



CEMOFPSC Italy: Conference on relations between the State of Israel and the Holy See with the title "... And from strength was born sweetness (...e dal forte è uscito il dolce)"



Conference "'... And from strength was born sweetness (...e dal forte è uscito il dolce)"

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Raymond Cohen

Department of International Relations of the University of Jerusalem.

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The title of this lecture is taken from the beautiful verses in Ecclesiastes 3 beginning "For everything there is a season" and continuing "a time to be silent and a time to talk, a time to love and a time to hate, a time to make war and a time to make peace."

These verses hint at the close connection between the malignant dynamic of silence, hatred, and conflict, and the contrary healing dynamic of talking, love, and peace.

As you know, "peace" in Hebrew is conveyed by "shalom", a word which also covers the idea of "reconciliation" or "making whole again". I have chosen the title "A Time to Talk" because "In our Time", that is, since the declaration of *Nostra Aetate* in 1965, Catholics and Jews have been talking to each other after centuries of enforced silence. Talking has become synonymous with the search to end estrangement, achieve reconciliation, and build a new relationship founded on trust.

Since 1992, when they began negotiating the Fundamental Agreement which laid the foundations of their diplomatic relations, Israel and the Holy See have been talking at the official level. Ambassador Lewy, whose distinguished diplomatic career we celebrate today, has served since 2008 as Israel's Ambassador to the Holy See—the embodiment of the new relationship. As one of the Israeli delegates to the Fiscal Talks mandated by the 1993 Fundamental Agreement, Ambassador Lewy has participated



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in the making of history. From the outset of his mission to the Holy See he set out to restore credibility and confidence to a relationship that had suffered from a surfeit of unfulfilled promises and assurances. He has accomplished his mission with grace and distinction.

My own presentation today is an attempt to clarify the significance of these official diplomatic talks (as they apparently approach completion) for the emerging relationship.

For a very long time the Church and the Jewish people did not talk in the sense of talking and listening, that is, speaking respectfully, exchanging ideas, and engaging each other's humanity. They may have harangued, preached, debated, disputed, refuted, ridiculed, and silenced—but they did not listen to each other and exchange ideas as equals in a constructive conversation.

A rhetoric of non-communication is already reflected in John Chrysostom's "Eight Homilies Against the Jews" delivered in Antioch in 387-88. Intended to put a stop to social relations between Jews and Christians these sermons suggest that close ties existed in Antioch between the two communities until that time, and that Jewish worship was attractive to Christians. In Homily 7 John Chrysostom declares, "Effort and zeal are here devoted not only to stopping up the mouths of the Jews but also to instructing your loving assembly" (vii 2:3). And later: "Paul dealt them a knockout blow and said enough to shut their shameless mouths" (vii 4:1). Given such sentiments, respectful communication was ruled out for almost 1600 years.

Talking and listening became possible again after *Nostra Aetate* with its censure of anti-Semitism and recommendation among other things of "fraternal dialogues" intended to foster "mutual understanding and respect". A concrete and detailed programme of dialogue was then promulgated in 1974 with the publication of the "Guidelines and Suggestions for Implementing the Conciliar Declaration *Nostra Aetate*, No. 4". Pointing out that Catholic-Jewish relations in the past had "scarcely ever risen above the level of monologue", the guidelines called for "real dialogue". They noted that "Dialogue presupposes that each side wishes to know the other, and wishes to increase and deepen its knowledge of the other... Dialogue demands respect for the other as he is; above all, respect for his faith and religious convictions."

At the same time the guidelines cautioned that in order to create "sound relations between Catholics and their Jewish brothers" through "friendly talks" it was also necessary to overcome "a widespread air of suspicion, inspired by an unfortunate past". In contacts between the Church and the Jewish people "In our Time" whether within the framework of interreligious dialogue or diplomatic negotiation the



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painstaking fostering of trust has been of the essence. Without trust, talking risks degenerating into mere formalism and platitude. Trust is the necessary condition for a productive relationship.

