A dramatic event took place in Yavneh, south of Tel-Aviv, to where the Sanhedrin, the High Court, moved after the destruction of the Second Temple. The event evolved around the sanctification of the month. The Jewish calendar combines lunar months with the solar year. A new month begins with the "rebirth" of the new moon. The proclamation of a new month is of utmost importance as the religious festivals are set in accordance with that declaration. Nowadays the beginning of the month is determined according to set charts. However, when the Sanhedrin existed the new moon was proclaimed on the basis of its observation by witnesses. The Mishna describes a disagreement between Rabban Gamliel, President of the Sanhedrin, and Rabbi Yehoshua, an imminent scholar, regarding the reliability of witnesses to the new moon. R. Yehoshua was of the opinion that their testimony did not make sense, while Rabban Gamliel accepted it. The Mishna tells us:

"Rabban Gamliel sent him a message: I decree that you must appear before me with your staff and coins on the day which, according to your calculation, would be Yom Kippur", which would have been desecration of the holiest day in the Jewish calendar. Rabbi Yehoshua was in distress. However, we are told
that in the end "he took his staff and his coins and went to Yavneh, to Rabban Gamliel, on the day of Yom Kippur according to his calculation. Rabban Gamliel stood up and kissed him on his head, and said to him: Go in peace, my teacher and student - my teacher in wisdom and my student in that you followed my words".

Religious tolerance seems problematic. If you know that truth lies with you why should you tolerate opposite teachings? Why should you sanction the freedom to practice a religion that you know is false?

The term "freedom of religion" is a modern one. It does not appear in Jewish classical texts. This term may convey two different messages: the freedom of "the other" to adhere to a different religion and the tolerance towards different streams within your own fate, as well as towards non-religious members of your community. In Judaism this dilemma is further complicated by the fact that Judaism is a nation-religion. By belonging to the Jewish people you nilly willy belong to the Jewish fate. By converting to Judaism you also become a daughter, or a son of the Jewish people.

If we were to summarize the Jewish attitude, in a nutshell, it may be correct to state, that while Jewish religion is non-missionary outward, it is missionary indeed inward.

Let's start with the external world. Before doing so it is wise to add a word of caution: It would be wrong to look for monolithic answers in Judaism. The Jewish fate is one of the oldest. It hardly speaks with one voice. Its attitude
was influenced by historical not less than theological aspects. What I will try to do for the next half an hour or so is to describe the attitude of what I believe to be mainstream contemporary Judaism.

Thus, my statement that Jewish religion is not a missionary one might be challenged. Indeed in ancient times we may trace periods of massive, even forcible, conversion to Judaism. What signifies those episodes is that they were carried out for political, rather than religious, reasons and were not welcomed by the sagas. Even nowadays, we may witness rather esoteric movements that advocate conversion in order to strengthen the Jewish people. There is even a story, which I could not verify, that David Beg-Gurion, Founder of the State of Israel, who was totally secular, or even an atheist, played with the idea of converting the Arab population of Israel to Judaism.

It would be accurate to state that from a Jewish point of view the option of conversion exists. However, there is an ostensible reluctance to conversion let alone massive conversion.

The attitude towards other fates might be split into three historical eras – past, present and future.

After the creation of earth, we were told that

“the people [were] one, and they [had] all one language”. After the flood this people got what is known as the seven Noahide commandments, that were given to all mankind. These commandments were of basic moral character, described by some philosophers as rules of natural law. However, one of the
commandments prohibiting the cursing of God, as well as prohibition to worship other gods might be described as of religious flavor or even advocating monotheism, for they include the prohibition against blasphemy and the prohibition against idol worship (Note, however, David Novak's reservation that these laws do not impose a positive obligation to worship God).

Maimonides states "Whoever among the Nations fulfills the Seven Commandments to serve God belongs to the Righteous among the Nations, and has his share in the World to Come." Arguably this statement infers that the Noachide commandments are optional as only those who wish to be regarded as righteous must follow them. Yet, these commandments are obligatory upon all descendants of Noah. Maimonides teaches moreover, that a share in the World to Come is only earned if a person follows the Noachide laws specifically because they consider them to be of divine origin (through the Torah) and not if they simply consider them a good way to live (in which case they would simply be a wise person). This is a further demonstration of the religious nature of the commandments, yet other authorities do not follow Maimonides' distinction. In any case, we may justly infer that universal freedom of religion lies only beyond these laws. This applied to all mankind as we must bear in mind that the Jewish people did not exist yet.

The second stage starts with the appearance of the Jewish people and the revelation on Mt. Sinai. However, in order to fully understand this stage it might be wise to move to the third phase – the end of the days. The prophet
Micah tells us that "in the last days the mountain of the Lord's temple will be established as chief among the mountains; it will be raised above the hills, and peoples will stream to it. Many nations will come and say, "Come, let us go up to the mountain of the LORD, to the house of the God of Jacob. He will teach us his ways, so that we may walk in his paths." The law will go out from Zion, the word of the LORD from Jerusalem".

There is much debate as to which law will go out of Zion and what will be the paths that the peoples will follow. Are they verbally the Torah of Israel or is it the ultimate word of the Lord, what may be referred to as scriptural truth.

I would like to attract your attention, however, to the fifth verse where Micah states: "All the nations may walk in the name of their gods; we will walk in the name of the Lord our God for ever and ever".

