

هذا المقال لم يترجم بعدُ إلى العربية وهو موجود بصيغته العبرية أو الإنجليزية. إننا ننوي ترجمته في المستقبل.

## The Jewish Approach to Islam

This paper will review the principle issues which represent the classical Jewish attitude towards Islam, emerging from halachic rulings across generations. In their writings, the Rabbis dealt with the Islamic Faith in order to establish for their Jewish communities expected norms and standards of appropriate behavior in relation to the Muslims, their beliefs, practices and holy shrines. The essence of these writings is that although Islam, as an all-encompassing World Faith, is not deemed equivalent to Judaism, it is a full partner in the way of monotheistic belief and practice. Accordingly, the Islamic Faith has a special standing in Jewish eyes.

### 1. Introduction.

The monotheistic faith of Islam emerged rapidly in the 7<sup>th</sup> century among various nomadic Arab Bedouin tribes who, beforehand, were deeply involved in idolatry.<sup>1</sup> Jews now encountered a new type of gentile religion. Until the advent of Islam, all other religions and beliefs which Judaism had encountered were considered, at heart, to be idolatrous in nature.<sup>2</sup> The coming of Islam created a new reality. Judaism now had a veritable sister-faith, with a foundation both Semitic in culture and expression and an approach uncompromisingly monotheistic. Even though the laws and ordinances of Islam differed in important ways from those of Jewish tradition, nevertheless, it was a creed based on a belief in the One True God.

In the great depth of material in the Jewish Talmud<sup>3</sup> codified by the Rabbis more than two centuries before the establishment of Islam, we find much detailed information on appropriate attitudes towards non-Jewish religions. The main thrust of these guidelines and restrictions was to separate and distinguish normative Judaism from the various creeds and practices of neighboring peoples. The absolute prohibition

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<sup>1</sup> The prophet Muhammad ibn Abd-Allah, a merchant of Mecca, united many separate Arab tribes in a shared belief in One Supreme Deity, who in Islam is referred to as *Allah*. An ancient stone structure in Mecca, the *Ka'bah* was the nexus of cults for a number of minor spirits (jinn) and more serious pagan divinities. Back of these active divinities was a vaguer figure (Allah), 'the god' par excellence, regarded as a Creator-Guarantor of rights and agreements which crossed tribal lines. In Muslim historiography, the pre-Islamic era is referred to as the "Jahilia" – the time of ignorance and savageness. Concerning the pagan beliefs among Arabs before Muhammad's time, see Hugh Kennedy, *The Prophet and the Age of the Caliphates*, Addison-Wesley Longman, London 1986.

<sup>2</sup> Christianity, the other major Abrahamic religion alongside Judaism and Islam, is an exception to this statement to a significant degree, especially in its pre-Nicaean modes. See our paper [The Jewish Approach towards Christianity](#).

<sup>3</sup> The Mishnah and Gemara are collectively referred to as the Talmud. The Mishnah was completed around 200 C.E. and the Talmud at the end of the 5<sup>th</sup> century. The Talmud is the great, compendious repository of discussions and debates on *halachah* (see footnote 4), *aggadah* (traditional, non-halachic, more free-flowing narratives describing a spiritual, poetic or socio-historic reality), scriptural exegesis, and general commentary addressing virtually all issues of life as seen through the Jewish Mind.

from entering, even inadvertently, any shrine of idolatry is a core *halachah*<sup>4</sup> discussed throughout the Talmud.

After the establishment and rapid spread of Islam, new questions arose. Do the regulations of Talmudic Judaism that apply specifically to pagan belief and worship apply also to Islam and its adherents? What is the status of Islam from the point of view of the Jewish world and the *halachah*? Should Islam be considered idolatry simply because it is not Judaism *per se*? Or should Islam be accorded a more elevated position due to the fact that it was not seen as a pagan belief system?

