

Different Halachic Approaches between the Conservative and Orthodox Movements to Interreligious Dialogue

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Introduction

This paper will address the relationship of the modern Orthodox and Conservative movements to halachah. It will explore the basic attitudes of each movement to halachic authority while attempting to show what possibility exists for change within halachah itself. Since both of the movements are monolithic, there are a variety of approaches to such a central concept as halachah. This variety of different approaches will be briefly addressed and necessitates choosing an individual theologian from each movement so as to see how their ideas reflect the consensus of their respective movement. This will be done with Rabbis Abraham Joshua Heschel (1907-1972) and Joseph B. Soloveitchik (1903-1993). Each theologian's individual approach to the halachic permissibility of interreligious dialogue will serve as an adequate example of how the Conservative and Modern Orthodox movements relate to Halachah.

Defining Halachah

The word Halachah in Hebrew comes from the root 'to walk or to go'.¹ The Jewish Encyclopaedia explains that Halachah is "the way of acting, usage, custom and especially guidance and the norm of practice. For instance, when it is said in the Talmud that a halachah is according to this or that Rabbi, it is meant that the opinion of the Rabbi referred to, though in

¹ Weiss, Avraham. "Open Orthodoxy! A Modern Orthodox Rabbi's Creed," in: *Judaism*. Fall 1997; 46, 4; PA Research II Periodicals. p. 409.

opposition to other opinions, is decisive for the practice.”² Professor David Golinkin notes that to be a good Jew, one has to undertake to observe the entire *system* of halachah... in keeping with the biblical attitude of *נעשה ונשמע* [“we shall do and we shall listen”] (Ex. 24:7) and with the rabbinic injunction that ‘the chief thing is not to expound the law but to do it’ (Ethics³ 1:17).⁴ Halacha guides the Jewish people and is the mechanism through which individuals and society can reach an ideal ethical plateau. This is done in partnership with G-d given law and laws based on the biblical mandate: “And you shall rise and go to the judge of your day” (Deut. 17:10).⁵

Conservative Movement’s Approach to Halachah

The main aim of the Conservative movement since its very beginnings has been the observance of Jewish law.⁶ The movement had its start as a reaction to the Reform Movement denying that halachah must be normative for the Jewish people and should be defended as a pillar upon which Judaism is to be modernized.⁷ It is thus important to understand where Conservative Judaism stands in relation to the other two movements. This is best described by Rabbi Mordechai Waxman in the seminal book for the movement called, *Tradition and Change:*

The Development of Conservative Judaism:

"Reform Judaism has asserted the right of interpretation but it rejected the authority of legal tradition. Orthodoxy has clung fast to the principle of authority, but has rejected the right to significant reinterpretations. The Conservative view is that both are necessary for a living Judaism. Accordingly, Conservative Judaism holds itself bound by the Jewish legal tradition, but asserts the right of its rabbinical body, acting as a whole, to reinterpret and to apply Jewish law.”⁸

² Jacobs, Joseph. “Halachah,” in: *Jewish Encyclopedia*. Online. Accessed: 1 Sept., 2016. <<http://jewishencyclopedia.com/articles/7077-halakah>>

³ Ethics will hereby be the abbreviation for the Mishnaic tractate Ethics of the Fathers or אבות.

⁴ Golinkin, D. *Halacha in our Days*. Jerusalem 2005. [Hebrew]

⁵ Weiss, A. *Ibid.* p. 409.

⁶ Siegel, Seymore. “The Meaning of Jewish Law in Conservative Judaism: An Overview and Summary,” in: *Conservative Judaism and Jewish Law*. Vol. 1. Ktav Publishing Inc. 1993.

⁷ *Ibid.* Rabbi Siegel explains that this was the intention behind Zecharias Frankel’s founding of the Positive Historical School and Solomon Schechter’s idea of Catholic Israel.

⁸ Waxman, M. *Tradition and Change: The Development of Conservative Judaism*. Burning Bush Press 1958.

