2 ; D H. 2, 3.
- 39) Cf. P T. 12 ; D H. 3.
- 40) Cf. G S. 78, 5 ; 79, 2,3 "Le singole nazioni devono riconoscere e regolare mediante le leggi l'obiezione di coscienza". Sinodo 1971, p. 22.
- 41) Cf. P T. 12 ; G S. 59,4 ; 73,2 ; Sinodo 1971, p. 18.
- 42) Cf. P T. 12 ; 90 ; Appello Sinodale 1974, o.c.
- 43) Cf. P T. 14 ; G S. 26, 2 ; 73,2 ; Sinodo 1971, p. 11;

- 44) Cf. P T. 27 ; Pio XII, Radiomessaggio natalizio 1942, passim.
- 45) Cf. O A. 16
- 46) Cf. Sinodo 1971, p. 18 ; ib. p. 11.
- 47) Cf. P T. 28-30 ; O A. 24.
- 48) Cf. P T. 23 ; G.S. 73,2 ; CIC. can. 682-725.
- 49) Cf. P T. 23 ; MM. 23.
- 50) Cf. P T. 25 ; O.A. 17 ; MM. 46.
- 51) Cf. Decr. Christus Dominus, 18 ; G S. 84,2.
- 52) Cf. P T. 15-16 ; G S. 26,2.
- 53) Cf. O A. 18 ; P T. 16.
- 54) Cf. G S. 52 ; MM. 196-197 ; Appello Sinodale 1974, o.c.
- 55) Cf. Sinodo 1971, p. 11 ; G S. 26,2.
- 56) Cf. O A. 13 ; G S. 29 ; Sinodo 1971, p. 17; il Sinodo propone che si crei una Commissione mista per studiare la parte di responsabilità e di partecipazione della donna nella vita comunitaria della società e della Chiesa. Cf. Sinodo 1971, p. 17-18.
- 57) Cf. Sinodo 1971, p. 12.
- 58) Cf. P T. 26 ; Appello Sinodale 1974, o.c.
- 59) Cf. G S. 75,1 ; 68,1 ; Sinodo 1971, p.18 ; O A. 47 ; MM. 93.
- 60) Cf. O A. 14 ; G S. 26 ; MM. 61.
- 61) Cf. P T. 18 ; 20.
- 62) Cf. P T. 19.
- 63) Cf. MM. 61 ; 254.
- 64) Cf. O A. 14 ; G S. 67-68 ; Paolo VI, Discorso del 1° Maggio 1968, AAS. LX (1968) p. 330-331 ; MM. 72-73 ; P T. 20 ; Quadragesimo Anno 30-31, AAS XXIII (1931) p. 201.
- 65) Cf. O A. 14 ; G S. 68,3.
- 66) Cf. G S. 69-71 ; PP. 22-23 ; P.T. 21-22 ; O.A. 43 ; MM. 20, 28, 109, 110, 116, 120-122.
- 67) Cf. Sinodo 1971, p. 9, 24 ; cf. anche PP. 43, passim. G S. 9-10.
- 68) Cf. O A. 16 ; Appello Sinodale 1974, o.c.
- 69) Cf. G S. 60, 1-3 ; P T. 13 ; MM. 61.
- 70) Cf. Paolo VI, Messaggio all'ONU nel XXV anniversario della Dichiarazione Universale, o.c. ; MM. 71, P T. 24.
- 71) Cf. P T. 96 ; G.S. 73, 3.
- 72) Cf. Paolo VI, Discorso al Parlamento di Uganda, in AAS. LXI (1969), p. 582 ; cf. Sinodo 1971, p. 10
- 73) Paolo VI, Discorso all'udienza generale del mercoledì 4 settembre 1968, in "Insegnamenti di Paolo VI" VI, 1968, Tipografia Poliglotta Vaticana 1968, pag. 886-887



## RECENT CONTRIBUTIONS OF THE CHURCH'S MAGISTERIUM TO HUMAN RIGHTS

1. It is not my task to present at this moment, even in broad outline, the teaching of the Church's Magisterium on the subject of human rights.

All those present have already received a document setting forth the basic principles of the Church regarding those rights, on the level of reason and the natural order.

I would however like to add a few brief observations of the historical and doctrinal order, limiting myself to the action and contributions that the Church has been offering ~~franzosen~~ in this field from the end of the last century up to the present day, especially through the papal Magisterium.

2. As early as the 19th century the Church's Magisterium was gradually preparing to face the modern theme of the rights of man, and ~~she~~ the Church issued a number of necessary clarifications regarding the so-called "new freedoms" proclaimed in the Constitutions of the modern States and inspired by ~~the~~ the subjectivism and agnosticism of the French Revolution.
3. Leo XIII (1878-1903) <sup>in his Encyclicals</sup> was the first to begin a more open approach to the basic rights of man and in particular to citizens' right to take part in political life (Libertas); and ~~he~~ he gave special prominence to the rights of the worker with respect to work (Rerum Novarum).
4. In the present century, Pius XI (1922-1939) highlights the positive formulation of other human rights, e.g. his strong and courageous defence of "freedom of conscience", his condemnation of National Socialist racialism and every form of totalitarianism



and his condemnation of human sterilization and of the State and political monopoly in the education of youth.

5. With Pius XII (1939-1958), the Church's Magisterium assumes and even more positive and constructive function in the matter of human rights. The Pope's radio-messages exercised a great influence on the forming of world public opinion during that momentous period of history. In his radio-message at Christmas 1944, Pius XII declared that "the dignity of man is the dignity of the image of God", and upon this dignity he based all ~~basic~~ fundamental rights, including the right of every citizen to take part in public life and the running of the State.

