

The author of this essay is the editor of TRADITION.

COOPERATION WITH NON-ORTHODOX JEWS

Few issues have split the Orthodox community as much as cooperation with non-Orthodox Jews. The battle lines do not necessarily follow those dividing the traditionalist and the modernist camps. All-out opposition to any kind of formal linkage with non-Orthodox religious bodies is by no means confined to circles which look askance at any incursions of modernity into the traditional value system.

Contrary to prevailing misimpressions, substantial segments of Centrist Orthodoxy, for all their receptivity and openness to modern cultural values, frown upon cooperation with "deviationist" religious movements. This should hardly be surprising. After all, Samson Raphael Hirsch, who pioneered the *Torah im Derech Eretz* ideology in order to enable the Orthodox Jewish community to emerge from the ghetto and enter the mainstream of civilization, was, nonetheless, by far the most ardent and articulate spokesman of "Secessionist" Orthodoxy. For all his "progressive" propensities and his enthusiasm for modern culture, science and technology, he was no less committed to a policy of total segregation from the non-Orthodox community than the arch-conservative, Rabbi Moshe Sofer (the Hatam Sofer) who would not brook even the slightest deviation from the traditional life-style.

To be sure, cooperation with non-Orthodox religious groups is merely part of a much larger problem that in one form or another has confronted the Orthodox Jewish community ever since the Enlightenment and the Emancipation ushered in an era of mass defections from halakhic observance, creating a situation where strict adherence to Halakhah became the exception rather than the rule within the Jewish community. It was in reaction to these unprecedented upheavals that Rabbi Yaakov Ettlinger, a teacher of Samson Raphael Hirsch, declared in a historic responsum that the Talmudic rulings according to which public desecrators of the Sabbath forfeit their Jewish status were no

longer applicable to conditions prevailing in the modern era.¹ At a time when many Jews who profess loyalty to the ideals of the Sabbath, as evidenced by their recital of the *Kiddush*, are guilty of the most serious infractions of the prohibitions against work on the Sabbath, it hardly makes sense to construe their conduct as disavowal of the belief in God as the Creator or as a deliberate act of disassociation from the Jewish community.

Other Halakhic authorities went beyond this. They granted permission to non-observant Jews to help form the quorum necessary for a *minyan* and to function in the capacity of *Sheliah Tsibbur*, leading the Congregation in public worship.² In the trenchant formulation of Rav Kuk,³ non-observance of Halakhah in the modern era reflects not an act of separation from the Jewish community but rather uncritical conformity to the life-style prevalent in an age of assimilation.

Equally significant was the growing reliance upon a ruling of the Maharam miLublin,⁴ who contended that, unless an individual has spurned properly administered rebuke, he must not be treated as a *rasha* (the wicked whom one is allowed to hate). Since nowadays it is generally taken for granted that we “are no longer qualified to properly rebuke sinners,” individuals, no matter how serious their breaches of halakhic norms, must be given the benefit of doubt and are entitled to the presumption that they had violated Halakhah only because they were not aware of the full consequences of their conduct.⁵

While, according to some views, the obligation “to rebuke one’s fellow man” applies only when our fellow man qualifies as religiously observant,⁶ the more liberal opinion contends that efforts to correct the conduct of our fellow Jews are mandated even when they, as a matter of principle, refuse to accept the authority of Halakhah.⁷ Hazon Ish⁸ extends this tolerant approach even to confirmed agnostics or atheists on the ground that various Talmudic dicta governing the treatment of heretics are not relevant to contemporary conditions. Laws geared to the requirements of an age of faith cannot be automatically applied to an era of rampant scepticism, agnosticism and atheism, where even observant Jews cannot completely extricate themselves from the secular thrust of modernity.

In view of the enormous divergence of halakhic opinions concerning relationships with non-observant individuals, it should not be surprising that there have been so many sharp disagreements within the Orthodox community on the proper approach to non-Orthodox Jewry. The followers of Hatam Sofer and of Samson Raphael Hirsch invoked the Talmudic injunctions against “association with the wicked” in support of their advocacy of total withdrawal from any Jewish communal organization which fails to commit itself unequivocally to adherence to halakhic norms. Those who rejected total segregation

relied upon Seligman Ber Bamberger's opinion that as long as a united Jewish community adequately provides for the needs of the Orthodox elements, there is no need for a total break—though communal funds are also used for the support of Reform institutions.