Where the Conservative movement agrees with the Reform movement and what differentiates them from the Orthodox movement is their commitment to the right of interpretation. But interpretation by Conservative Rabbis requires them to firmly base their opinions in precedents that can be extracted from the Jewish legal tradition. The process of seeking out precedents in Conservative halachic decision making is well developed. Seymour Siegel explains that the method of Conservative Judaism when faced with a halachic dilemma is to:

1. Seek out a precedent. Unless there is a good reason to do otherwise, we are bound to the precedent.
2. In seeking out precedents, we do not necessarily limit ourselves to any specific code.
3. If the precedent is deficient in meeting the needs of the people, if it is clearly foreign to the group of law-observers in the community, if it is offensive to our ethical sensitivities, or if we do not share its basic scientific, economic, and social assumptions, then the law can be modified either by outright abrogation, or by ignoring it, or by modifying it.⁹

The importance of precedent is where the Conservative movement is similar to the Orthodox movement. But the unwillingness to limit the search to a specific code¹⁰ and allowing for a wide variety of justifications to abrogate the law differentiates both movements. Furthermore, there is a willingness of the Conservative movement to enact תקנות or significant changes to the halachic norm. But the Halacha which is eventually decided upon is normative and binding. It develops as a partnership between the Eternal and the People of Israel based on the Torah. Halacha is thus an evolving process subject to interpretation by the Committee on Jewish Law and Standards which serves as the central authority on Jewish law within Conservative Judaism.

Because of how the Committee on Jewish Law and Standards is willing to accept a minority decision as a valid way to observe Halacha, there is a wide variety of opinions as to

⁹ Siegel, Seymour. *Ibid.* p. xxiv.

¹⁰ The Orthodox will generally limit themselves to the Shulchan Aruch and the interpretations that emerge from it. The Conservative Movement on the other hand explains how they “conceive of Jewish law as a body of practices and regulations that have undergone a long development since the time of Moses... when we are asked what is the Jewish law on this or that point, we do not answer fully by referring to this or that code, commentary or responsum for no single code is the complete expression of the law. The origins, the transformations of the rule, its archaic features, discarded elements, temporary expedients, idealistic aspirations, as well as its present interpretations are all part of the majestic structure.” Siegel, Seymour. *Ibid.* p. xxii.

what is the correct way to behave as someone who is halachically observant. An example which continues to perplex the movement is how to relate to homosexual marriage. There will be those who allow it, those who will allow for a different type of ceremony which accomplishes the same social goal of bringing two loving partners together and then there will be those who will reject any ceremony outright as being against Halacha by virtue of the union being against Biblical law.

Orthodox Movement's Approach to Halachah

Orthodox Judaism believes that Halacha is Divine Law as laid out in the Torah, Rabbinical Laws and codified by the Shulchan Aruch with its corresponding commentaries. The Rabbis who made any changes to Jewish Law only did so in accordance with regulations which were given for this explicit purpose to Moses on Mt. Sinai. Halacha is a religious system at the core of which is the revealed will of the Almighty made known in codified laws passed down from Moses at Sinai otherwise known as Oral Torah. Generally Orthodox Judaism is split into the Heredi (Ultra-Orthodox) branch and the Modern-Orthodox branch.

The best way to define the Heredi Orthodox approach to Halacha is to look at the personality of Rabbi Moses Schreiber (1762-1839) better known as the Chatam Sofer. Rabbi Schreiber was one of the leading Orthodox Rabbis of European Jewry in the first quarter of the 19th century who was deeply involved in polemics with the Reform movement. He believed that Judaism as it was previously practiced was the only form of acceptable Judaism. The tenets and rules of Judaism had never really changed and are never to be changed in the future.¹¹ The Chatam Sofer was famed for quoting a saying in the Gemara: חדש אסור מן התורה or 'the new is

¹¹ Hildeschwimer, M. "The Attitude of the Hatam Sofer Towards Moses Mendelssohn," *Proceedings of the American Academy for Jewish Research*. 60:141. 1994.

forbidden from the Torah.¹² This is a play on words since the original intention of the Gemara is that the new crop *of wheat* is forbidden. Nonetheless, the Chatam Sofer develops a meme of sorts for his followers to use in their rhetoric against all modernizing tendencies. Another level of meaning which is derived from this Gemara is Ulla's opinion that the prohibition against that which is new is halacha derived from Moses at Sinai. This reinforces the idea that all Halacha had its origin with Moses at Mount Sinai. The Ultra-Orthodox will take this one step further and say that even customs must be retained and that existing precedents should never be reconsidered since they all were received from Heaven by Moses himself.