Nor should it be forgotten that during the war years and the post-war period Pius XII repeatedly expressed the desire for the setting up of an international body for the maintenance of world <sup>people's</sup> people. He likewise called for the creation of international institutions devoted to the safeguarding of the fundamental and vital rights of peoples and individuals.

6. Pope John XXIII (1958-1963) devoted the whole of the first part of his ~~encyclical~~ famous Encyclical Pacem in Terris (sections 8-79) to the defence of the rights of man. This part coincides almost completely with the Universal Declaration of Human Rights, which the Pope himself described as "an act of the highest importance accomplished by the United Nations" (PT, 143); at the same time however ~~the~~ he added to it, with emphasis, the correlated idea of "duties".

Furthermore, and this is without doubt very important, at the beginning of the third part of the Encyclical, the part devoted to the study of human collectivities, the Pope solemnly declares: "The political Communities with regard to one another are the

subjects of rights and duties... The same moral law which regulates relations between individuals also regulates relations between States" (PT, 80).

7. With regard to Pope Paul VI, it will suffice to mention one or two of his many acts regarding human rights. In his message of 10 December 1973 to the President of the XXVIII General Assembly of the United Nations, on the occasion of the 25th Anniversary of the Universal Declaration of Human Rights, he stated:

*in which it lists in these publicist with OR  
December 1973*

And he indicates, in his turn, <sup>that</sup> the bases of this justice for <sup>lie</sup> all in the equality of men in nature and dignity.

Like his predecessor, Paul VI insists on the collective dimension of right and of the moral law. It is in his great Encyclical on the development of peoples - Populorum Progressio - that he strongly and insistently affirms the rights of peoples (and not only of individuals) to all-round human, social and economic progress for all communities. In the same document he points out the relationship between two notions which <sup>hitherto</sup> ~~hitherto~~ ~~had~~ had too often been in practice separated. "Development is the new name of peace" (PP, 87). In fact, "too great economic, social and cultural inequalities between the peoples provoke tensions and discords and endanger peace" (PP, 76).

8. In this historical phase one must also stress the notable contributions made by the Second Vatican Council (1961-1965) in the field of human rights. One of its main documents, the Pastoral Constitution Gaudium et Spes, is certainly a proof that

the deeper consideration of man in his dignity and in his activity upon the world and upon history has come to maturity ~~ixix~~ in the universal Church.

There also sprang from the Second Vatican Council the wish to set up a body of the Universal Church with the task of "stimulating the Catholic community to promote the development of the needy areas and social justice among the nations" (GS, 90). In January 1967 Paul VI translated this idea into reality by setting up the Pontifical Commission Justice and Peace.

9. Finally, the 1971 Synod of Bishops did not fail to condemn present conditions of "voiceless injustice" (p.10), emphasizing how the Church's mission involves the defence and promotion of the dignity and fundamental rights of the human person" (p.15). In the recent Synod of October 1974 the Bishops once more publicly expressed, in a Message, their determination to promote the rights of man and reconciliation everywhere, in the Church and in the modern world, explicitly vindicating certain rights more threatened today.



## Judaism and Human Rights

This text has been re-written  
and amended by the author  
after the meeting.

Jewish interest in human rights today reflects

all the ways in which Judaism has been relevant to the development of human rights. Jewish religious and moral ideas have provided jurisprudential foundations and general principles for human rights, and have also supported the growth of particular rights. The recurrent oppression of Jews and Jewish communities, challenging the post-medieval conscience, helped inspire the Enlightenment, the development of constitutional government, the emancipation of peoples and groups, the recognition of rights for minorities and individuals. The unspeakable contemporary Jewish experience at the hands of Hitler provided the principal impetus to the growth of an international law of human rights. Individual Jewish thinkers, leaders and actors, and Jewish institutions and organizations, have been in the forefront of civil rights activities in national societies and of the international human rights movement.

For Judaism and for Jews generally human rights are and will continue to be among the highest concerns and priorities, in principle and in action. In recent years, recurrent anti-semitism has enhanced Jews fears for their own rights; the reactions of the rest of the world to these violations have seemed to many Jews frighteningly inadequate. As regards human rights generally, disappointment,

frustration, and some outrage at perceived abuses, have dampened some Jewish hopes and raised some doubts about some international programs. These have not, however, diluted the essential Jewish commitment to human rights. Jews look to others, not least to other religious communities, for support for Jewish human rights. They are eager to join others in identifying common human rights interests and to cooperate in support of them and of the rights of all everywhere.

This paper is in essence three short papers, more accurately brief outlines for three (or more) papers: "Human Rights in Jewish Religious Thought"; "The Jewish Experience and the Protection of Human Rights", including the Jew as victim and his influence on the development of human rights; and "The Jewish Contribution to Human Rights Law and Institutions." There is also, perhaps a fourth paper on "Disappointment and Reviving Fears" in recent years. These papers are linked obviously by their common Jewish strand. But they are joined in a deeper sense. For Jewish religious thought, and the history of the Jewish people in the last two thousand years, are contemporary forces, inspiring even many Jews who are not "religious," or "nationalist." Traditional Jewish social values, and the history of the Jews as victims struggling for human rights, join with contemporary Jewish experience to shape contemporary attitudes and activities, fears and hopes.

I. Human Rights in Jewish Religious Thought

Jewish affinity for human rights is rooted in ancient Jewish religion and thought, and finds continued sustenance in Jewish religion and thought today.