The dilemma concerning Islam was addressed pragmatically and effectively by Maimonides (known commonly as the Rambam) in the 12<sup>th</sup> century. Maimonides, one of the key commentators and jurists throughout Jewish history, ruled firmly that the Islamic Faith should not be considered idolatry: "The Ishmaelites [Muslims] are not idol worshippers at all, and it [idolatry] has ceased to exist in their mouths and hearts and they attribute the proper Oneness to God with no blemish. And if someone will say that the house they worship in is an idolatrous shrine . . . as their ancestors worshiped idols there—that does not matter. Those who bow towards it today, their hearts are dedicated to heaven [towards the One God] . . . and the Ishmaelites today, all of them, women and children, have ceased to believe in idolatry and their mistake is . . . in other things . . . however in attributing Oneness to God—they have no mistake at all."<sup>5</sup>

The significance of Maimonides' ruling was immense. The vast majority of the later rabbis and commentators across future generations followed his guidelines concerning Islam and considered them as binding.<sup>6</sup> Thus, Islam was not to be considered a pagan system. To these rabbis, naturally, Islam was not to be considered equivalent to Judaism. However, Islam was acknowledged as very similar to Judaism in the emphasis of the Oneness of God. This monotheistic, all-encompassing principle became the distinguishing value of Islam compared to other, non-monotheistic idolatrous religions.

Normative Judaism, as a practice-oriented religion, gave day-to-day expression to these theological and philosophical questions. Accordingly, this fundamental ruling of Maimonides and others concerning Islam trickled down into other areas of Jewish law and was implemented in many practical aspects. The myriad restrictions and prohibitions that were imposed by the *halachah* on interaction with idolatrous religions were re-examined in respect to their application to Islam. As will be shown

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<sup>4</sup> The term *halachah* can refer to a specific, received Jewish religious law, as used here, or else it can refer to the great corpus of rabbinical literature addressing normative behavior beginning from the Mishnah to the later writings of Rabbis to the present day.

<sup>5</sup> Maimonides, Responsa #448. This famous text is Rambam's reply to Ovadiah, who was formerly a Muslim who had converted to Judaism. Ovadiah's own Rabbi had ridiculed his previous background in Islam, and had stated unequivocally that Muslims are idol worshippers. Maimonides' compassionate and empathic response is a wonderful example of a halachic ruling that embraces and elucidates human realities.

<sup>6</sup> Few Rabbis consider Islam an idolatrous religion due its non-acceptance of the Torah in the manner of the Jew. For these thinkers, Islam's acknowledgement and exclusive worship of the One God is insufficient. See Responsa *Divre Yatsiv*, part Yoreh De'ah 40. Other intermediate views consider Islam idolatrous in certain aspects (for them it is forbidden to enter a mosque) but not in other issues. See Responsa *Tzitz Eliezer* 18:47.

in this paper, Islam has a special standing in Jewish tradition in principle and in practice.

## 2. Abolition of Idolatry.

Idolatry, along with murder and incest, is one of the three cardinal sins in Judaism, and therefore Jewish people are not only forbidden to come near to idolatry (e.g. entering an idolatrous shrine) but are also prohibited even to derive benefit from any kind of service or product associated with idolatry. For example, a Jew is forbidden to use a block of wood for building his house if an idol worshipper worshipped it—even if it is no longer in a current idolatrous usage.

It is possible to abolish or annul idols in certain ways as described by the *halachah*,<sup>7</sup> mainly by inflicting partial damage to them or defacing them, thereby indicating outwardly one's contempt for the idol. Once an idol is defaced, a Jew can then derive benefit from it. However, the destruction of any form of idolatry will not be valid unless the one who undertakes it is a gentile *who is himself an idol worshipper*.<sup>8</sup>

Rabbi Yosef Karo, who compiled one of the fundamental books of Jewish law, the *Shulchan Aruch*, followed Maimonides' ruling: "An idol worshipper can abolish idolatry even that which does not belong to him, and even if he himself does not worship that specific idol . . . however, he must understand the nature of idol worshipping. . . ." <sup>9</sup> Rabbi Moshe Iserlish<sup>10</sup> comments there that - "and our nations"<sup>11</sup> *and Ishmaelites, that are not idol worshippers*, cannot abolish idolatry."