A different trend emerged in the late nineteenth century with Rabbis Samuel Raphael Hirsch (1808-1888) and Azriel Hildesheimer (1820-1899). These Rabbis pioneered a new approach to Orthodox Judaism which straddled the border of modernity. Hirsch was the intellectual founder of a school called *תורה עם דרך ארץ* that formalized the relationship between the modern world and Orthodoxy. A balance was sought between both worlds and the halachic challenges which emerged were seen as beneficial for the overall development of Judaism. Hirsch believed that out of the ideals of *תורה עם דרך ארץ* would emerge the *Mensch-Yisroel* (the "Israel-man") who would become the enlightened religious personality needed for the new age:

"The more, indeed, Judaism comprises the whole of man and extends its declared mission to the salvation of the whole of mankind, the less it is possible to confine its outlook to the synagogue. [Thus] the more the Jew is a Jew, the more universalist will be his views and aspirations [and] the less aloof will he be from ... art or science, culture or education ... [and] the more joyfully will he applaud whenever he sees truth and justice and peace and the ennoblement of man."¹³

Breaking away from the confines of the synagogue and into the greater universalist world required a new way of looking at halacha which did not compromise the border between Orthodoxy and the more liberal movements. The question which Modern Orthodoxy was faced

¹² Babylonian Talmud, Tractate Kiddushin 38b.

¹³ Hirsch, Samson Raphael. "Religion Allied to Progress", in: *Collected Writings of Rabbi Samson Raphael Hirsch*, ed. Philip Feldheim. Feldheim Publishers. Nanuet 1996.

with is whether or not modernity was an assault on the pattern of traditional religious life or could it be seen as an opportunity? Science burst into the world as a new religion of sorts which gained adherents by virtue of the clear method of observation which proved its theories. Science brought about new technologies which dramatically changed the way that people lived their lives. Individuality reined as God-centered theology diminished. Modern Orthodoxy would see this as a challenge much more than their Heredi counterparts who saw it as a threat to be rejected at all costs. The Emancipation and Enlightenment confronted Orthodox Judaism and forced its hand as to deciding how it would proceed into the future.

Rabbi Avraham Weiss describes the difference between the Modern Orthodox approach to the Halachic system and that of what he calls the “Orthodox Right”.¹⁴

“...Modern Orthodoxy more readily sees Halacha as flexible within rigid parameters than the Orthodox Right. Additionally, in halachic observance the Modern Orthodox community is more open to halachically-grounded innovation...while the Orthodox Right is wary of virtually all innovation, fearful that it will lead to a breakdown of halachic norms. Moreover, Modern Orthodoxy distinguishes between humra – stringency – and Halacha, recognizing that when humra becomes Halacha, it blurs the Halacha by redefining the line of the permissible and the prohibited.”¹⁵

Upon considering how Orthodox Halachah relates to any issue, this difference of approach must be kept in mind. It can be expected from Modern Orthodoxy to therefore be flexible and open within their rigid parameters. The fear of innovation breaking down halachic norms becomes a default for even the Modern Orthodox when the border is crossed between Jew and Non-Jew. This fear becomes a magnet which draws Modern Orthodox adherents rightward into the trap of the humra, or stringency.

¹⁴ The phenomenon of the “Orthodox Right” is pointed out as well by Rabbi Hayim Soloveitchik when he says, “The Orthodoxy in which I, and other people my age, were raised scarcely exists anymore. This change is often described as “the swing to the Right”. See: Soloveitchik, Hayim. “Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy,” in: *Tradition*. Vol. 28, No. 4 (Summer 1994). p. 1.

¹⁵ Weiss, A. *Ibid.* p. 410.

Relevant Historical Circumstances

The twentieth century changed Judaism dramatically on various different levels. The century began three years after the First Zionist Congress which organized the political and practical efforts to return the Jewish people to their ancient homeland after a two thousand year exile. The next fifty years would see the catastrophe of the *Shoah* in Europe which decimated one third of the Jewish people and an untold amount of the spiritual and cultural leadership. Out of fires of the *Shoah* emerged some of the greatest minds of Jewish thought including Rabbis Abraham Joshua Heschel (1907-1972) and Joseph B. Soloveitchik (1903-1993). Both of these figures were able to create a significant following within the Conservative and Orthodox movements respectively.¹⁶ Their opinions with regards to interfaith therefore “represent” their respective movement’s ideology on this issue. It must be mentioned from the start that Rabbi Heschel would doubtfully have identified himself as a Conservative Jew and Rabbi Soloveitchik is representative of an integrationist Orthodoxy and his beliefs do not represent Orthodoxy as a whole. This being said, the great numbers of those who follow their teachings make them authoritative voices on this issue. The light of each personality was similar and they were specifically chosen for this study because of how this light was refracted through their respective movements which religiously identified with them.