The ancient societal context

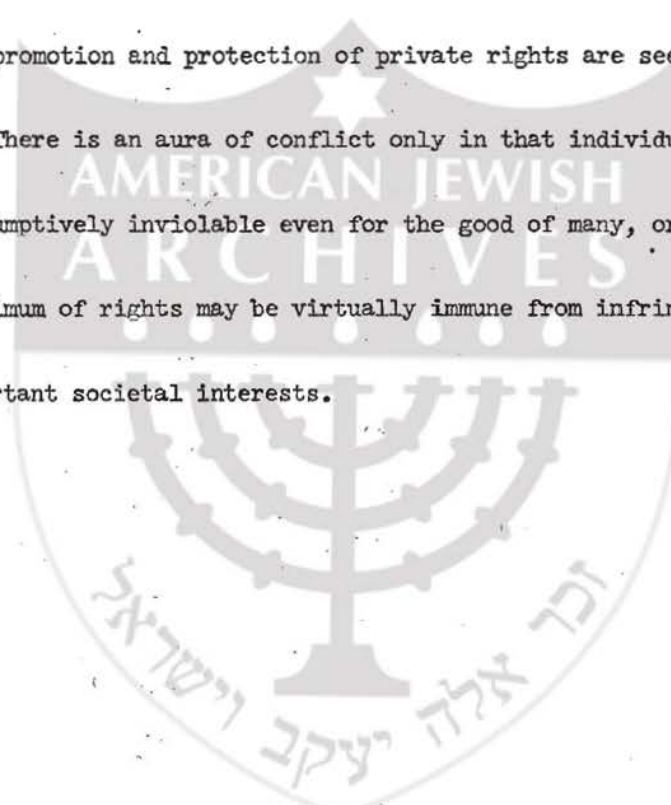
To assert these ancient roots for today's Jewish affinity is not to suggest that contemporary political-philosophical-legal concepts of human rights can be found, identically and full-blown, in Biblical-Rabbinic thought. Indeed, any attempt to correlate precisely contemporary with ancient concepts risks serious anachronism and other distortion.

Human rights as we know them today are legal rights and they are rights against society; neither of those concepts is discernible in the Bible or even in Rabbinic Judaism. A "right" is something to which one is entitled, not what one enjoys by grace or gift, or as the fruit of love, divine or human. The Hebrew language did not have an authentic word for rights. The word used for a right today (*z'khut*) originally connoted purity, virtue, innocence; it was used for benefit received, or even deserved or due, but it did not carry the sense that one had these benefits "as of right." Even the command to love one's neighbor, while it may inure to his benefit, does not give him the "right" to that love, or to any fruit or consequence of that love.



Footnote on p. 3

\*I speak, as a lawyer might, of "rights against society," in the sense of valid claims upon society. Of course, there is no implication that such rights are against the interest of society. In the theology of human rights the good society is one in which individual rights flourish, and the promotion and protection of private rights are seen as a public good. There is an aura of conflict only in that individual rights are presumptively inviolable even for the good of many, or of all; and some minimum of rights may be virtually immune from infringement even for important societal interests.



Judaism knows not rights but duties, and at bottom all duties are to God. (If every duty has a correlative right, the right must be *Said* to be in God!) Many of them are secondarily also to fellow-man, who is thus the beneficiary of my duties to God. Judaism implemented and enforced many of these duties by a system of penal and civil law, and plaintiffs asserted "rights" against their fellows on principles akin to those of modern tort or property law. But these were rights between individuals within society, not rights by the individual against society. Today we might say that the individual had "the right" to have the society vindicate his claims against his fellow, but our ancestors would not have said that.

Contemporary conceptions of human rights are political rights against government, and human government was not central to original Judaism. God was the king of Israel and the people's request for a human king was frowned upon as a rejection of Him and granted grudgingly. (I Samuel 8:6-7). Doubtless there was something we would call government in ancient Israel and leaders ("Judges") and kings doubtless issued decrees which we would call law, but we know little about them. We have no tradition that such early government and law were scrutinized in the light of divine law, though individual royal acts were judged by that law. Compare Saul's decision

contrary to divine command, to spare Agag and take booty (I Samuel: 15); Ahab and Jezebel were adjudged and condemned by the prophet as murderers and thieves (I Kings 21).

Contemporary human rights trace their origins directly to ideas of natural law to which man-made law must bow. Judaism never accepted natural law (as distinguished from revealed law), to be discovered by the "right reason" of man. Human reason was not exalted or even trusted in Judaism. Although many of God's Commandments commend themselves to human reason, they are obligatory because God commanded them not because they are reasonable; and what is reasonable but is not traceable to divine command is not obligatory as law. Although for Judaism "revelation," prophecy," ended several hundred years before the common era, and the law was to be interpreted, developed, and supplemented continually thereafter, by men (without heavenly intercession, cf. T.B. BABA MEZIA 59), such "law-making" was not by unlimited "right reason." Much of Rabbinic law in principle, rooted in tradition traced back to Moses at Sinai; all of it was confined within limits imposed by an extensive and detailed revelation and tradition, and by the higher authority of earlier masters who were part of or close to the channels of revelation.



Contemporary conceptions include for many the idea that human rights are protected against man-made laws by a higher law; within Judaism there can not be human law inconsistent with divine law, for Judaism knew only one, divine law. Traditional Judaism insists on the divine foundation of all law and indeed conceives of no law that is not based immediately or ultimately on divine authority: only those ordained to do so pursuant to divine authority may make law, and law made by them, whether in Biblical and Talmudic times or today, traces authority to Scripture (Deut. 17: 8-12; cf. the traditional interpretations of id. 32:7).

Eighteenth Century notions presiding at the birth of modern human rights -- popular sovereignty and individual freedom and autonomy - also have no counterpart in ancient Judaism; it disapproved any suggestion that man may do "that which was right in his own eyes." (Judges 17:6)

Conceptual contributions and affinities.

Despite these differences, contemporary human rights concepts are in many respects deeply rooted, or have strong parallels, in traditional Judaic thought.