To be sure, we detect even with the Secessionist camp considerable disagreement on the extent to which association with non-Orthodox elements is prohibited. Samson Raphael Hirsch frowned upon any association with non-Orthodox elements—be it even in the pursuit of purely philanthropic or charitable activities. On the other hand, Rabbi Azriel Hildesheimer, the founder of the Secessionist Orthodox community of Berlin, while siding with Hirsch in his controversy with Bamberger, nevertheless participated in activities of B'nai Brith and various other social organizations comprised largely of non-Orthodox Jews. It should also be noted that Hildesheimer did not break relations with his disciple Marcus Horowitz, even when the latter disregarded the advice of his teacher and assumed the position of Rabbi of the non-Secessionist Orthodox community of Frankfurt, which was established over the protests of Rabbi Hirsch.

It is highly revealing that the Orthodox communities of Poland, Russia and the Baltic countries were so averse to the approaches of German and Hungarian Orthodoxy that even the establishment of secular schools maintained by the general Jewish community did not precipitate agitation for secession.⁹ Apparently the bulk of the Eastern European Jewish community harbored no illusions that membership in the Jewish community could be equated with affiliation with a religious denomination. They recognized that Jewishness was not simply a matter of professing a particular creed, but contained irreducible national and ethnic components. The conflicting perceptions of the nature of Jewish identity are illustrated by a conversation related by Rabbi Joseph B. Soloveitchik in his *Hamesh Derashot*.¹⁰ When a well known German Rabbi said to the Rav, "What do I have in common with non-religious Polish Jews?" the Rav pointedly replied: "Hitler!"

Judaism is not merely a community of faith, but one of fate. One cannot do justice to the nature of Jewish identity without taking into account the two-dimensional covenantal character of Judaism which includes the Covenant of Abraham as well as the Covenant of Sinai. Whereas the latter involves a theological commitment to Torah, the former is formed by the awareness of a common fate and destiny. It is the Covenant of Abraham which engenders a sense of solidarity and kinship with all Jews. No matter how far an individual may have strayed from the fold, he is still regarded as a Jew.¹¹

An interesting paradigm of this approach is provided by an incident involving Hayyim of Brisk. As the Rav reports it, his grandfather

once appealed before *Kol Nidrei* to the Jewish community to desecrate Yom Kippur and bring to the synagogue the money needed to save an atheist—a member of the Bund—from execution by the Russian authorities.

Although Russian, Polish and Lithuanian Jewry eschewed Secessionism, the emergence of the Hovevei Zion and subsequently of the Zionist movement made it necessary to come to grips with the problem of cooperation with the non-Orthodox. Was it permissible to participate with avowedly secular Jews even for the fulfillment of a *mitsvah* such as *yishuv Eretz Yisrael*? Would not affiliation with the Zionist movement represent not merely a breach of the prohibition against “association with the wicked,” but also the legitimation of an ideology which conflicts with the basic tenets of Halakhic Judaism, since a secular definition of Jewish nationalism was incompatible with the belief in the Covenantal character of Jewish peoplehood?¹²

There were, of course, also other reasons why Zionism evoked opposition in the Orthodox community. Some circles were totally committed to a quietistic, pietistic ideology which frowned upon any attempt to bring out radical change in the socio-political conditions of the Jewish people. They looked upon any effort to ease the plight of the Jewish people through the establishment of a national homeland as a violation of the religious injunction against “forcing the end.” In this view, it is improper for Jews to take matters into their own hands. Instead, they are supposed to await passively the unfolding of a totally supernatural process of Redemption that could be hastened only through prayer, repentance, and the performance of *mitsvot*. It should be borne in mind that certain segments of the Orthodox communities were so much under the spell of quietism, that they even frowned upon intervention with governmental authorities for the purpose of securing political rights for Jews in the Diaspora. The leadership of the Orthodox community of Hungary was so ultra-conservative that it opposed all efforts aiming to improve the socio-political status of Hungarian Jewry by political means!

The bulk of the Orthodox community did not share this attitude and welcomed efforts intended to ease the plight of the Jewish community. They nonetheless refused to align themselves with Zionism, lest they transgress the injunction against “association with the wicked.”

Mizrachi circles, however, disagreed and contended that it was perfectly legitimate to join secular elements in the pursuit of what were in effect religiously desirable objectives such as the settlement of Eretz Yisrael. Rav Kuk went even further. Refusing to dismiss secular Zionism as totally devoid of religious significance, he regarded it as phase of an incipient process of *teshuva*. Insofar as he was concerned, for all its shortcomings, the inadequate and defective formulation of

secular Zionism constituted an important advance over the assimilationist ideologies which were designed to strip Judaism of its nationalistic elements and reduce it to a mere religious denomination. We need but recall the *Judenrein* name adopted by one of the most prominent German Jewish organizations—the Central Association of Germans of the *Mosaic* Faith (my italics)!—in order to realize the extent to which large segments of Jews desperately struggled to remove the last vestiges of Jewish ethnic self-identification and to define themselves purely in terms of a religious creed.

