

Discussion

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The Rav on Religion and Public Life: A Rejoinder

The value of religion, the essence of which is the apocalyptic-transcendent meeting with the Infinite, is not measured on the scale of political ideas that are intertwined with the finite activities of man. Religious faith is enwrapped in its distinctiveness and absolute uniqueness.¹

The most recent volume of *The Torah u-Madda Journal* included an article by R. Meir Soloveichik addressing the ideal role of religion in American public life.² Based on a reading of R. Joseph B. Soloveitchik's essay "Confrontation," and the related policy statement penned by the Rav, "On Interfaith Relationships," R. Meir argues that the Rav viewed religion as critical for the maintenance of basic ethical standards in America's public square.³ America's long history of religious integration with public life, as well as the deplorable moral positions advocated by secularists, should encourage Jews to support cultural forces and even legislation that will increase the role of God-talk in American ethical debate. (To prevent confusion, I will refer to R. Meir Soloveichik as "R. Meir" and to R. Joseph B. Soloveitchik as "the Rav.")

I have more than a little sympathy for the position that religion can and should play a role in national public life, whether in the United States or elsewhere. At the very least, it is both unrealistic and unethical

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to insist that devout people check their religious commitment at the door of public debate.⁴ Furthermore, religion has what to contribute to the maintenance of civil society, creating social capital that attaches people to the collective. Still, I found myself unconvinced by R. Meir's claims. In the first place, arguments from history require more detail and subtlety than R. Meir provides. Secondly, he does not define precisely what role he desires religion to play in public, leaving too many questions unanswered. Finally, his presentation of the Rav's position on these issues does not do justice to the complexity of the Rav's view(s) of the relationship between religion and culture.

Arguments from History

To begin with, a handful of quotations from the Founding Fathers amounts to meager evidence that a particular position is "the way that America has historically seen itself" (63). While religion has always played some role or another in American public life, histories of American religion indicate that the contours of that role have been changed and adapted, debated and modified, in each and every generation.⁵ Separation of church and state has been expanded over the centuries; the role of non-Protestant religions has changed as America has become more pluralistic; the tension between private voluntary religion and national civil religion has never been solved. There simply is no single way that America has historically seen itself.

Hence, one can find support in American history for any number of models of religion, and R. Meir does not provide enough historical information to determine why his particular vision is any more historically compelling than other ones. If one merely wants to construct a usable past, then one can pick and choose sources that support a contemporary vision, interpreting the past in light of the present. But if one genuinely wants to ask the question, "How has America historically seen itself?" then one must also give weight to different voices, to changes over time, and to the differences between past and present that make simple borrowing from the past so difficult. For example, hegemonic American culture has, for centuries, seen the nation not as abstractly religious, but as specifically and particularistically *Protestant*, often to the exclusion of Jews, Catholics, Native Americans, and others.⁶ Such voices are being heard loud and clear today from circles of the evangelical right, and they have no shortage of historical backing for their own position. From a historical perspective these visions deserve no less

weight than the passages R. Meir does quote, even if such a presentation would create a less usable past for Jewish Americans. Indeed, R. Meir's vision of Judaism as a partner with Christianity in defining American ethics would have been largely incoherent before Judaism became accepted in the 1950s as one of America's three mainstream religions.⁷ R. Meir's choice to cite evidence from only a short period of American history makes his claims about how American religion has functioned in the past weak.

Furthermore, R. Meir's claim that his vision of public religion is more "authentically American" (80) than that of his opponents, also raises problems. When looking at a long, complex, and inconsistent history, claims of authenticity are notoriously slippery and always impossible to prove. One highlights the aspects of history that one likes and labels them authentic. But someone with a different agenda could highlight other aspects of history and label them authentic. A nonreligious civil-libertarian could easily highlight other trends from the past and argue that preventing religion from restricting individual freedom is what is really "authentically American." Who is to determine which of the diverse strands in American religious history are authentic, and which are less so? And, since no is implies an ought, one always has to ask whether the patterns that one identifies in the past are still worth imitating today. Indefinable claims of authenticity only cloud matters that are better being discussed at the level of what makes for good policy.

What Role for Religion?

Rather than provide a nuanced discussion of the different ways that religion has influenced American public life in the past, R. Meir polemicalizes against the position that religion should have no public role. This leaves us with a rather thin either/or: either we have a biblically grounded public ethics, or we sink into the morass of atheistic immorality. But much water has passed under the bridge since Enlightenment thinkers debated whether atheists could make good citizens and since Peter Berger told us that the privatization of religion, the banishment of religion from the public square, was an inevitable byproduct of modernization.⁸ As the 2008 election campaign in the United States reveals, even the fiercest opponents of public religion no longer imagine that religion will disappear from the American public space any time in the foreseeable future. As an hour of CNN (or, perhaps more to the point, Fox News) makes clear, the inexorable link between religion and public life

in many places throughout the world is only growing stronger.⁹ By now, the question is not whether religion will have a role, but rather what that role will be, and what it ought to be.