Human rights depend ultimately on notions of right and wrong, good and evil, a fundamental of Judaism (Deut. 11:26-28; 30: 15).

Jewish law applied to all without distinction, to mighty king as to lowly subject, implying limited, "constitutional" government, the jurisprudential ancestor of contemporary human rights. The King's powers are expressly limited (Deut. 17: 14-20); he was also subject to law applicable to all. Compare David and Bathsheba (II Samuel 11, 12); Naboth's vineyard (I Kings 21); cf. I Samuel 8: 11-21, interpreted as a catalogue of what is permitted the king (T.B. Sanhedrin 20b, Tosafoth s.v. Melech). Royal decrees contrary to divine law were not binding and were disregarded by men and women of conscience. Compare Pharaoh's orders to the midwives, Exodus 1:15-17; King Saul's command to kill the Priests (I Samuel 22:17); cf. also the Rabbinic interpretation of Exodus 22:27 [28] in T. B. Baba Kama 94b (only a ruler who acts properly is to be respected).

The common human ancestor, in God's "image," described in Genesis, and the fatherhood of God to all men (Malachi 2:10), imply the essential equality of all men, supporting the idea of rights which all enjoy by virtue of their common humanity. Cf. T.B. Sanhedrin 37a. (The development of authority within traditional Judaism has supported the claims of individual merit, for the scholars

long ago prevailed over the hereditary priesthood.)

The concept of justice, which permeates all human rights, is not only particularized in the positive law of Judaism, but is also prescribed separately and discretely, undefined but intuitive, and "binding" on God as on man. (Genesis 18:24-25; Leviticus 19:15; Deut. 16:20). It is a principal theme of the prophets, major and minor.

The laws of Judaism have from the beginning included the staples of contemporary human rights law--due process and fairness in criminal procedure, equity in civil law. A system of law and of administration of justice was deemed to have been one of the seven fundamental divine commandment ordained for all human beings. ("The Children of Noah") (T.B. Sanhedrin, 56-57); cf. Nachmanides, Commentary to Genesis 34:13 (Chavel ed. 1972).

Judaism contained general and specific prescriptions for arbitrating between competing individual claims, including many resolutions that approximate modern rights: tort liability based on moral responsibility, and limited thereby, as in regard to the owner of the goring ox (Exodus 21:34-26); rights of property limited by worker's rights, e.g. the rights of the laborer in the vineyard or field to eat while he works (Deut. 23:25-26); the right of the lender to his money tempered by the borrower's basic necessities



(Exodus 22: 24-26; Deut. 24:6, 12-13), even his privacy (the creditor is required to wait outside while the debtor brings him the promised pledge (id. 10-11)). The duty to be holy, to love one's neighbor as oneself, to be charitable, effectively created "rights" for beneficiaries. (Leviticus 19: 1-18).

The Rabbis added obligations to respect human dignity (Kvod Habriot) (T.B. Berachot 19b); to do equity beyond the requirement of law (lifnim mishurat hadin) (T.B. Baba Meziyah 83a); to pursue the paths of peace (mishum darkei shalom) (T.B. Gittin 59 a-b); to act as befits the seed of Abraham (Maimonides, Mishne Torah, Abadim 988). From these flowed real and specific duties of generosity, human respect, and equal treatment that have modern ring.

In ancient Jewish law are the seeds of limitations on slavery and long-term indenture (Exodus 21: 2; Leviticus 25: 10, 39ff.); the equitable distribution of land (Num. 33: 54; Leviticus 25: 14-18, 25-34); universal education (Deut. 6: 7, 11:19; Joshua 1: 8). Rabbinic Judaism extended Biblical "welfare rights" and regulated wages, prices, profits.

In some respects, of course, ancient Judaism would have to explain itself to contemporary human rights critics; in some it might not pass muster. It surely

did not recognize religious freedom <sup>for</sup> ~~to~~ idolatry, and did not assure them other equality: at various times and places, the hostile treatment of the Jews by neighbors, or by a dominant society in which they lived, inevitably colored Jewish attitudes to non-Jews. But, essentially, with the end of paganism and idol-worship, the inequalities of ancient Judaism in that regard largely disappeared. Some aspects of the status of women in ancient Judaism, too, may offend contemporary notions of gender equality, but striking discriminations were eliminated <sup>a</sup> thousand years ago, when polygamy was formally outlawed and a woman's consent to divorce became mandatory, at least for Ashkenazic Jewry.

It is fair to say that traditional Judaism today largely approximates contemporary human rights principles. The "liberal" branches of Judaism, indeed, can claim that their emphasis on justice as the heart and the all of Judaism makes it congruent with contemporary human rights. Concern for human rights accords also with the general anschauung of Judaism implying positive attitudes toward social change; with her universalistic ideals; with her premises -- that this world counts, that human life counts most, that this is a world for human beings to flourish in, that man has freedom and is accountable for what he does and could do, and for his destiny.

Jewish ideas outside the framework of traditional religion are also in tune with contemporary human rights. The State of Israel, for the principal instance, has effective national laws comparable to those in the most enlightened constitutions. (Exceptions, in the treatment of Arab populations, are seen as temporary and required by national security in war imposed on the State.)

## II. The Jewish Experience and the Protection of Human Rights

Jewish dedication to human rights is deeply rooted also in Jewish history and experience, which many Jews perceive as a history of the Jew as victim and as experience of struggle against violation of his human rights.