In 1959 Pope John Paul XXIII convened the Second Vatican Council during a time when the papacy was eliminating several negative expressions about the Jews in Catholic liturgies. In the shadow of what transpired during the Shoah, the Catholic Church was actively attempting to

¹⁶ Rabbi A.J. Heschel was a professor at the Jewish Theological Seminary of America and Rabbi J.B. Soloveitchik was a professor and Rosh Yeshiva at Yeshiva University. “By the late 1950s each had emerged as the major theological voice of his respective institution and movement. Indeed, they were probably the only theologians read by students of both institutions. Each had an international following.” Kimelman, Reuven. “Rabbis Joseph B. Soloveitchik and Abraham Joshua Heschel on Jewish-Christian Relations,” in: *Modern Judaism*. Vol. 24, No. 3. Oxford University Press 2004. p. 251.

define its relationship with the Jewish people for the better. The American Jewish Committee was one of the organizations that they reached out to and on the advisory committee were both Rabbis Soloveitchik and Heschel. From the very beginning of their meetings, Rabbi Soloveitchik declared before all the Rabbis present that he opposed the presence of Jews as observers or with any formal status within the Ecumenical Council.¹⁷ Rabbi Heschel then filled the leadership void and developed a close relationship with Cardinal Augustin Bea, president of the Secretariat for Christian Unity of the Holy See. What emerged from this relationship was the beginning of an interreligious relationship which would define the ideal for generations to come. Rabbi Soloveitchik observed the growing relationship between the two and responded with an essay entitled, *Confrontation*, which will be addressed at length below.

Soloveitchik's Approach to Halacha and its Implications for Interreligious Dialogue

Rabbi J.B. Soloveitchik dedicated an entire book called *Halachic Man* to show the centrality of halacha in Judaism and to his theological outlook as a whole. Soloveitchik builds a structure to show how the Halachic Man stands between, but in many respects above, homo religious and the cognitive man as an ideal for what the Jew is supposed to be:

“Halachic man reflects two opposing selves; two disparate images are embodied within his soul and spirit. On the one hand he is as far removed from *homo religious* as east is from west and is identical, in many respects, to prosaic, cognitive man; on the other hand he is a man of God, possessor of an ontological approach that is devoted to God and of a world view saturated with the radiance of the Divine Presence.”¹⁸

A religious paradigm is constructed to define the halachic man who balances between the two realities of religion and cognitive science. Halacha becomes the *aspaklaria* or lens through which human beings are to see the world:

¹⁷ Kimelman, R. *Ibid.* p. 253.

¹⁸ Soloveitchik, J.B. *Halachic Man*. New York 1983. p. 3.

“When halachic man approaches reality, he comes with his Torah, given to him from Sinai, in hand. He orients himself to the world by means of fixed statutes and firm principles. An entire corpus of precepts and laws guides him along the path leading to existence”¹⁹

To Soloveitchik, Halacha becomes the a priori basis for all religious practice in a worldly

In such a light, Halacha can be seen as that which separates Jew from non-Jew, it is the defining structure to delineate Jewish identity. If what defines Jewish identity is that which separates us from Gentiles, there is a legitimate argument to be made that any interreligious dialogue should be seen as counter-productive or worse yet as threatening. It was for this reason that Soloveitchik published his essay *Confrontation* in 1964. It is widely understood by modern Orthodox Jews to limit relations with non-Jews to matters of practical cooperation and strictly opposing any theological dialogue. Although the reality of Soloveitchik’s actions²⁰ and those of many of his students do not reflect this opposition, *Confrontation* became the starting point for the interreligious encounter for the Modern Orthodox.

In *Confrontation*, Soloveitchik laid down four conditions which he considered to be essential for an authentic confrontation of religions that would preserve their equality and individuality:

1. Faith communities are totally independent. On the level of faith, they are incommensurable, and their inherent worth cannot be measured by external standards.
2. The “logos”, the word of religious experience, is unique and incomprehensible to those outside the faith community. To use the other’s language is to lose one’s individuality and distinctiveness.
3. Faith communities must maintain a policy of non-interference with each other, and refrain from suggesting to the other changes in ritual or emendation of texts.

¹⁹ Ibid. p. 19.

²⁰ Soloveitchik’s seminal theological essay *The Lonely Man of Faith*, was originally delivered to a Roman Catholic audience at St. John’s Seminary in Brighton, Massachusetts also in 1964. See: Kimelman, R. Ibid. For an example of one of Soloveitchik’s students who is directly involved in developing an Orthodox Jewish approach to theological discussion with Christians, see: Korn, E. “The Man of Faith and Religious Dialogue: Revisiting ‘Confrontation’”, in: *Modern Judaism*, Oct. 2005.

4. Finally, history has not authorized us to make revisions for the sake of our relations with others.²¹

This cautious approach affirms Soloveitchik's steadfast belief in the halachic process belonging solely to the Jewish people and their respective identity. All outside influence must be placed outside of that which can effect change.