Since for over a century the Orthodox camp has been split on the issue of cooperation with the non-Orthodox, it is hardly surprising that in recent years the upsurge of fundamentalism throughout the world has exacerbated the conflicts within the American setting, especially in the wake of the influx of Orthodox elements from countries where refusal to cooperate with non-Orthodox elements has been regarded as the acid test of true loyalty to Judaism.¹³

Failure to perceive the radical difference between the socio-religious climate of the United States and that of pre-War Europe has resulted in the sad state of affairs where the issue has become so emotionally charged that it has ceased to be a subject of rational debate and, regrettably, slogans and epitaphs have replaced intelligent discourse and argument. Proponents of “separatism” are maligned for their alleged lack of concern and love for their fellow Jews, while advocates of cooperation are denounced for legitimizing deviations from Halakhah.

A more rational analysis would show that, since, as a matter of fact, the entire intramural dispute is conducted within parameters agreed upon by all Orthodox groups, the various charges and counter-charges are totally unwarranted. On the one hand, no one challenges the irrevocability of Jewish identity. By now, Rashi’s ruling, that even an outright heretic retains his Jewish status, is universally accepted. On the other hand, all segments of Orthodoxy refuse to legitimize “deviationist” (i.e., non-Halakhic) approaches to Judaism. There is complete unanimity that all Jews are subject to the commanding authority of the Halakhah. Hence, what divides the Orthodox camp are not so much matters of principle or ideology but conflicting perceptions of the requirements of the contemporary situation.

Those opposing participation in umbrella groups containing non-Orthodox religious representation contend that joint activity is bound to be misconstrued as tacit recognition of the validity of non-Orthodox approaches to Judaism (a concern, which, it must be admitted, ought to weigh especially heavily upon us at a time when “religious pluralism” is so much in vogue).

There are various degrees of stringency with which this policy of

separatism is pursued. Agudath Israel goes so far as to refuse to join even coordinating groups such as the President's Conference of Major Jewish Organizations, in spite of the fact that it limits itself to representing the Jewish community on matters involving the State of Israel or relating to the protection of Jewish interests in the international arena. Others are prepared to cooperate with secular but not with religious bodies. It is for this reason that the famous *issur* issued by a number of leading Roshei Yeshiva was addressed only to membership in inter-denominational Boards of Rabbis or in the Synagogue Council of America, but did not include other groups where non-Orthodox rabbinic bodies or congregational groups were represented alongside with Jewish secular organizations.

One may, of course, wonder why the Armed Services Commission of the Jewish Welfare Board or various other agencies which assign both Orthodox and non-Orthodox rabbis as chaplains to various institutions should not also come within the scope of the *issur*. In all probability it is because of their symbolic significance that the Synagogue Council of America and the various Boards of Rabbis have become the favorite targets.

As against this position, the advocates of continued membership in these umbrella organizations claim that cooperation on matters of common concern has nothing to do with legitimation of the non-Halakhic ideologies. In a pluralistic society, we must build coalitions with all kinds of groups espousing all types of belief in order to attain various objectives of common interest. Against the background of the "open society" which has exacted such a heavy toll in terms of loyalty and attachment to the Jewish people, the overriding concern of the Orthodox community should be the large segments of Jews who are on the verge of losing the last vestiges of Jewish self-identification. Under such emergency conditions, highest priority must be accorded to the preservation of the Jewish community and to an all-out effort to mobilize its combined resources in the battle against total assimilation. Moreover, since the economic and political support of American Jewry is so vital to the State of Israel, any split in the Jewish community is detrimental to the interest of Israel.

It can also be demonstrated that in eschewing isolation, Orthodoxy has not only made important contributions to the total Jewish community but has advanced its own interests. There can be little doubt that in recent years, Orthodoxy, far in excess of its proportionate numerical strength, has been able to exert considerable influence upon the policies of the Jewish community. That some of the most prestigious Jewish organizations, in marked contrast to the past, have now relatively large numbers of Orthodox professionals on their staffs, is evidence of the merits of the non-exclusive approach.