### The Jew as victim

The historic oppression of the Jews, communally and individually, needs no reiteration or documentation. The human rights of Jews were recurrently and grievously violated nearly everywhere during their long exile, in both Christian and Moslem countries. They were massacred during the Crusades, and more locally thereafter on numerous occasions in virtually every country, by order, or with the connivance or acquiescence, of princes and bishops. They were exiled from countries in which they were deeply established -- France, England, Spain, Portugal. They were the object of every suspicion and held responsible for every misfortune; Jews and Jewish communities suffered grievously as scape-goat for everything from the Black Death to private, local mis-happenings. In earlier times they



also  
were seized and sold into slavery, and liberation came only if fellow  
Jews paid exorbitant ransoms.

Whatever human rights were enjoyed by their neighbors were denied to them, or granted partially, grudgingly and only as of grace. Their religion and culture were despised, their freedom to practice it frustrated, their right to adhere to it challenged and every pressure exerted upon them to abandon it. Their right to earn their living was constrained by prohibitions against owning land and engaging in various professions, trades, occupations. They were denied rights of residence and freedom of movement. During the centuries of religious domination they were considered a "foreign body" in states and principalities ruled by Christian princes or bishops. Even after the rise of the secular state they often depended for survival and welfare on the grace of churches and the accident of benevolent rulers. Due process of law was denied them or perverted, with false accusations, and perjured testimony, before biased judges, resulting in mockery of justice.

#### The drive for emancipation and equality

After religious principalities gave way to secular states committed to secular purposes; after feudal social-economic structures gave way to

individual mobility; after other religious groups sought and obtained "emancipation" and equality -- Jews saw opportunities for their own "emancipation" and liberation, at least for some measure of human rights "as of right." This was not the universal Jewish aspiration, for many orthodox Jews feared that emancipation would mean assimilation, that opportunities and exposures implied in emancipation, and some duties associated with it (e.g., state education, compulsory military service) would threaten adherence to the Jewish fold and to Jewish religious practices. But all Jews desired an end to many specific violations and restrictions of the human rights of Jews.

In the 18th and 19th Centuries the pressure for Jewish rights became an important energizing current in the movement for liberation and human rights in Europe. The fate of the Jews could not have been far from the mind of those who conceived and grew human rights. Even Edmund Burke, a conservative opponent of the French Revolution and <sup>of</sup> the Declaration of the Rights of Man, said: "But the Jews have no [...] power and no [...] friend to depend on. Humanity then must become their protector and ally." Many progressives thought Jewish emancipation and equality more important for the modern society even than for the Jew. Surely many Jews themselves saw in the Enlightenment and accompanying constitutionalism, universal remedies for their particular sufferings. They tended to support the rise of constitutional

government and the claims of liberty, equality, justice and fairness against repressive force. Jews, traditional as well as liberated, could contribute to the liberation movement because it was also congenial to, surely not inconsistent with, their Judaism.

Jews pursued human rights, their own and those of others, along different paths at different times and places in the past hundred years. Many sought it in liberal constitutionalism, many in socialism. But, even early, Jews in some countries had no hope for, or faith in, either. Later, constitutionalism failed the Jews in the France of Alfred Dreyfus, and devastatingly when Hitler destroyed the Weimar Republic. Socialism, too, failed the hopeful Jews, in Soviet Russia and in Poland. Many therefore flocked to Zionism, taking their constitutionalism or socialism with them, joining with traditional Jews and adding powerful political motivation, in a unique blend, to its deep religious-traditional-historical elements.

#### The Jews and international protection of human rights

The Jewish experience contributed to the development of human rights also in that it moved Jews to seek external protection against violations by various governments. The Jews were the occasion of numerous international intercessions and interventions making them a principal focus for burgeoning international human rights activity. Directly or indirectly, the rights of



Jews were discussed at the Congress of Vienna (1814-15), Aix-la-Chapelle (1818), the London Conference 1830, the Constantinople Conference 1856, the Paris Congress (1856) and Conference (1858), the Congress of Berlin (1878), Madrid (1880), Algeciras (1906), Bucharest (1913), Paris and Versailles after World War I. There were numerous diplomatic intercessions, in 1840 in Damascus, and notably in Rumania in 1878, by the Great Powers; by the British against expulsion of the Jews from Bohemia; by the United States with Rumania and Czarist Russia especially after violent pogroms. The British representative said to the Rumanian Government in 1867: "The peculiar position of the Jews places them under the protection of the civilized world."

The primitive international human rights movement of the 19th Century, much of it in behalf of Jews, proved a fertile seed for an international law of human rights, undermining the notion that how sovereign states treat their own inhabitants, even their own citizens, is not the proper business of anyone else. Even while they continued to seek equality under national law Jews sought also minority rights, internationally protected. Treaties in which states undertook to respect rights of minorities, and giving particular recognition to communal and cultural rights, were among the first blocks building the international law of human rights, and Jews were prominently both proponents and beneficiaries of such agreements. (Zionism's quest for

international support for a Jewish homeland, begun earnestly in 1917 and achieved in 1947, contributed to the triumph of self-determination, the right of peoples now prominent in human rights documents.)

It was beyond doubt the holocaust of the Jews in Europe that provided the principal impetus to the drive to make international human rights law a reality; in large measure it was an act of moral reparation to the Jews. Of course, there were clear and firm human rights provisions in the constitutions written for Germany (and Japan) under occupation, and in the Peace Treaties imposed on the defeated states following World War II. The ineffable Jewish tragedy was also clearly in mind when the UN Charter identified human rights as a principal purpose of the UN, obligated states to act and to cooperate in support of human rights, and ordained a UN human rights commission, the first international institution with general human rights jurisdiction. The Jewish tragedy remained uppermost in mind during the formative years which produced the Genocide Convention and the Universal Declaration of Human Rights, and launched a quarter-century of human rights activity --universal and regional, national and transnational, governmental and non-governmental.