From this passage, it is clear that Muslims are not considered idol worshippers, despite their religious differences from Jews, and this is the reason they cannot abolish idolatry. From this case, we can see that Muslims and Jews stand side by side in opposing idol worshippers. Muslims and Jews, as they believe in the One God, cannot, therefore, abolish or annul idolatry.

As mentioned above, this assertion—that Muslims are not considered idol worshippers—was overwhelmingly accepted by the Rabbis. Further, on the question of eradicating idolatry, there is an all-encompassing agreement. For example, in *Responsa Melamed Le'hoil*, it is brought down that Rabbi Moshe Iserlish states that *only* Muslims<sup>12</sup> cannot abolish idolatry (as opposed to other nations). This is because only Muslims are a collective of monotheistic believers, as opposed to the other nations, in which beliefs with respect to monotheism varied by individual.<sup>13</sup>

<sup>7</sup> See Maimonides, *Mishneh Torah, Hilchot Avodat Kochavim* chapter 8.

<sup>8</sup> *Ibid.*, Halachah 16.

<sup>9</sup> *Shulchan Aruch*, Yoreh De'ah 146:5.

<sup>10</sup> Known commonly by his acronym: The Rama.

<sup>11</sup> The words "our nations" refer to the Rama's Christian environment. See hereinafter *Responsa Melamed Le'hoil*, part 2:55.

<sup>12</sup> According to this *Responsa* the words "and our nations" found in the Rama is a clerical error.

<sup>13</sup> *Responsa Melamed Le'hoil*, part 2:55. Another example, among many, is found in *Responsa Ateret Paz* (part 1, vol. 2, Yoreh De'ah 7) which quotes the Ritva (commenting on

The basis of the halachic ruling that only an idol worshipper can abolish idols is grounded on the understanding that idols are, in essence, inherently and utterly impotent and worthless and are bestowed any apparent spiritual power only from their adherents.<sup>14</sup> Hence, only someone who believes in idols can abolish or annul an idol by inflicting damage to it, thereby demonstrating his contempt. Jews, knowing fully well that idolatry is meaningless, cannot abolish an idol because they do not attribute any true power to it in the first place. Muslims who, according to the *halachah*, zealously prohibit idolatry<sup>15</sup> and place their faith in the One God, are full partners in the monotheistic Abrahamic calling with the Jews and, as such, cannot abolish idols.

### 3. Wine of Non-Jews.

Throughout the history of halachic thought, some constraints were made on foods and drinks that were produced by non-Jews or even touched by them. There were two main reasons for this prohibition—preventing assimilation<sup>16</sup> and the prohibition against handling objects of idolatry. These restrictions did not apply to all kinds of food and drink made by non-Jews but mainly on foods of certain *significance*, that is, wine, bread and oil.

As mentioned in the previous section, there is a prohibition to benefit from anything that was used for idolatrous purposes. As these significant foods of non-Jews were regularly used for religious ritual in some cultures, they were totally forbidden to Jewish people, not only for drinking or eating, but also for deriving any kind of benefit, such as selling these products.

However, if a non-Jew is not an idol worshipper, the concern that the food or drink in question was used for idolatrous rituals does not apply. It should be noted that the general prohibition of sharing these significant foods with non-Jews to prevent assimilation is still intact nowadays, and therefore it is still forbidden for a Jew to consume certain of these products, if produced by a non-Jew, even outside of social interaction with a non-Jew. Yet any other benefit is permitted for wine and other such significant foods. This permission had immense practical significance, as it permits, for example, free commerce in wine that was produced by non-Jews that are not idol worshippers.

The status of Muslims as not idol worshippers is illuminated through this issue as well. The vast majority of Rabbis emphasized the special halachic standing of the Muslim people in this matter. Maimonides set out the outlines of a ruling that was quoted repeatedly in later years—"the wine of any Gentile who is not an idolater,

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Talmud *Avodah Zarah* 64b) who holds that as "the Ishmaelites do not worship idolatry, they cannot abolish it."

<sup>14</sup> The more mystical approach in Judaism emphasizes an ultimate connectedness of all things and all realities in Creation as Good because they are suffused with the flow from the Creator. This approach understands idolatry or *Avodah Zarah*, as possessing negative qualities, at heart, because it is *zarah*—strange, foreign, unauthorized and uncommanded.