It is not by chance that the most robust Catholic-Jewish relationship established since *Nostra Aetate* is that between Catholic and Jewish communities in the United States. This has been productive, facilitating practical cooperation on questions of applied ethics and practical politics; effective, for instance, in the consistently benevolent influence exerted on improving Israel-Vatican ties; and also resilient, overcoming differences of opinion on controversial issues such as the Shoah that paralyzed dialogue in other forums. In places like Boston, Chicago, and New York talking between Catholics and Jews began early and never stopped.

The reasons for such uninterrupted, friendly conversation and sound relations are worth pausing over. Jews and Catholics, emigrating to the New World in the 19th century, abandoned after a generation or two the prejudices that had dogged their forefathers' relations in Europe. A separation of Church and State meant that neither community was advantaged. Between the two world wars they joined in labour movements, marching together for workers' rights. They fought shoulder to shoulder in the American army to defeat the Nazis and their allies. They grew up in the same neighbourhoods, went to the same public schools, and were colleagues in the workplace. They spoke the same language. They learned to trust each other.

Under the terms of the 1993 Fundamental Agreement Israel and the Holy See committed themselves to negotiating in good faith "a comprehensive agreement, containing solutions acceptable to both Parties, on unclear, unsettled and disputed issues, concerning property, economic and fiscal matters relating to the Catholic Church generally, or to specific Catholic Communities or institutions." It is no secret that these negotiations have been difficult and protracted. Nor is it a secret that, after the initial honeymoon, relations between the two parties cooled, entering a period of reserve.

Occasional public outbursts hinted at the tensions running through the relationship against a background of disappointed expectations, inconclusive negotiations, and disagreement over the handling of the continuing Israeli-Palestinian conflict and the future of Jerusalem.

American diplomatic cables reporting on Vatican-Israel relations in the 2001-2009 period disclosed by Wikileaks paint a picture of mutual frustration. Based upon conversations conducted by American officials with diplomats from both sides they carry such headlines as "Vatican pessimistic on souring relations" (July 29, 2004);



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"Israeli director for inter-religious affairs sees agreement with Vatican in months; Holy See skeptical" (March 7, 2005); "Katsav's Vatican visit positive, but negotiations progress haltingly" (December 8, 2005); "Holy See fears Israel backing off commitments" (July 9, 2007); "Holy See frustrated over negotiations with Israel" (December 3, 2007); "Recent tax and property talks with Israel a failure, says Vatican" (April 16, 2009). Enough said.

It has turned out that the normalization of relations heralded by the Fundamental Agreement meant just that: a normal state-to-state relationship between protagonists with complementary interests in some areas and divergent interests in other areas. The tendency to play to the gallery and invite American pressure revealed by Wikileaks partly helps to explain the penchant for publicity.

What was abnormal was the emotional charge invested in the debate. In this connection one recalls the late Jean-Marie Cardinal Lustiger's telling description of the "double neurotic relationship" between the Church and the Jewish people. He was implying that within the relationship both parties tended to work out unresolved neuroses originating in their troubled shared past.

The late Archbishop Pietro Sambi's critical comment published in Terra Santa in November 2007 that "relations between the Catholic Church and the state of Israel were better when there were not diplomatic relations" confirmed that the diplomatic relationship was sometimes more effective as an occasion for rehearsing ancient grievances and complexes than for solving them. The same querulous tendency was also apparent in the working of the International Catholic-Jewish Liaison Committee. Established in 1971 for the purpose of interreligious dialogue between Catholics and Jews at the international level, this framework, too, for all its merits in bringing the parties together and promoting friendship, was prone from early on to crises over largely emotional rather than substantive issues.