R. Meir does not say much about these questions. Clearly, he thinks that an abstract “religion in general” should guide us in answering at least certain questions of public ethics. Beyond that, however, what role, exactly, does he propose for religion, and how does that differ from the roles that religion currently plays? What particular legislation or policy proposals does he have in mind (beyond restrictions on abortions, homosexual marriage, and euthanasia)? Are there constitutional questions that are raised by these suggestions, and how should they be answered? Under what circumstances should religious people lobby to impose their ethics on avowed atheists or on religious people who have different ethical commitments than R. Meir’s Judeo-Christians?¹⁰ How is democratic public debate to proceed when the parties to the discussion do not share theological assumptions, either because secular people and groups will remain part of public discourse or because religious people may bring more particularistic commitments with them into the public square? How should Jewish and Christian Americans relate to non-Christian religious minorities, such as America’s growing and increasingly important Muslim population, who may not share what R. Meir associates with the shared Judeo-Christian tradition? What can advocates of a religious public square do to minimize the damage when religion is inevitably drafted cynically for the advancement of some personal or party interest or when it is used to defend morally reprehensible positions? The list of such questions goes on and on. I am not suggesting that R. Meir should have answered all of these questions in a short programmatic essay, but the fact that he does not raise any of them makes it difficult to define what, exactly, he is proposing, and why readers ought to agree with him.¹¹

Toward a Richer Reading of “Confrontation” and “On Interfaith Dialogue”

The concerns I have raised thus far may be best hashed out by historians and political scientists. Since I do not rank among them, I prefer to focus most of my comments on R. Meir’s reading of the Rav. R. Meir glosses over the challenges that face any reader of “Confrontation” and “On Interfaith Relationships,” and his essay fails to contextualize those

writings within the Rav's other works. R. Meir is correct that, according to the Rav, there is a highly personal, private, and incommunicable aspect to the religious experience, one that could not have a public role. R. Meir is also correct that there are passages in the Rav's writings where he criticizes atheism and the dangers it might hold for civil society, and where he advocates religion as having a role in maintaining public ethics. But R. Meir does not adequately define the distinction between public and private in religion, and does not address the places where the Rav has other things to say about the relationship of religion to culture. There are significant ambiguities, tensions, and even contradictions in the Rav's writings on these issues. I do not believe that the Rav solves all of these questions or expresses a way to harmonize the contradictions.¹² As students and readers of the Rav, we are better off appreciating the complexity of his worldview, even if that leaves us with unanswered questions, rather than drafting him into the agenda of any particular contemporary political stance.

Let us begin with "Confrontation," in which the Rav distinguishes between universal areas of human ethical concern, where Orthodox Jews are to share the burden with gentiles, and the personal and private sphere of the faith experience, which is incommunicable and therefore requires Jews to forge their own independent path. R. Meir points out that the Rav's statement of policy for the Rabbinical Council of America, "On Interfaith Relationships," serves as a commentary on that distinction. "As men of God, our thoughts, feelings, perceptions and terminology bear the imprint of a religious world outlook. We define ideas in religious categories and we express our feelings in a peculiar language which quite often is incomprehensible to the secularist. . . . These categories and values, even though religious in nature and Biblical in origin represent the universal and public—not the individual and private—in religion."¹³ R. Meir therefore argues that, according to the Rav, ethical debate in the public space must proceed based on shared Judeo-Christian ethics, eschewing cooperation with the inevitable abuses of secular ethics, and that America should view itself as a nation grounded in biblical morality.

It should be noted, however, that R. Meir has read into this text more than is there explicitly. The Rav was asked about Jewish-Christian dialogue and cooperation, not about cooperation with secularists, and not about the role of religion in American public life. R. Meir expands "On Interfaith Cooperation" to mean that cooperation with secularists is not possible due to a lack of shared moral language, and that America ought to view itself as a religious nation. But the Rav could argue that Jews and

Christians might choose, for tactical reasons, not to speak of the religious grounds of their ethical commitments when cooperating with atheists on matters of civil rights, or that atheists and Judeo-Christians might agree to disagree about God while cooperating in feeding the poor. Furthermore, the Rav might argue that America is better off viewing itself as a pluralistic country—rather than as a distinctly religious one—out of conviction that such pluralism could protect Judaism and out of fear of the potential dangers of integrating religion into public life. While R. Meir's expansion of "On Interfaith Cooperation" is not implausible, it is certainly not necessary to take it quite as far as he does.¹⁴