<sup>15</sup> "as it is not the Muslim's way to create human-looking icons, because it is a severe prohibition in their religion, and no one ever did so. . . ." Responsa *Avkat Rochel* #68.

<sup>16</sup> The concern is that eating and drinking together of these "important" foods will inevitably lead to social intimacy and eventually to inter-marriage and assimilation.

such as the Ishmaelites, is forbidden only for consumption but not for benefit; all the Geonim<sup>17</sup> have so ruled. The wine of those who worship idols, however, is forbidden for benefit.<sup>18,19</sup>

In this matter too, the Rabbis throughout generations accepted Maimonides' view. The majority stressed that the faithful of Islam are not considered idol worshippers. It should be noted that we shall not review all of the halachic debates and conclusions on this matter, but only the majority conclusion considering the Islamic Faith.<sup>20</sup> Examples include Ritva: "but regarding the Ishmaelites, that are not idol worshippers at all, their touch [of wine] is permitted . . ."<sup>21</sup> The Sefer Kolbo : "and the Ishmaelites are not idol worshippers . . ."<sup>22</sup> Rabbi Yeruham: "regarding Muslims, that are not idol worshippers, the Geonim decreed that if they touched the wine of Jews it is permitted for benefit, but not for drinking [because of assimilation concerns]. . ."<sup>23</sup> Responsa<sup>24</sup> of the Ran: "because the Geonim agreed that the wine of Ishmaelites is not forbidden for benefit but only for drinking, as wrote Maimonides that they are not considered idol worshippers, and there isn't any concern that it [the wine] was in idolatry usage, therefore was forbidden only because [preventing possible] assimilation . . ."<sup>25</sup>

Rabbi Yosef Karo emphasized the fact that the Arab peoples as a *whole* are not idol worshippers: "and this is learned from the phrasing of Maimonides who writes 'every non-Jew that is not an idol worshipper such as the Ishmaelites—meaning that only if the non-Jew that is from a nation which is held as non-idol worshipping—in this case his wine is permitted for benefit, although the non-Jew himself never explicitly said that he is not an idol worshipper. . ."<sup>26</sup> And so write the Tashbets,<sup>27</sup> Raanach,<sup>28</sup> Radbaz,<sup>29</sup> Mahari Ben Lev,<sup>30</sup> Maharitatz,<sup>31</sup> Avnei Nezer,<sup>32</sup> Responsa *Yismach*

<sup>17</sup> Rabbis after the Talmudic era between the 5<sup>th</sup> century to the 10<sup>th</sup> century who mostly lived in Babylon, the geographic area of modern Iraq.

<sup>18</sup> If it is forbidden for benefit, then all the more so is consumption.

<sup>19</sup> *Mishneh Torah, Hilchot Ma'achalot Asurot* 11:7. Translation from Rabinowitz and Grossman, Yale University Press, USA 1965.

<sup>20</sup> The intermediate opinion of Responsa *Tzitz Eliezer* (part 18:47), should be noted here again, as he concludes that entering a mosque should be prohibited because it is considered an idolatrous shrine, but concerning the wine of Muslims he concludes that Muslims are not considered idol worshippers.

<sup>21</sup> Ritva's commentary on Talmud Pesachim 57a. See also his commentary on Talmud Avodah Zara 64b.

<sup>22</sup> *Sefer Kolbo*, chapter 96.

<sup>23</sup> *Sefer Toldot Adam*, Netiv 17, part 1, pg. 150, tur 1.

<sup>24</sup> In Judaism, Responsa is a book that gathers various halachic questions posed to a rabbi and his answers to those questions. The thousands of Responsa books, which were written across generations, are an important source of *halachah* and are also considered a useful source of historical documentation that reflect Jewish life and interests in deferent places and times.

<sup>25</sup> Responsa of the Ra"n #5.

<sup>26</sup> Beit Yosef, Yoreh De'ah 124:7.