### III. The Jewish Contribution to Human Rights Law and Institutions

Jews were not prominent at the birth of constitutionalism since they were few in the countries that cradled it (Great Britain, France, the United

States); and the few had not achieved --in substantial part, doubtless, because they were Jews -- the status and acceptance that might have made major participation possible. But as Jews poured into Western democracies and established themselves there, Jews became prominent both as theoreticians and activists for the advancement of individual rights.

That is clearly reflected in the recent history of the United States. It is noteworthy, for example, that any list of the principal libertarians on the Supreme Court of the United States would include most if not all of the Jewish Justices-- Cardozo and Brandeis, Frankfurter, Goldberg and Fortas. In the United States Jews have been leaders in the general civil rights movement and organizations, even in some focusing on particular, non-Jewish rights, e.g., {the National Association for the Advancement of Colored People. Jewish organizations (the American Jewish Committee, the American Jewish Congress Jewish trade unions, dedicated major efforts to supporting general, civil rights in the United States. With due account to the very much smaller numbers of Jews there, the story is not very different in France, Great Britain and other constitutional democracies, including Pre-Hitler Germany during its short life as a democratic republic.

The Jews can justly claim a major part in the rise of transnational non-governmental activity for human rights, leading to the contemporary human rights movement and continuing as an integral part of it. In the 19th



Century Jews in advanced countries (Germany, France, England, the U.S.) organized themselves to promote the human rights of Jews elsewhere, particularly in countries in Eastern Europe where Jews were numerous and their rights grievously violated. These and other organizations and individuals inspired the numerous international intercessions on behalf of Jews, the discussions at intergovernmental congresses and conferences, the minority treaties, the disposition at Paris and Versailles and in the League of Nations.

During and after the Second World War, Jews - many of them consciously, even explicitly, motivated by emotional Jewish values - were also prominent in the movement for an international bill of rights and a comprehensive, effective international law of human rights: Sir Hersh Lauterpacht, René Cassin, Rudolf Lemkin (the father of the Genocide Convention), Egon Schwellb, and a host of other persons, prominent or private; as well as the American Jewish Committee, the World Jewish Congress, the Anti-Defamation League of the Bnai Brith, and other Jewish institutions. Non-Jewish non-governmental organizations active in the human rights vineyard also had Jews in positions of responsibility and leadership. In time, with necessity, Jewish individuals and organizations turned to the international human rights movement for support for the human rights of Jews, notably in the Soviet Union and in Arab Lands.

Jews and Jewish organizations, of course, have been particularly dedicated to rights which affected Jews -- minority rights, freedom of religion and cultural freedom, equality and freedom from discrimination on account of race, religion and ethnic origin. But in principle and in fact Jews have been dedicated as well to all political and civil rights, to liberty and justice, to equal protection of the law and equality of opportunity, both from idealism and because they know that the right of Jews can find protection only when the rights of all flourish. They have favored economic and social advance for all, though rejecting the facile dogma that political-civil rights have to be sacrificed to achieve that goal. The Government of Israel, fusing ancient Jewish values and modern Western ideals, became a modern democracy dedicated to respect for human rights, its thinkers were in the forefront of human rights thought, and its representatives have played important parts in the international human rights movement in various UN bodies.

For their own human rights, Jews have sought protection along three avenues. An increasing proportion has looked for it in Israel, where they might find decent respect for their human rights, while realizing also their special human right to self-determination. Jews living in the United States and Western Europe, and in some parts of latin America have enjoyed their human rights under reasonably healthy constitutionalism. Jews sought international protection for the rights of Jewish living where constitutionalism failed, or never existed.

#### IV. Disappointment and Reviving Fears

The wide acceptance of human rights in national constitutions and the growing human rights movement after the Second World War encouraged Jews to believe that a new day had come for their human rights<sup>of all,</sup> everywhere. The birth and growth of the State of Israel gave the survivors of Hitler and many other Jews a new hope that they might enjoy their human rights more surely in their own land.

Increasingly these hopes have given way to disappointment and second thoughts. Even in the United States, where Jewish dedication to human rights has been most impressive, developments in recent years have shaken some Jewish convictions and commitments. Especially in the wake of the oil blockade and the 1974 Middle East War, there have been manifestations which Jews have interpreted as breathing ominous anti-semitism. There have also been recurrent confrontations between rights Jews cherished and claims asserted by other groups -- notably, Jewish insistence on equal opportunity and individual merits as the basis for rewards, and the demand of Black Americans and others for equal treatment, regardless of merit, indeed for beneficial discrimination in order to equalize or compensate for inequalities. Some Jews have seen in Black claims a perversion of human rights principles to Jewish disadvantage.

Jews have been disappointed by the failure of many, including religious



groups and church-spokesmen, to speak and act in behalf of Jewish rights in countries where they have been violated or endangered, notably in Arab countries and in the Soviet Union. Jews have been disappointed also in what has happened to the international protection of human rights. They have seen a movement conceived by Western liberals come under the control of new states that have no human rights traditions; that have no memory (or guilt) of oppression of Jews and no particular sympathy for oppressed Jews or for the State of Israel; and which are concerned only with selected rights, notably the elimination of white discrimination against blacks. Jews have seen international law and institutions designed for the protection of human rights diverted if not perverted to political ends hostile to Jewish interests. Violations of Jewish rights in the Arab-lands and in the Soviet Union have not been vindicated in the UN and in other international bodies. On the other hand, the State of Israel, many Jews believe, has been the target of false accusations leveled by the Arab-Soviet bloc and acquiesced in by other states. (While few Jews believe Israel can do, and has done, no wrong, many believe that she has been unfairly singled out as a violator and that her faults have been wildly exaggerated; and it is no longer possible to identify valid charges against Israel in the mass of false accusations and distortions.)