Heschel's Approach to Halacha and its Implications for Interreligious Dialogue

Rabbi Abraham Joshua Heschel criticized Soloveitchik's central focus on Halacha, which he termed, "pan-Halakhism" and saw as an exclusive focus on religiously compatible behavior to the neglect of the non-legalistic dimension of Rabbinic tradition which he saw as forming the core of Jewish morality.

"Ish Ha-halachah? {Halachic man}? Lo haya velo nivra ela mashal haya (There never was such a Jew)! Soloveitchik's study, though brilliant, is based on the false notion that Judaism is a cold, logical affair with no room for piety. After all, the Torah does say 'Love the Lord thy God with all thy heart and soul and might'. No, there never was such a typology in Judaism as the halachic man. There was - and is - an Ish Torah (a Torah man) who combines halachah and aggadah, but that is another matter altogether. When I came to Berlin I was shocked to hear my fellow students talking about the problem of halacha as a central issue. In Poland it had been a foreign expression to me. Halachah is not an all-inclusive term, and to use it as such is to restrict Judaism. 'Torah' is the more comprehensive word."²²

Seeing beyond the confines of halachah allowed for Heschel to expand the boundary of how far Judaism could reach out to the "other". Halacha has its function: to keep the community of Israel together. The survival of Israel means that we carry on our independent dialogue with the past. Whereas Soloveitchik would defend the Halachic man, Heschel would defend the Mitzvot. It was inappropriate to limit the word "Torah" to law or to a system of laws. Heschel believed that the Torah is primarily divine ways rather than divine laws.²³ Judaism is the Way of Torah, so if Torah is reduced to just Halacha, Judaism becomes merely the Way of Halacha, a religion

²¹ As summarized by Prof. Raphael Jospe in the preface to: Janssen, P.E. *Adventures in Dialogue: The Jerusalem Rainbow Group: Impressions of 45 Years of Jewish-Christian Dialogue*. Lee Achim Sefarim, Jerusalem 2013.

²² Heschel, A.J. ed. Dresner, S. H., *Heschel, Hasidism and Halacha*. Fordham University Press, 2001. p. 102.

²³ Merkle, J.C. *Approaching God: The Way of A.J. Heschel*. Collegeville 2009. p. 51.

of law. This in turn is a misrepresentation of Judaism according to Heschel: “Those who would restrict Judaism to Halacha will distort its image and deprive it of its grandeur.”²⁴

Heschel believed in meta-halachic supreme principles which should guide our decision making. One of these principles was that of love: “All observance is training in the act of love.”²⁵ Since genuine love involved the heart and soul of the lover, the laws of love cannot be fulfilled by mere external compliance with a legal system. In other words, those who reduce Torah and Judaism to Halacha tend to also reduce Halacha to external conformity to the law. The compassion built into Torah is unable to shine outwards when solely dressed in Halachic language. Halacha and Aggadah are both essential components of the Torah and their interrelationship forms the essence of Judaism. It is through Aggadah that humanity can come to understand the sublime mystery of creation which is the marvel of the divine-human covenant.

The prophetic origin of both Halacha and Aggadah was seen as the connecting bridge with Christianity in May 1962 when Heschel responded to Cardinal Bea’s invitation to submit proposals for the document on the Catholic Church and the Jewish People. In his introduction, Heschel stated:

“Both Judaism and Christianity share the prophet’s belief that God chooses agents through whom His will is made known and His work done throughout history. Both Judaism and Christianity live in the certainty that mankind is in need of ultimate redemption, that God is involved in human history, that in relations between man and man God is at stake; that the humiliation of man is a disgrace of God.”²⁶

Heschel then proceeded to make four recommendations to improve mutually beneficial relations between the Catholic Church and the Jewish community:

1. That the Council brand anti-Semitism as a sin and condemn all false teachings, such as that which holds the Jewish people responsible for the crucifixion of Jesus and sees in every Jew a murderer of Christ.

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ Kimelman, R. *Ibid.* p.254.

2. That Jews be recognized as Jews... and that the council recognize the integrity and the continuing value of Jews and Judaism.
3. That Christians be made familiar with Judaism and Jews.
4. That a high-level commission be set up at the Vatican, with the task of erasing prejudice and keeping a watch on Christian-Jewish relations everywhere.²⁷

It is clear from these recommendations where Heschel differs and agrees with Soloveitchik's approach in *Confrontation*. They are similar in seeking Judaism to be seen as an independent faith community and recognized as Jews whose future is valued. Heschel differs by directly requesting of Christianity to change their doctrine by eliminating all elements of anti-Semitism and to go further by declaring that previous beliefs and practices were a sin. Heschel also calls for Christians to be made familiar with Judaism and the Jewish people and for there to be a high-level commission set up within the Vatican tasked with keeping watch on the necessary changes and the erasure of prejudice.