Imagine one's surprise, therefore, when on January 10, 2012 the Papal Nuncio to Israel gave an unusually optimistic interview to Jerusalem's Franciscan Media Centre on the occasion of the annual visit by North American and European bishops comprising the Holy Land Coordination group. In this interview Mgr. Franco spoke hopefully of significant progress made in the Fiscal Talks ahead of a plenary session on January 26.

First, he emphasized the mutual respect of the parties and of the place of Christians within wider Israeli society: "There is still disagreement on some points," he said, "but we are committed to establishing a dignified 'modus vivendi' also for Christians, one respectful of the social environment where they live." On the part of Israel "there is understanding and respect for the Church."



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He then referred for the first time to the need for compromise: "We were granted total exemption from taxation for certain things, while for other things we will pay a small contribution." On the question of the Room of the Last Supper, the Cenacle, he noted that "we are trying to find understanding for what we consider to be, alongside the Holy Sepulchre, the greatest treasure we have. We hope to reach a solution. When two parties negotiate, they should both be willing to reach a compromise."

Finally, he spoke in positive terms of the trust that now reigned in the negotiations: Meetings like that of the Holy Land Coordination group "serve to create a climate of trust, respect and understanding of mutual difficulties. Progress needs time to overcome prejudice and certain historical legacies."

Two weeks later, following the plenary session on January 26 Mgr. Franco confirmed to Vatican Radio that "there has been progress toward the conclusion of the agreement" and that there was "a common effort to find ways of solution that may be acceptable to both sides."

The logical explanation of these unprecedented statements made to a Church audience was that the apostolic delegate was preparing both interested bishops from abroad and the Catholic constituency in Israel for the need to make compromises ahead of a possible agreement.

Conclusion of a Fiscal Agreement—inshallah!— will be welcome news for both parties, serving their practical interests. In general terms it is clear that an agreement will be very good for the Church, strengthen Catholic communities in Israel, and help to promote pilgrimage. In the past the Church's fiscal and property rights were contained in customs and agreements from the Ottoman period that were inherently unsatisfactory as a legal basis for Church life going forward. Uncertainty about their continuing validity undermined confidence and generated friction—which is why the negotiations were undertaken in the first place. A new treaty will enshrine Church rights in international law in perpetuity and, once put into the form of domestic legislation, will enjoy the protection of the Israeli courts.

It is clear that the agreement will also be very good for Israel. The state can only gain from strong Catholic institutions such as schools, hospitals, and old age homes serving the population and from thriving, contented Catholic communities engaged with Israeli society. An agreement extending Israeli Law to Catholic institutions in Israel, including greater Jerusalem, will also reinforce the unification of that city. Doubtless the Eastern Catholic Churches will find this further legitimization of Israel's presence in the Old City to be unpalatable but it will appeal to Israel's religious parties, not all of which are self-evidently sympathetic to the Church.



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Finally, at the international level the importance of good Israel-Vatican relations is the very premise of the state-to-state relationship. Besides the fact that we live on a planet with 1.3 billion Catholics it will not have escaped Israel's attention that its main supporter, the United States, is home to 59 million Catholics and that 28% of the 112th Congress of the United States are Catholic—a significant and influential presence, as was demonstrated during the course of the negotiations.

Besides the pragmatic benefits of an agreement—if and when completed—it will also have a wider significance already hinted at in Mgr. Franco's January 2012 remarks.

When the papal nuncio adopted what we might call "compromise talk"—specifically in relation to taxation and the Cenacle—he was acknowledging that a diplomatic agreement freely entered into necessarily rests on an equilibrium of mutual concessions. The very concept of diplomatic negotiation assumes give-and-take. Both sides understand that without a win-win resolution, a conclusion advantageous to both parties, there could be no incentive to reach, let alone honour any agreement reached.

What is special in the Vatican-Israel case is that explicit "compromise talk" on substantive issues is a deeply significant innovation. From very early on in their historical relationship Christians and Jews dropped compromise talk for uncompromising talk. Justin Martyr's "Dialogue with Trypho" from the mid-second century exemplifies the tradition of sterile debate that became dominant, most notoriously for Jews in the disputations of the Middle Ages.

