

## Transcript

### Sacred and secular

*Rabbi Naftali Rothenberg*

#### **Naftali Rothenberg:**

My name is Naftali Rothenberg. I am the rabbi of [INAUDIBLE], which is a suburb town of Jerusalem. And I am a senior fellow at the Van Leer Jerusalem Institute. It's an institute for advanced studies in humanities and social science.

#### **Interviewer:**

Could you tell me about the difference between secular law and religious law, and whether they complement each other?

#### **Naftali Rothenberg:**

Well, I researched the Jewish law that's called Halakhah. And I think that people will be surprised that it is, first of all, another aim, different aim that the law that we have, the state law that we live in accordance, all of us. The state law was created for the peace and the welfare of the society. And the religious law was created-- at least the Jewish religion was mainly created, and primarily created, or its aim is the welfare and, I would say, the behaviour of the individual.

So it's different aims. This is the first thing. Now many people, when he speaks about Judaism, and religious people-- in Israel, they speak about theocracy, possibility of theocracy, and so on. And this is simply, if I would say, non-parliamentary work, nonsense. Because never, never in our history we had a state that was ruled totally by religious law. It's always parallel to the state law. Because we need welfare, and protection, and peace of society as well at the same time. Yes?

And most of the things that we read in the Torah with all the terrible punishments never happened in accordance to the interpretation of the rabbis in the Talmuds and other books.

#### **Interviewer:**

So can you explain how the courts implement religious freedom or religious law?

#### **Naftali Rothenberg:**

Yes. Actually, this is something very interesting. Because in 1967, the government in Israel decided that Jews will not be allowed for freedom of worship-- I mean, in public, in groups-- on Temple Mount. This was a government decision to prevent Jews from prayer in the Temple Mount. But the Supreme Court have decided in more than 10, over 10 pleads that were, that the Jews have the freedom of religion to pray on the Temple Mount. They only prevent the freedom of worship, which means groups praying, because of security reasons and tensions with the Muslim. But not because they don't agree to the principles.

Now look. 95% of the rabbis think that according to the religious law, Jews don't allow to go up onto the Temple Mount. Because of question that impurity and so on. So now I am asking, religious freedom, it's a universal principle? Or you have to ask the certain individual religion, what is religious freedom for their religion? For me, religion freedom-- it's not to go up on the mountain, but to pray toward the mountain and not to step my foot on the mountain.

So this is something that we have to analyse. Of course, it's short here. It's a huge question, and very sensitive.