Leading Jewish non-governmental organizations, defending Jewish and other human rights, have been virulently attacked in the UN by the Soviet Union and by Arab spokesmen, and their legitimate activities

hampered. Rights in which Jews have particular interest-- for example, freedom from religious intolerance and discrimination -- have been neglected. And there is little evidence of any determination by governments to reverse these trends, to "depoliticize" the human rights movement and restore it to its noble purposes.

Increasingly, moreover, for many Jews disappointment has been overtaken by fear. Jews have been shaken by the recurrence of anti-semitism, some of it even in its ugliest forms, even in enlightened countries: the rumor of Orléans a few years ago was an incredible recurrence of a medieval "blood-libel" in contemporary France. More frightening has been the elaborate campaign of primitive and virulent anti-semitism in the guise of anti-Zionism, waged by the Communist and Arab states. To the Jews it has appeared that the world-- including, alas, elements in the Christian churches-- has joined or applauded the anti-semitic chorus or at best remained silent. More recently, condonation of ruthless terrorism against defenseless Jewish civilians, including women and children; support for the Arabs in the October War, in which Jews saw the survival of Israel and of millions of Jews at stake; the UN General Assembly's recognition and support of the "Palestine Liberation Organization," which has flaunted a policy of terrorism and of the destruction of Israel to deny the Jews, and only the Jews, their human right to self-determination; UNESCO's blatant anti-Israel actions; and

threats of more such moves designed to challenge the legitimacy of Israel's existence--these have shaken the Jewish sense of security at its core. Many Jews are genuinely afraid that Arab wealth and oil-control are pushing to a new genocide in Israel, and that the world is again sitting idly by.

#### V. Prospect.

1975 will find Jews worried about and preoccupied with Jewish rights, particularly the security of the State of Israel and the safety of its Jews, secondarily ~~with~~ the right of Soviet Jews who desire it, to leave, the rest to enjoy basic rights in the Soviet Union.

The faith of Jews in international protection through universal action focused at the United Nations has faltered. This could change dramatically, with favorable political developments in and about the Middle East. If real peace should come, if the perversion of international institutions to the detriment of Israel ended and Israel and her Jewish inhabitants were secure, the abuse of the human rights movement by the Arab-Soviet bloc for anti-Israel and anti-semitic activities should also end. (Jewish rights in Arab and in Communist countries would improve, and Arab citizens of Israel would also achieve effective equality.) Israel would then be able to play a special part in the human rights movement as the bridge between western commitment to political and civil rights and the striving of new states for economic and social welfare. Jewish individuals and institutions would also regain their original



enthusiasm for the human rights movement; Jewish ideas would help refine and modernize the spiritual and philosophical underpinnings of human rights, and their development in the years ahead.

If peace does not come, if Israel and her millions of Jews remain under siege, if the international human rights movement continues to be beset by its present "politicization," Jewish attitudes will continue in their present ambiguity; and the UN human rights movement would be further weakened. But Jewish commitment to human rights continues strong: spiritual-cultural affinities have not changed, and Jewish experience, and an abiding sense of constant, inescapable vulnerability, gives Jews an intense, personal stake in human rights; and Jews know that in the long run even in Israel, surely outside of Israel, Jewish rights can be secure only as human rights. Jews, then, will continue to fight for human rights through other means and channels.

Jews are seeking allies truly devoted to human rights. Inevitably, especially in these difficult times, Jews will judge such devotion by its readiness to come to the aid of Jewish rights, but they are eager to cooperate in support of human rights for all. Of course, they are especially concerned with the security of Israel and its Jews, with Soviet Jewry, with freedom from religious and ethnic discrimination, with religious freedom, with cultural and communal rights; but they earnestly support all political-civil rights

as well as economic-social goals. They are prepared to cooperate with others for the vindication of all these rights for all, and for the establishment of national and international institutions that will effectively and impartially protect the rights of all.



Statement by Rabbi Henry Siegman, Executive Vice-President of the Synagogue Council of America, before the Catholic-Jewish Liaison Committee, on January 8, 1975, p.m.

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A discussion of the Middle East should logically have been presented by my colleague from Israel. If nevertheless it is presented by someone who lives elsewhere, this has a logic of its own, a logic that is borne of developments that have occurred in the M.E. and throughout the world since we met in Antwerp a year ago.

For one thing, it is not only Israel and its citizens, but the entire world that now depends on decisions made by a handful of potentates in the M.E., whose feet are firmly planted in the Middle Ages and whose hands are at the throat of Western civilization. It is one of the oddities of our time that there are still some who persist in seeing this situation as a victory of anti-colonialism and anti-imperialism. That some people, including adherents of "liberation theology", associate such terms as anti-colonialism and anti-imperialism with such as King Faisal, the Shah of Iran, the sheikhs of Kuwait and Abu Dahbi is a testament to the durability of these verbal relics from the long-lost world of liberal innocence.

The second and perhaps significant reason why a non-Israeli is making his presentation is that the recent political isolation of Israel has had implications for Jews everywhere. For try as one may to separate Jewish faith from Jewish peoplehood, and the incarnation of that peoplehood in a concrete community that seeks expression in conditions of secular freedom and self-determination - try as one may to separate these two, the fact remains that every Jew, no matter how innocent of theological formulations, knows in his gut that the destruction of Israel is aimed at his own existence as well.

It is for this reason that the radical isolation of the State of Israel has had ominous implications for the Jewish people everywhere, and that we have seen a recrudescence of antisemitism in the most unexpected quarters. I refer you to the recent statement by the American Chief of Staff, General Brown, as one such example. My point is that whatever the theological problematics in the linkage of land, faith and people in Jewish thought, that linkage is nevertheless affirmed by the realities of Jewish history - by the enemies of the Jewish people no less than by her friends.