<sup>27</sup> Responsa of the Tashbetz, part 1:14 – "when a Jew sells wine to a non-Jew, he must be careful when collecting the debt, not to collect money of wine that was used for idolatry, and that is true while selling to idolaters. *However, concerning the Ishmaelites, all the Geonim agreed that their touch [of wine] does not prohibit the derivation of benefit as they are not idol worshippers. . .*" See also part 4:11.

<sup>28</sup> Responsa of the Raanach #112.

<sup>29</sup> Responsa of the Radbaz, part 3:527.

*Levav*,<sup>33</sup> Responsa *Helkat Yaakov*,<sup>34</sup> Responsa *Shoel Ve'nishal*,<sup>35</sup> Responsa *Yaskil Avdi*,<sup>36</sup> Responsa *Ateret Paz*,<sup>37</sup> and many others.

Rabbi Ovadiah Yosef summarizes this issue by asserting that all authorities today accept that the Muslims are not to be considered as idol worshippers. He elaborates further that certain early references found in the Geonim,<sup>38</sup> from which it appears that they held the Arab peoples to be idol worshippers, "refer to the Ishmaelites in previous generations that were idol worshippers, as Maimonides observed that, in those days, they had three kinds of idolatry, but in later generations they reached the correct conclusion of the Oneness of God. . . ."<sup>39</sup>

#### 4. Entering a Mosque.

There is a general prohibition against entering a shrine of idolatry. The origin of this prohibition is found in the Mishnah,<sup>40</sup> which forbids one from even entering a city that has a temple of idolatry. In his interpretation to the Mishnah, Maimonides writes that, in his days, the prohibition to refrain from entering a *city* with idolatrous shrines cannot be practically maintained, as the Jews were scattered throughout the world. However, the prohibition against entering a specific shrine of idolatry is still valid.

As mentioned in the introduction, after the establishment of Islam, the Rabbis wrestled with the application to Muslims of the various prohibitions relating to idolatry. In the case of Islam, does the prohibition against entering an idolatrous shrine apply to a Mosque as well? It should be noted that this question is slightly different from the questions previously presented. Some Rabbis hold that even though Islam is not an idolatrous religion, it is still forbidden to enter a Mosque because it is a place where the Muslims invoke and glorify the name of Muhammad, and read publicly from portions of the Koran which suggest that the Torah of the Jews is false. Therefore, a Jew, according to those Rabbis, must not enter a Mosque.<sup>41</sup>

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<sup>30</sup> Responsa of Mahari ben Lev, part 1:118 – "and after writing the above, I will come to this matter and say that as it was done by an Ishmaelite, *and the Ishmaelites are not idol worshippers. . . .*"

<sup>31</sup> Responsa of Maharitatz part 1:11.

<sup>32</sup> Responsa of *Avnei Nezer*, Yoreh De'ah 92.

<sup>33</sup> Responsa *Yismach Levav*, Yoreh De'ah 47.

<sup>34</sup> Responsa *Chelkat Yaakov*, Yoreh De'ah 48, in the name of the "*Beit Hadash*".

<sup>35</sup> Responsa *Shoel Ve'nishal*, part 1 - Yoreh De'ah 75.

<sup>36</sup> Responsa *Yaskil Avdi* part 1, Yoreh De'ah 4: "as opposed to the Ishmaelites, that never worshiped to idolatry and therefore towards whom we could be even more lenient. . . ."

<sup>37</sup> Responsa *Ateret Paz*, part 1, vol. 2 - Yoreh De'ah, comments 2:6.

<sup>38</sup> Some of the "Geonim"—post Talmudic Rabbis—acted prior to the establishment of Islam and referred in their writings to Arabs (Ishmaelites) in their pre-Islamic modes.

<sup>39</sup> Responsa *Yabia Omer* part 7 – Yoreh De'ah 12. This text supplies R. Yosef with many sources indicating that the Muslims are not idol worshippers. See also Responsa of *Yechaveh Da'at*, part 5:54. See also Responsa *Yabia Omer* part 5, Yoreh De'ah 10. This is also the opinion of Rabbi Kook in Responsa *Mishpat Cohen* 69.

<sup>40</sup> Mishnah Avodah Zarah 1:4.

