

Chapter 5

Boruch Spinoza if alive today
would the Orthodox rabbis
excommunicate him as the Rabbis
did in Holland in the 17th Century?

Response
Definitely not.

Excommunication has its origins in Talmudic literature. It was used as a weapon to keep dissenters in line out of fear that their “heretical ” more precise challenging views would be misunderstood and lead the uneducated astray. Later it was used against individuals whose views challenged the theology and or philosophy of the dominant accepted standard. It was also used to silence dissent when such views were heretical against the beliefs of the non Jewish members where Jews lived.

When Boruch Spinoza was excommunicated from the Jewish community in Holland in the 1600 the following situation existed. Thousands Jews fleeing the inquisition in Spain and Portugal found refuge in Holland. Spinoza's theories about theology and the essence of God Were considered heresy by the non Jewish community. Boruch Spinoza himself refused to have his manuscripts published out of fear that he would be burned at the stake like many of his compatriots who were foolish enough to have them

published.

The Jewish community were afraid to be in any way related with Spinoza because Spinza presented an immediate danger. Short of killing him the only thing that could be done was to distance themselves from his ideas- that they did not support those ideas -was to excommunicate him.

The Hacham Tzvi the father of Rav Yaakov Emden in his responsa addresses the issues raised by Spinoza and shows that all his arguments are groundless.

However the rabbis and leaders of the Jewish community living during the time of Spinoza did not possess the luxury to debate him. They were afraid that the non Jewish community would evict them if not kill them.

Thank God we do not have that situation today. On the contrary rabbis who use such measures as ~~EY~~ communication face civil and criminal sanctions by the State law.

Ramo Shulchan Aruch Yoreh Dayoh 334:48;Shach Ibid 334:23

cites Meharamaz who in turn quotes Meharam that “our experience has been that enforcing excommunication can cause loss of life -murder and suicide.” This actually occurred in Holland at the time of Spinoza. Aruch Hashulchan Yoreh dayoh 334:42 reaches the same conclusion. All commentators explicitly forbid such use if one will be subject to loss - that means civil or criminal state penalties.

I personally advised victims of those Rabbis, who are flexing their

power and employing excommunication ,to ignore them. No one listens any way to Orthodox Rabbis. The overwhelming number of Jews are not Orthodox. If they persist I have advised them to sue them in civil and criminal court. As long as they can get away with out any consequences they will gang up on those weaker than them. Once they are faced with the expenditure of tens of thousands of dollars they will change their tune.

These are the rabbis that Rabbi Piekarski was referring that Judaism would be destroyed not by the

Reform or Conservatives but by the Orthodox ignoramuses Rabbi Moshe Feinstein the greatest Halachic decisor of the 20th Century who ordained me with whom I consulted for over 30 years until his death was of the same opinion.