

The Duty To Disobey

An RJ Interview

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the conscientious, compassionate, and courageous duty to disobey. In wrestling the demons of tyranny, the duty to disobey is as sacred as the duty to obey.

Do we humans need Judaism, or any religion for

At this stage in your long rabbinic career, why did you choose to write a book on conscience?

I believe Judaism has made a distinctive contribution to civilization in this realm. In no other religion is the individual encouraged to question obedience—to ask the what, when, who, and why of the commandment. In Judaism no commandment and no commander are exempt from moral scrutiny.

Why is it so important to question obedience?

Throughout history, more atrocities—religious and secular—have been committed in the name of obedience than in the name of disobedience. In the last century alone, some 50 million human beings were systematically slaughtered by “good,” ordinary people, educated in a culture of obedience, who justified their self-acknowledged cruelty with the mantra: “We followed the orders of our superiors.”

Judaism offers the world a different understanding of the limits of religious law and Divine-human relationships, for it exempts no text (whatever claim it may make of its sanctity) and no person (prophet or prince) from the challenge of moral conscience. This critical questioning of commands includes even those claimed to be “the word of God.” Jewish

rabbinic literature is filled with illustrations of vaunted religious personalities who, against God, in the name of God, and for the sake of God challenge egregious biblical laws. Significantly, in some of these confrontations, scriptural edicts are reversed, nullified, or overturned. For example, when Moses is bringing the Ten Commandments from Sinai, he reads God’s pronouncement in the Second Commandment that children will be punished to the third and fourth generations for the sins of their fathers. Shocked by such an unjust law, Moses questions God’s judgment: “Sovereign of the Universe, consider the righteousness of Abraham, and the idol worship of his father, Terach. Does it make sense to punish the child for the transgressions of the fathers?” (*Numbers Rabbah Hukat XIX, 33*).

According to the midrash, God responds to Moses: “By your life, Moses, you have instructed Me. Therefore, I will nullify my words and confirm yours. Thus it is said, ‘The fathers shall not be put to death for the children; neither shall the children be put to death for the fathers’” (Deuteronomy 24:16). In the rabbinic tradition, God is open to human critique and respectful of moral dissent. Conscience enables a dialogue between the Divine and human, partners of the covenant.

In this way, Judaism makes room for

that matter, to define or refine individual conscience?

I believe no faith or culture holds a monopoly on conscience. Men and women, ranging from Leo Baeck and Mother Teresa to Henry David Thoreau and Abraham Joshua Heschel exhibit the intuitive conviction that there is good to be upheld and evil to be vanquished. But only in Judaism do we find the singular pronouncement: Divine orders that run against the grain of conscience ought to be either reinterpreted or removed with the same compassion and courage exhibited by the rabbis of the tradition.

So if a religious law and your own conscience are in conflict, conscience may be the better gauge?

Just because someone says “*ess iz geschriben*” (it is written) doesn’t make it so. Throughout history, religious autocrats have cloaked themselves in the mantle of Divine revelation. It is not uncommon to hear a preacher claim that

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