Heschel's recommendations were taken seriously by Cardinal Bea who visited with Heschel in New York in 1963. When Heschel heard about how the first version of the council's declaration (*Nostra Aetate*) added a statement of eschatological hope for the union of Israel and the Church, Heschel responded harshly since he saw this as a reaffirmation of the Christian mission to convert the Jews. He saw this draft as "spiritual fratricide" and declared that, faced with the choice of conversion or death in the gas chambers of Auschwitz, he would choose Auschwitz. It was this engagement which propelled Heschel to go before Pope Paul VI and persuade him to adopt the original language of Cardinal Bea against the conversion of the Jews and the calumny of deicide.²⁸ Heschel succeeded in his mission and the paragraph was crossed out. The Schema of the Jews became the first statement of the Church in history which is devoid of any expression of hope for conversion. This could not have happened without the direct

²⁷ Ibid.

²⁸ Ibid. p. 255.

involvement of Heschel, thus showing the direct benefit of interreligious dialogue. Soloveitchik would subsequently criticize this conviction and instead saw the proposed decree as “evangelical propaganda” that dealt with Jews only as potential converts. Although it was important to him that there be a condemnation of anti-Semitism, there should be no assertion of religious brotherhood.

Developing a Halachic Approach Towards Gentiles

For thousands of years, Halacha has viewed the encounter with the other, the Gentile, the non-Jew, through the prism of a Talmudic tractate called Avodah Zarah. The Rabbis would subsequently codify what relations should look like based on the commentaries which emerged therein. These relations changed over the ages based upon how Gentiles acted towards the Jews as well as how Gentiles observed their own religion.²⁹ Furthermore, the identity of Israel was explored and constructed in opposition to the Gentile since these ancient times.³⁰ It is natural therefore, for there to be clear views on behalf of the Conservative and Modern Orthodox denominations on the halacha of encountering the other. Rabbi Jeremy Kalmanofsky writes as follows:

“To examine the Halacha as it applies to interfaith relations, we must examine both the rules of the system, as well as the ideological schemes that organize those rules. To stick to the rules alone would be superficial and not help us respond coherently to our neighbors. Contemporary Conservative Jews must seek a dialectical balance with the adherents of other religions, becoming partners with them to work for the common [good], while also striving to maintain the boundaries that define our Jewish identity. For Jewish communities to thrive with religious and social integrity in a multicultural world, our borders must be firm, yet not brittle. We must affirm that certain cardinal practices and beliefs constitute the foundation upon which Jewish identity rests. We must also avoid reflexive defensiveness that views every outsider as a threat.”³¹

²⁹ One of the most comprehensive analyses of this transition is Katz, Jacob. *Exclusiveness and Tolerance: Jewish-Gentile Relations in Medieval and Modern Times*. New York 1961. The leader of this academic field is Rabbi David Novak of the University of Toronto who subsequently developed upon this scholarship in various works, some of which will be referenced below.

³⁰ Christine Hayes, “The ‘Other’ in Rabbinic Literature,” *The Cambridge Companion to the Talmud and Rabbinic Literature* ed. Charlotte Elisheva Fonrobert Cambridge, 2007. pp. 243-269.

³¹ Kalmanofsky, Jeremy. “Interfaith Relations”, in: *The Observant Life*. Eds. Martin Cove. & Michael Katz. New York 2012. p. 743.

We can see clear indications of Conservative Halachic methodology in what Rabbi Kalmanofsky is saying. Instead of accepting precedent as the determining factor for how we are to understand the halacha as it applies to interfaith relations, we are instructed to examine both the rules of the system and the ideology behind those rules. These meta-halachic determinations are characteristic of the ethical imperative which has a much more prominent place in Conservative halachic decision making than it does among the Modern Orthodox. The “rules” hold back our ability to respond appropriately to the adherents of other religions in our time. Rabbi Kalmanofsky incorporates aspects of both Heschel and Soloveitchik’s perspectives on relating to interreligious encounter:

Contemporary Conservative Jews must seek a dialectical balance with the adherents of other religions, becoming partners with them to work for the common [good], while also striving to maintain the boundaries that define our Jewish identity. For Jewish communities to thrive with religious and social integrity in a multicultural world, our borders must be firm, yet not brittle. We must affirm that certain cardinal practices and beliefs constitute the foundation upon which Jewish identity rests. We must also avoid reflexive defensiveness that views every outsider as a threat.³²