This is not the time nor am I the person to present to you a political analysis of the Middle East. I should like merely to make the briefest reference to several developments that have occurred this past year that impose on our relationship.

First, I should like to place on record our gratitude to the Vatican for its immediate and forthcoming response in connection with the painful plight of Jews in Syria, and of Israeli prisoners of war there, in the aftermath of the October war. It was a concrete manifestation of the Catholic Church's action on behalf of human rights, and I should like you to know that it was fully reported and acknowledged in the Jewish world.

A deeply troubling development has been the recognition by the international community, and particularly the United Nations, to the P.L.O. and Arafat. I have



no intention of belaboring this subject, except to note that there is perhaps no sadder and no more discouraging comment on the moral climate of our times than the notion that a man who publicly took credit for shooting children at point-blank range and throwing women out of windows is considered a moderate.

One does not have to be opposed to the aspirations of Palestinian Arabs - as I believe none of the members of our Jewish delegation is - to sense that with the welcome and honourable status accorded by the U.N. to Arafat, a fatal watershed has been crossed: mankind has entered the age of terror. And indeed, in the wake of Arafat's epiphany at the U.N., earlier efforts to devise international sanctions against terror have been abandoned. This is something for the religious community to ponder on.

Of course, no one can pretend that terror is a new phenomenon. But that is dangerously deceptive observation. If no state has completely clean hands - as indeed none does - what marks the progress of civilization and of the human spirit is that we have created standards and institutions that enable us to see the evil within ourselves, and to keep alive the voice of conscience. The tragedy of what has occurred at the U.N. is that distinctions between right and wrong, between law and lawlessness have been abandoned.

It has been observed in a different context that whatever a doctor does or does not do, all will agree he must not spread germs. The tragedy of the U.N. is that far from protecting international order, it now undermines it.

It is against this background that I trust our Catholic brothers will understand the consternation that was felt in much of the Jewish world when we learned of the audience given by the Pope to a representative of Arafat and the P. L. O. I had occasion to suggest to Cardinal Willebrands when he recently visited New York that given the official P. L. O. program of terror as a means and the destruction of Israel as a goal, the curiosity of the Jewish community as to what the Pope said to the representative of the P. L. O. is at least understandable, if perhaps indiscreet.

Which brings me to the Capucci incident. As you know, he was tried and convicted for smuggling arms and explosives into Israel for use by terrorists. Some of us thought that it was rather remarkable that the Vatican, which observed an understandable silence on this subject, finally broke its silence to express profound regret and sorrow over the sentence. Even more remarkable was the observation over the Vatican Radio that the sentence - not mind you, Capucci's smuggling of guns and dynamite - will aggravate tensions and impede reconciliation.

This intervention was all the more remarkable in light of the public statement of Archbishop Capucci in court. I will not repeat it here. I think you are familiar with it, and you will agree that it is a classic example of the most primitive kind of incitement to religious hatred, invoking the image of the Jew as the killers of Jesus and himself as reliving the passion of Christ.

It is within this context too that I must register our surprise at statements by the Apostolic Delegate to Jerusalem, Archbishop Carew, which were widely reported in the United States. He also thought the sentence of Capucci would not

"improve relations any <sup>the</sup> between Christian and Jewish community". Even more startling was his suggestion that Capucci should be above the law, that "the treatment accorded to a Christian community leader is expected to be rather different from that given the man in the street" (!)

He made some other remarks about the Palestinian arabs which were described in the press as "the most sympathetic yet to the Palestinian cause from a Vatican official".

Only last week, my organization, the Synagogue Council of America issued a public statement published in the New York Times in connection with a rabbi accused of certain illegal behaviour in connection with administration of an old-age home. Far from suggesting that he be above the law, we urged that allegations be promptly investigated and that the law be enforced impartially.

From one perspective, one may consider the several issues I have touched on as provincial Jewish concerns. I submit to you that they are not, for what we are seeing is a re-enacting of the silence and inaction of the democracies in the 1930's, which permitted and even encouraged the depredations against helpless countries. The panicked attempts to strike cowardly individual bargains, the suggestion that there is no principle the world is not prepared to sacrifice for the sake of the illusion of economic security, endangers not only Israel, but those values which constitute the most treasured heritage of Western civilization.





January 9, 1975  
3:00 p.m.

ANNEX 5

#### PRELIMINARY REMARKS

The Liaison Committee has now come to a crucial point. We must re-organize our structure and our work.

It is very important to give some publicity to our activity and to assure a spreading of the results of our work.

Continuity is essential. In particular a follow-up of our studies up to publication is to be ensured.

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- 1) A STEERING COMMITTEE ought to be set up (3-a side) and meet at least once between each annual meeting of the Liaison Committee.

Its task:

- to assure a follow-up of the preceeding meeting of the Liaison Committee
- to prepare the agenda for the next meeting of the Liaison Committee
- to inform all members of the progress of the activity of the Liaison Committee
- to send, in advance, the supporting documentation which will help the members to prepare for the meeting.

- 2) The Liaison Committee should meet as usual every year but for four days instead of three.
- 3) Possible larger meetings every two years which will concentrate on one specific issue. These meetings ought to be prepared well in advance and foresee the participation of those who in the various countries are responsible for Catholic/Jewish relations, perhaps of representatives of various Roman dicasteria and of various constituencies.

Such meetings could help also to see where we are at that moment in the Jewish/Christian relations.

- 4) We have to decide on how and how much the Liaison Committee can be responsible for studies on specific matters - up to what extent the Committee is charged to promote joint studies. Should some separation be established between the ordinary work of the Liaison Committee and the research concerning such studies?