<sup>41</sup> Some of these views are mentioned in Responsa *Yabia Omer* 7, Yoreh De'ah 12, paragraph 4. This is the opinion of Responsa *Tzitz Eliezer* 14:91, which interprets the Ran on Talmud Sanhedrin 61b which holds that, on the one hand, Muslims are not considered idol worshippers, and therefore one can benefit from their wines, however, their Mosques are considered places of idolatry. See *Ibid.* part 18:47.

However, the vast majority of Rabbis determined that Mosques are not idolatrous shrines and therefore Jews are permitted to enter them. Rabbi Ovadiah Yosef deals at length with the Islamic Faith and concerning the Mosque states the following - "so now we can see that the Mosques of the Muslims are not considered houses of idolatry and one could enter there . . . ."42 He does not accept the opinion of the above-mentioned Rabbis who compare Mosques to idolatrous shrines, and thereby reinforces the principle that if the Muslims are not, in fact, idol worshippers, then their Mosques are not idolatrous shrines. He adds that as idolatry is not found in a Mosque, and as "their [the Muslims] prayer is to the One God with no blemish, there is no prohibition to pray there," and adds also that he witnessed prominent rabbis who prayed in the Mosque at the Cave of Machpelah.<sup>43</sup> He then determines decisively that "in Mosques . . . that do not hold idolatry at all . . . it is permitted to pray and learn [the Torah] there."<sup>44</sup>

In his conclusion, Rabbi Yosef cites an important Responsa from the 19<sup>th</sup> century. In that Responsa, Rabbi Yitzchak Elchanan was posed a question by certain Jewish soldiers that had fought for Russia against the Turks. After conquering an important city, the Jewish soldiers asked their commanders if they could have a place in which they could pray. They were given this opportunity in a local Mosque and they turned the question over to Rabbi Elchanan: Could a Jew pray in a Mosque? In his answer, Rabbi Elchanan concludes that, as the Muslims are not idol worshippers "it is clear and simple that one could even make a permanent synagogue out of that Mosque that was given to you by the authorities."<sup>45</sup>

##### 5. **"..nor show mercy unto them."**

The Torah commanded the Israelites that when they entered the land of Canaan, they were not to make any contact with the inhabiting nations - "you shall make no covenant with them, *nor show mercy unto them*."<sup>46</sup> However, under Jewish law, if these nations would accept the Seven Noahide Laws,<sup>47</sup> there is no obligation to destroy them, and they could live peacefully in the Land.

The words "nor show mercy unto them" ("*lo techonem*") possess, in Biblical Hebrew, several meanings. The Talmud<sup>48</sup> discusses at length how all these various shades of meanings are taken to imply different rules and regulations. One such rule is that one cannot sell a non-Jew a plot in the Land of Israel. The reason for this prohibition is that the sale of land to non-Jews, who are, in fact, idol worshippers, could result in the Jewish population learning and mimicking their ways of worship. However, if a

<sup>42</sup> Responsa *Yabiah Omer* 7, *Yoreh De'ah* 12, paragraph 4.

<sup>43</sup> The Cave of Machpelah in Hebron is the burial site of Abraham and Sarah, Isaac and Rebecca, and Jacob and Leah. In Jewish tradition, Adam and Eve are also interned there. It is a perpetual holy place for believing Jews and Muslims.

<sup>44</sup> Responsa *Yabiah Omer* 7, *Yoreh De'ah* 12, paragraph 4.

<sup>45</sup> Responsa *Ein Yitzchak* part 1, Orach Haim 11.

<sup>46</sup> Deut. 7:2.

<sup>47</sup> These Seven Laws were given to Noah for all humanity to observe and are derived in detail in Rabbinic thought in Midrash Rabbah and the Talmud. The Noahide laws include the prohibition against idolatry, murder, theft and sexual immorality and the establishment of civil law, all of which are considered as the basis of any civilized social order.

<sup>48</sup> Avodah Zarah 20a.

non-Jew accepts the Seven Noahide Laws, among them, first and foremost, the prohibition of idolatry and becomes a "resident settler" (*ger toshav*), it is permitted to sell him a plot in the Land of Israel.