One of the greatest Rabbis and Jewish philosophical minds of all time was Maimonides who lived from 1135-1204. His Magnum Opus is the Mishneh Torah. In the book *On Kings and their Wars* 11:10-12, intended as a guide for the monarchy when it will be reestablished in the Land of Israel, Maimonides said,

“...[T]he intent of the Creator of the world is not within the power of humans to comprehend, for His ways are not our ways, nor are His thoughts our thoughts. All the words of Yeshua of Nazareth and of this Ishmaelite (i.e. Mohammad) who rose after him are only to make straight the path for the Messianic king and to prepare the whole world to serve the Eternal together. As it is said, ‘For then I will change the speech of the peoples to a pure speech so that all of them shall call on the Name of the Eternal and serve Him with one accord.’ (Zeph. 3:9). Thus the messianic hope, the Torah, and the commandments have become familiar topics – topics of conversations (among the inhabitants) of the far isles and many peoples...”

It should be made clear that there are many problematic parts to Maimonides’ view of Christianity in particular and how Gentiles should be treated once the Jews regain control of the Holy Land. This being said, he was humble enough to say that the Eternal has His reasons for

³² Kalmanofsky, Ibid. p. 744.

bringing Christianity and Islam into the world and that it is not within the power of our thoughts to understand how they will function in the overall redemption of humankind.

Rabbi Abraham Joshua Heschel (1907-1972), comments on Maimonides' verse above and says that:

"Christianity and Islam, far from being accidents of history or purely human phenomena, are regarded as part of the Eternal's design for the redemption of all men... In addition to the role of these religions in the plan of redemption, their achievements within history are explicitly affirmed: Through them 'the messianic hope, the Torah, and the commandments have become familiar topics among the inhabitants of the far isles and many peoples.'"³³

Heschel is a figure whose life exemplifies what it means to be led by the ethical imperative of creating peace. His iconic photograph with Martin Luther King Jr. as he participated in the Selma march has enshrined him in the history of the civil rights and antiwar movement.

"Having escaped Nazism, Heschel was acutely aware of the responsibilities of citizens in a democracy. 'In regard to the cruelties committed in the name of a free society,' he wrote, 'some are guilty, all are responsible.' In announcing his opposition to the Vietnam War, he cited Leviticus: 'Thou shalt not stand idly by the blood of thy neighbor.' Opposition to the war, he declared, was a religious obligation, 'a supreme commandment.'"³⁴

The themes of empathy, responsibility and justice are tools in the art of crafting peace. Heschel exemplified each one of these in his life's work. He was able to empathize with the struggle of the African American through the lens of the Biblical story of the Exodus:

"At the first conference on religion and race, the main participants were Pharaoh and Moses. Moses's words were, 'Thus says the Lord, the God of Israel, let My people go that they may celebrate a feast to me.' While Pharaoh retorted: 'Who is the Lord, that I should heed this voice and let Israel go? I do not know the Lord, and moreover I will not let Israel go.' The outcome of that summit meeting has not come to an end. Pharaoh is not ready to capitulate. The exodus began, but is far from having been completed. In fact, it was easier for the children of Israel to cross the Red Sea than for a Negro to cross certain university campuses."³⁵

This loss was also met with the establishment of the State of Israel. The right to an independent statehood of the Jewish people mandated a responsibility to establish relations with Christianity and Islam. The reasons for this are multifold in their internal and external nature.

³³ Heschel, A.J. "No Religion is an Island," in: *No Religion is an Island: Abraham Joshua Heschel and Interreligious Dialogue*. Ed. Harold Kasimow & Byron L. Sherwin. Maryknoll 1991. p. 21.

³⁴ Dreier, Peter. "Selma's Missing Rabbi." *The Huffington Post*. 21 Mar. 2015. Web. 30 Sept. 2015.
<http://www.huffingtonpost.com/peter-dreier/selmas-missing-rabbi_b_6491368.html>.

³⁵ Ibid.

After the establishment of the State of Israel, there was a reality of a sizable Muslim and Christian minority whose rights to citizenship were enshrined in the democratic character of the Israeli declaration of independence.³⁶ Finding a balance between democratic values and a halachic imperative to engage in interreligious dialogue will be a challenge for the State of Israel in the 21st century who, 70 years after its foundation, is still trying to determine how Judaism and Democracy can coexist. Perhaps starting with the question of how Judaism and other religions can coexist will be helpful for the process.