In the light of these developments it can be plausibly argued—and this still seems to be the dominant view within circles close to the Rabbinical Council of America and the Union of Orthodox Jewish Congregations of America—that it would be counter-productive for Orthodoxy to retreat into a self-enclosed ghetto and to forego the numerous opportunities of bringing to bear an Orthodox perspective upon the formation of policies for the Jewish community. It must be realized that contemporary conditions are completely different from what they were when Samson Raphael Hirsch found it necessary to establish “Secessionist Orthodoxy.” Then Reform saw in Orthodoxy its arch-enemy—a benighted relic of the past which blocked the road to progress. But nowadays, Orthodoxy’s vitality and dynamism command respect throughout the Jewish world. Strategies suitable for times when Orthodoxy was the target of derision are not necessarily appropriate for our generation when the basic problem confronting all of Jewry is how to maintain a viable community amidst the blandishments of the secular “open society.” With the resurgence of Orthodoxy on the American scene, there is no longer any need for the “state of siege” mentality which was appropriate in the era when Orthodoxy was widely perceived as a moribund sect doomed to extinction.

Orthodoxy’s renewed buoyancy and vigor warrant self-confidence and optimism, but not a spirit of triumphalism. The mass defections from Conservative and Reform Judaism should fill us with sadness. We must realize that the bulk of those who abandon Reform or Conservative Judaism do not become *baalei teshuvah*, but end up without any ties to the Jewish community at all. We, therefore, should cooperate with Jews of all persuasions in a massive effort to resist the tidal wave of assimilation. After all, it is much easier to win back to Halakhic observance Jews who retain awareness of the religious significance of Jewish self-identification than those to whom Judaism has become totally irrelevant. The risk that participation in inter-denominational groups may be misconstrued as legitimation of non-Halakhic Judaism is negligible when compared with the dire consequences of a move that would entail the loss of many opportunities to expose American Jewry to Torah perspectives.

Above all, Orthodoxy must rise above the current trends of polarization which have manifested themselves in such deep cleavages within our own camp (especially in Israel, e.g., the tension between *Datiim* and *Haredim*). It certainly is the height of absurdity to permit well-intentioned disagreements over matters of policy to cause such deep rifts as to preclude any form of intramural Orthodox cooperation. After all, all the branches of Orthodoxy share wholehearted commitment to the absolute sovereignty of Halakhah. Why should

not the Right Wing be able to follow the example of one of the foremost leaders of German "Secessionist Orthodoxy," Rabbi Azriel Hildesheimer, who continued to cooperate with his disciple, in spite of the fact that the latter disregarded the objections of his mentor and became the Rabbi of the non-Secessionist Orthodox community of Frankfurt? Why cannot the Right Wing accept at face value the unequivocal declaration of the Centrist elements who publically insist that their participation in the Synagogue Council in no way constitutes legitimation of non-Halakhic approaches?

By the same token why should not Centrist Orthodox groups recognize that Right Wing ideologies in no way reflect lack of concern or love for Kelal Yisrael? Centrist and Right Wing elements have every right to disagree and to question the soundness of the judgment of their opponents, but no one has the right to question the sincerity of motives. Neither side of the argument enjoys a monopoly on integrity, piety and for that matter on love for all of our Jews and commitment to Kelal Yisrael.

NOTES

1. Rabbi Yaacov Ettlinger, *She'elot u-Teshuvot Binyan Zion, Yoreh De'ah*, No. 23.
2. See David Zvi Hoffman, *Melamed Leho'il*, Vol. 1, pp. 28–29. See also R. Moshe Feinstein, *Iggerot Moshe, Orach Hayyim* 23.
3. See Tzvi Yaron, *Mishnato shel haRav Kuk* pp. 340–341.
4. *She'elot u-Teshuvot Maharam miLublin*, 13. See also Hafets Hayyim, *Ahavat Hesed*, 17. See also Joseph D. Epstein, *Mitsvat haShalom*, pp. 330–335.
5. For an extensive discussion of the subject see Joseph David Epstein, *op. cit.*, pp. 309–310.
6. *She'elot u-Teshuvot Maharam Schick, Orach Hayyim*, no. 303.
7. Joseph David Epstein, *ibid.*
8. *Hazon Ish, Yoreh De'ah* 2, 16, and 21. It should be noted, however, that Hafets Hayyim dissented from this opinion. For a critique of the latter's position, see Tzvi Yehudah Kuk, *HaTorah haGo'elet*, vol. 2, pp. 296–300.
9. See Rabbi Zvi Yehuda Berlin, *She'elot u-Teshuvot Meshiv Davar*, 44.
10. Rabbi Joseph B. Soloveitchik, *Hamesh Derashot*, p. 94.
11. *Sanhedrin* 44a.
12. For an extremely useful historic survey, see Charles S. Liebman and Eliezer Dan Yehiya, *Religion and Politics in Israel*, pp. 57–78.
13. See Abraham Weinfeld, *Sefer She'elot u-Teshuvot Lev Avraham*, p. 142. Those who disagree with his view are branded *ra-banim* instead of *rabbanim*.