It is obvious that by this Micah refers to present reality for in the last days all the peoples will walk in the paths of the Lord. This phrase may be understood as lying down the ground for contemporary attitude towards what may be coined, in present terminology, as the freedom of religion of the non-Jews. For until the last days it is only the Children of Israel that must walk in the name of the Lord, while all other nations are free to walk in the name of their gods. Until then the Lord seems to entertain a dual character: he is the God of Israel yet at the same time he is the Lord of universe.
The attitude towards other religions is not unequivocal. From the passage in Micah we may infer the legitimacy of those religions yet it is obvious that they are of lower stature since in the Messianic days, when the earth shall be full of the knowledge of the Lord, as the waters cover the sea, they will be elevated to the utmost stage of walking in the paths of the Lord.

We may find both in the Bible and in Judaic classic teachings harsh statements regarding idolatry \([avodah zarah = \text{strange worship, in Hebrew}]\) binding paganism with moral corruption. It is essential to note, in this context, that according to the sagas this does not apply to monotheistic faiths. In this regard a distinction was drawn between Islam and Christianity. Maimonides, and his disciples, while regarding Islam as pure monotheism, viewed Christian Trinity to be idolatrous. On the other hand, sagas who lived in Christian countries ruled that “though they utter the name of an alien divinity, their intention is to the creator of heaven and earth” (Rema, 16th century). Thus both Christians and Muslims were regarded as “assemblies for the sake of Heaven, destined to endure; their intentions are for the sake of Heaven and their reward will not be withheld” (Rabbi Jacob Emden 17th century). Rabbi Joseph Albo (15th century), even admitted the existence of “two divine Torahs, at the same time, for different nations.” Thus, Christianity and Islam were not only regarded as legitimate religions but were even praised for removing the idols and
subordinating their nations to the Noahide laws, thus giving them “moral attributes” far beyond what was demanded of them by the Torah of Moses (Emden).

Concluding the analysis of “Judaism Views Other Religions”, Aviezer Ravitzky deals with the transition from coexistence or tolerance to religious pluralism requires welcoming the existence of the other religion. He points out the difficulties involved in such move and suggests to “support the minimalist conception of the ‘Seven Noahide Laws,’ which requires us to rest content with the basic decency of the other as the controlling criterion and not to look to the other faith’s special contribution to divine truth or make any positive doctrinal demands”.

So much for external freedom of religion. Let’s move now to its internal manifestations. Here leniency is even more problematic, for all the Children of Israel are part to the covenant with God at Mt. Sinai. The covenant was made with ‘all the men of Israel, from the hewer of your wood to the drawer of your water’ (Deuteronomy 29:11) and we are being told that the covenant was made also with their children and children’s children. Therefore, all Children of Israel are bound by the covenant and are not free to deviate from the paths of the Torah.
A further relevant component is the sense of mutual solidarity within Judaism, the sense that “All Israelites are guarantors to each other”. Therefore, it is the duty of each and every Jew not only to abide by Halacha, but also to make sure that their fellow Jew abides by it. It is the behavior of each and every Jew that may influence the revelation of eternal salvation.

It is therefore that Judaism cannot sanction freedom of religion from within. This is, however, an over simplistic statement of Halacha.

This might be a proper opportunity to return to the controversy over the sanctification of the month and ask whether it bears any relevance to this query. The answer might be that this was a unique episode that has no bearing on our issue. Sanctification of the month required declaration by court and as one sage stated, its decision is final whether right or wrong.

We may draw, however, from that episode an important conclusion: while there is freedom of thought it is not so with action, for Raban Gamliel admitted that justice might have lied with R. Yehoshua, yet he was forced to act in accordance with the court’s ruling.

This distinction is even more emphasized in the case of the rebellious elder.

Torah tells us that a matter too hard for to judge should be brought before the Levitical priests, or the magistrate in charge at the time and one must act "in accordance with the instructions given you
and the ruling handed down to you", and must not deviate from the. This function was carried out by the Great Sanhedrin who served as the final authority on Jewish law and any scholar who went against its decisions was regarded a rebellious elder and theoretically liable to capital punishment. However, the scholar does not become a rebellious elder by merely teaching his opposite opinion but only if he instructs others to act in accordance with his minority dissident opinion.

We are told, in the Talmud of one of the leading Sages who was offered the position of President of the Sanhedrin if he rescinds his differing opinions from that of the majority of the sagas. He rejected the offer stating that he would rather be called a fool and not become an evil person by giving up the "truth" as he saw it.

The same goes for the crime of "discovering new 'faces' of Torah not in accordance with Halakha,". Again, this crime does not include one who merely reached a conclusion different than that of the Sages.

The Talmud is full with conflicting opinions and both majority and minority opinions are regarded to be "words of the living G-d." The Talmud, moreover, does not regard the ruling opinion of the majority as more right than the minority opinion. We are even told that the conflicting opinion is reported since in the future it may become the decisive one.
The right to deviate is not restricted to the academic sphere. There is no Pope in Jewish religion. Even the institute of Chief Rabbi which is so common nowadays is not a Halachic institute. And since the abolition of the Sanhedrin Judaism lacks a central institute that will rule on controversial issues. The rule is rather that each and every Jew may choose the rabbi whose rulings in halachic matters he will obey.

All said so far is limited to activities within the boundaries of the Jewish fait and established rules. Judaism does not accept the right to trespass these boundaries. In cases that might have endangered the existence of Judaism and the future of the Jewish people and faith the establishment might have reacted sharply, in very rare cases even leading to ex-communication.

Reverting to the theme of this intervention, I would conclude by saying that Judaism does not recognize Freedom of Religion for its members. It does sanction, however, freedom within religion.