Conclusion

This article has addressed the relationship between the Modern Orthodox and Conservative movement to Halacha and then explored how each movement respectively relates to interreligious dialogue through two of their greatest religious leaders. Changing how Judaism relates to the “other” within its midst is a vitally important endeavor and can function to either create an extremist or modernized version of religious expression. If the humanity of Heschel’s prophetic imperative for compassion can shine through, Israel has hope to create an equal society where all inhabitants feel part of the Zionist project. The alternative is one which will create an anachronistic ghetto instead of the light to the nations that Israel is called to become. Whereas Soloveitchik’s approach to interreligious dialogue will remind the Jews of their individual identity and to remain ever cautious in their encounter with the other, Heschel’s approach can provide the enthusiasm to know and approach the theology of the other among us.

³⁶ “THE STATE OF ISRAEL... will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions. WE APPEAL... to the Arab inhabitants of the State of Israel to preserve peace and participate in the upbuilding of the State on the basis of full and equal citizenship and due representation in all its provisional and permanent institutions.” Official translation of the Declaration of Independence by the Ministry of Foreign Affairs. Accessed March 19th, 2015.
<<http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/declaration%20of%20establishment%20of%20state%20of%20israel.aspx>>

Bibliography

1. Babylonian Talmud, Tractate Kiddushin 38b.
2. Dreier, Peter. "Selma's Missing Rabbi." *The Huffington Post*. 21 Mar. 2015. Web. 30 Sept. 2015. <http://www.huffingtonpost.com/peter-dreier/selmas-missing-rabbi_b_6491368.html>.
3. Golinkin, D. *Halacha in our Days*. Jerusalem 2005. [Hebrew]
4. Hayes, C. "The 'Other' in Rabbinic Literature," *The Cambridge Companion to the Talmud and Rabbinic Literature* ed. Charlotte Elisheva Fonrobert Cambridge, 2007. pp. 243-269.
5. Heschel, A.J. ed. Dresner, S. H., *Heschel, Hasidism and Halacha*. Fordham University Press. 2001.
6. Heschel, A.J. "No Religion is an Island," in: *No Religion is an Island: Abraham Joshua Heschel and Interreligious Dialogue*. Ed. Harold Kasimow & Byron L. Sherwin. Maryknoll 1991.
7. Hildeschwimer, M. "The Attitude of the Hatam Sofer Towards Moses Mendelssohn," *Proceedings of the American Academy for Jewish Research*. 60:141. 1994.
8. Hirsch, Samson Raphael. "Religion Allied to Progress", in: *Collected Writings of Rabbi Samson Raphael Hirsch*, ed. Philip Feldheim. Feldheim Publishers. Nanuet 1996.
9. Jacobs, Joseph. "Halachah," in: *Jewish Encyclopedia*. Online. Accessed: 1 Sept., 2016. <<http://jewishencyclopedia.com/articles/7077-halakah>>.
10. Janssen, P.E. *Adventures in Dialogue: The Jerusalem Rainbow Group: Impressions of 45 Years of Jewish-Christian Dialogue*. Lee Achim Sefarim, Jerusalem 2013.
11. Kalmanofsky, Jeremy. "Interfaith Relations", in: *The Observant Life*. Eds. Martin Cove. & Michael Katz. New York 2012.
12. Katz, Jacob. *Exclusiveness and Tolerance: Jewish-Gentile Relations in Medieval and Modern Times*. New York 1961.
13. Kimelman, Reuven. "Rabbis Joseph B. Soloveitchik and Abraham Joshua Heschel on Jewish-Christian Relations," in: *Modern Judaism*. Vol. 24, No. 3. Oxford University Press 2004.
14. Korn, E. "The Man of Faith and Religious Dialogue: Revisiting 'Confrontation'", in: *Modern Judaism*, Oct. 2005.
15. Merkle, J.C. *Approaching God: The Way of A.J. Heschel*. Collegeville 2009.
16. Siegel, Seymore. "The Meaning of Jewish Law in Conservative Judaism: An Overview and Summary," in: *Conservative Judaism and Jewish Law*. Vol. 1. Ktav Publishing Inc. 1993.
17. Soloveitchik, J.B. *Halachic Man*. New York 1983.
18. Soloveitchik, Hayim. "Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy," in: *Tradition*. Vol. 28, No. 4 (Summer 1994).
19. Waxman, M. *Tradition and Change: The Development of Conservative Judaism*. Burning Bush Press 1958.
20. Weiss, Avraham. "Open Orthodoxy! A Modern Orthodox Rabbi's Creed," in: *Judaism*. Fall 1997; 46, 4; PA Research II Periodicals.