This issue of the prohibition of selling plots to non-Jews in the Land of Israel was raised in the middle of the 19<sup>th</sup> century when the struggling Jewish farmers-settlers in *Eretz Yisrael* were concerned about the *shmittah* (the seventh year in a seven-year cycle during which the land itself in Israel must lie fallow). The difficult economic situation at that time did not allow for the practical fulfillment of the *shmittah*. The early Jewish settlers, living constantly under the danger of great hunger, asked the Rabbis for a halachic solution to the *shmittah*, whereby they could continue to plow and harvest the land.

The suggestion of Rabbi Yitzchak Elchanan (referred to above) was to sell the land to a non-Jew for that *shmittah* year. As the land will not then belong to a Jew, it is possible to plow the land during that year. This actual halachic issue is very complex and involves many aspects. The issue that concerns this paper is *to whom* it is permissible for a Jew to sell the land. The non-Jews who lived in Israel at that time were predominantly Muslim Arabs, and so the question was inevitably posed: Are the Arabs considered as "resident settlers"? If so, the land could be sold to them. If these Arabs were considered idol worshippers, this would, of course, be forbidden.

Rabbi Kook, who was the first Chief Rabbi of Eretz Yisrael at that difficult and turbulent time, concluded that the Arabs are, in fact, considered as "resident settlers" and portions of the Land of Israel could be sold to them; "to rely on the fact that the Ishmaelites, that are not idol worshippers, are not included in the prohibition of 'Lo Techonem.'"<sup>49</sup> Some of the opposing views that were voiced against this ruling were based on the fact that this special status of a resident settler is obtained by an individual non-Jew only after he states in front a *din*, a Jewish court of a minimum of three qualified judges, that he accepts the Seven Noahide Laws. However, Rabbi Kook argued that the Arab peoples *as a whole* had already accepted *de facto* the Seven Noahide Laws, through their religious, philosophical and cultural values. As such, they could be considered, in fact, as "resident settlers."<sup>50</sup>

This ruling, allowing the selling of plots of land in Eretz Yisrael during the *shmitta*, is held to this day by the Chief Rabbinate of The State of Israel.<sup>51</sup> Again, this issue is very complex, but it is significant to note how deep is the consciousness, within Jewish tradition, that the Muslims are not considered to be idol worshippers. We conclude that this acknowledgement of Muslims maintaining, in practice, the Seven Noahide Laws—moreover, as a community and not only as individuals—allows us to conclude that The Islamic Faith has a special standing in Jewish eyes.

## 6. Conclusion.

The picture that emerges from Jewish sources over the generations is that Judaism differentiated between the actual religious practice of Islam, including its principle

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<sup>49</sup> Responsa *Mishpat Kohan* 58.

<sup>50</sup> *Ibid.*, 61.

<sup>51</sup> Responsa *Yabiah Omer*, part 8, *Hoshen Mishpat* 2.



core beliefs, and its uncompromising and fundamental belief in the One True God, and considered Islam as a legitimate monotheistic religion that acknowledges, at its core, the great principle of the Oneness of God. This differentiation stems from the fact that Judaism does not require from gentiles to observe the Jewish ritual commands but to maintain the *mitzvah* (command) of the belief in the One God as part of the Seven Noahide Laws—those moral imperatives that define the basis for any sustainable civilization. Therefore, despite the differences in actual religious practice, Judaism considered Islam as a belief which accepts the great Abrahamic calling to absolute monotheism expressed in that great initial declaration of the Ten Commandments - "I am the Lord your God . . . You shall have no other gods before Me."<sup>52</sup>

This understanding is in line with the outlook on the End of Days as described throughout *Tanach* (Bible)—at that momentous time, all the nations will come to acknowledge the absolute sovereignty of the One God over all existence and reality. However, this grand vision of the End of Days does not require a revocation of the diverse cultures and traditions of the nations nor adherence to the Jewish ritual commands, and this holds true for Islam. Across the generations, the Rabbis determined that although the name of the Supreme Deity is different in Judaism and Islam, the two Faiths acknowledge, in different ways, the presence of the One God, Creator of All.

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<sup>52</sup> Ex. 20:2.