True, in the official interreligious dialogue between Catholics and Jews of our day final communiqués do involve adjustments of language. But these summations have no performative consequences and discussion has steered clear of sensitive theological issues. The argument against such discussion was presented by Rabbi Soloveitchik on the eve of *Nostra Aetate*, namely, that core beliefs are axiomatic, and so not amenable to compromise. This does not mean that there cannot be an exchange of ideas on other subjects; rather that, since no theological middle way is conceivable, it is better to avoid discussion that could only raise false hopes and end in tears.

If Orthodox Jews have avoided compromise talk in interreligious dialogue, Holy See diplomats have eschewed the language of compromise until now in the course of their political conversations with Israel and pronouncements on the Arab-Israeli conflict. They have spoken in absolutist terms of irreducible historical rights and of justice, not of the pragmatic need for compromise. The Fundamental Agreement, which laid down the norms and principles intended to guide subsequent detailed negotiations, opened the way to official diplomatic relations. But the assumption of the Holy See that past fiscal and property arrangements could be reaffirmed and implemented intact in a



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mechanical manner was soon disappointed, resulting in no little unhappiness. In actual fact the task of translating imprecise, incomplete, and outdated 19th century provisions into 21st century form has proved extremely complex and laborious. Yet the very difficulty of a negotiating process, the problems solved and the crises surmounted, lends to a final compromise a special worth. In the last stages negotiating rivals become partners in a common cause. In effect, representatives of one side become spokesmen for the other, explaining to their masters the other party's needs and why a more favourable outcome could not be hoped for.

In the end an agreement grounded in compromise acknowledges the equal status and dignity of the other. This is not an entitlement graciously bestowed because one side is more right or more deserving. To borrow Dietrich Bonhoeffer's terminology, a negotiated outcome is not "cheap grace", a gift granted without effort to the righteous, but "costly grace", a prize cherished because it was hard-earned.

The second deeply significant innovation is that an accord will, for the first time, create a formal Church-State relationship within Israel. How remarkable that there should be such a dispensation within what Jewish Israelis think of as the "Jewish State"! Although a Fiscal Agreement will be an international treaty between sovereign states its terms will bring within the purview of Israeli Law the working of Church institutions in Israel and mostly apply to citizens of Israel.

It is no small thing when the Papal Nuncio can speak of the Church's commitment "to establishing a dignified 'modus vivendi' also for Christians, one respectful of the social environment where they live." After the 1948 Arab-Israel War Christian Arab citizens of the new state kept themselves aloof from the wider society. With time, these citizens have benefitted as individuals from the rights and protections guaranteed by a parliamentary democracy under the rule of law. Detachment has given way to growing engagement. A Fiscal Agreement, by extending rights and protections to Christian communities in their communal religious life, would further integrate them into Israeli society.

On his visit to the Rome central synagogue in 1986 Pope John Paul II observed that "The Jewish religion is not 'extrinsic' to us, but in a certain way is 'intrinsic' to our own religion." With the hoped-for conclusion of a Fiscal Agreement Israelis will be able to say proudly that "Christians are not extrinsic to us but in a certain way are intrinsic to our society."

Here then is a third milestone in the overall Catholic-Jewish relationship: The first milestone, *Nostra Aetate*, was an internal Church document, the product of Catholic soul-searching, that accepted the Jewish people as partners to dialogue. This began



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the conversation. The second milestone, the Fundamental Agreement, established a framework for official talks between the sovereign expressions of the Catholic Church and the Jewish people. This enabled an authoritative political exchange between equals. A Fiscal Agreement will be the third milestone, a negotiated accord from which both sides benefit. It will acknowledge Israel's increasing religious pluralism and welcome Christians into the fold. Such diversity in the land, it is worth noting in conclusion, has not existed since the Second Temple period. Now there's food for thought