Determining how far to expand the meaning of "On Interfaith Relationships" depends in large part on how exactly one interprets the distinction between public and private in "Confrontation." R. Meir correctly points out that other writers have not often mined the implications of "On Interfaith Relationships." Yet his own analysis overlooks important questions that readers have raised about "Confrontation," questions that bear directly on the position he is trying to stake out. For example, how can the Rav claim that the intricacies of the religious experience of a particular faith community are incommunicable to outsiders if he himself authored essays such as *The Lonely Man of Faith*, which give an almost completely universalistic account of the religious experience, and when the Rav derives so much of his own description of the nature of the human encounter with God from avowedly Protestant thinkers such as Søren Kierkegaard, Karl Barth, and Rudolph Otto? Given that question, how exactly should we define the distinction between the universal, public, moral aspects of life, on the one hand, and the personal, private, theological aspects on the other? The public square is to be religious, and public moral discourse is to be grounded in religious conceptions of being. Yet, religious conceptions of being are the very things that are described as incommunicable!¹⁵ While these questions are unavoidable for any reader of "Confrontation," they are particularly sharp for R. Meir's reading of the Rav, since he emphasizes the shared theological commitments that ground cooperation in the public sphere. Yet, isn't theological communication precisely what is impossible and inappropriate?!

R. Meir papers over these important questions by explaining that Jews and Christians "to some extent" share an image of God, and that their moral discourse is "to some extent" universal (66, 67, 68; emphasis his. The expression appears five times.) But "to some extent" only begs the question, "To what extent?" Without further clarification, that defin-

ition does little to explain how we are to distinguish one side of the line from the other.

Ignoring these questions leads R. Meir to draw clear lines when in fact lines are not clear. R. Meir focuses his discussion of shared Judeo-Christian morality on such hot-button issues as homosexual marriage, abortion, and euthanasia. The atheist, lacking a religious grounding for ethics, is led to spurious positions that threaten to undermine the moral ground of American public culture. Yet, why focus on these examples? Why not focus on other areas of moral discourse where Jews might share a stance with atheists and not with Christians, or where Jews might have a unique moral stance different from all groups? Given the Rav's ringing advocacy of technological world-conquest as a tool for alleviating suffering and dignifying man, might not he have joined secular researchers in supporting stem-cell research and rejecting the position of at least many Christians? Is not the Rav's central point in "Confrontation" that we can join groups in moral action on issues where we do see eye to eye, even if we cannot communicate with them on other issues?

Put somewhat differently, R. Meir chooses which issues to focus on and discovers vast differences between his description of atheists on the one hand, and his description of Jews and Christians on the other, differences that derive from different theologico-moral assumptions. But choosing these topics, borrowed from the rhetoric of American evangelical Christianity, is tendentious, and it is R. Meir's selective identification of topics, rather than the internal logic of the Rav's position, that leads him to the conclusions he advocates. These are not, after all, the topics that the Rav mentions in "On Interfaith Relationships" as being worthy of cooperation. Focusing on the topics which the Rav does list, such as "War and Peace, Poverty . . . [and] Civil Rights," might lead to different conclusions. Do a shared belief in God and a shared grounding in the Bible give Jews and Christians collective insight into the wisdom of the war in Iraq, insight to which a secular person is not privy?¹⁶ Is there any reason to shun cooperation with an atheist who might help clarify which policies will lead the war to the best possible moral outcome?

These kinds of questions are made even more challenging when we consider that there are no Jews and Christians in the abstract, but only particularly situated Jews and Christians with some very different theological and moral stances.¹⁷ Were we to focus on the question of feeding the hungry of the Third World, for example, we might discover the lines of separation running in different directions. A friend and former students of mine spent a few months building a library in an impoverished

African village. As an Orthodox Jew, he felt able to do so because the organization that supported these efforts was secular, and because he and the group shared at least some aspects of a notion of universal human dignity. It would have been a great deal more difficult for him to cooperate with an avowedly Christian group, particularly one that associated charity with missionary effort. R. Meir tells us that “We have reached a point where both religious and secularist ethicists speak of ‘human dignity’ but are not remotely referring to the same thing” (71). My example seems to indicate otherwise. A given Orthodox Jew and an atheist could come closer to a shared understanding of human dignity—all humans, by virtue of being human, are entitled to adequate food, water, shelter, and opportunities—than they would with a Christian who links those resources to salvation in Christ. Similarly, were we to focus on questions of racism, I certainly hope that the Orthodox community would find more common ground with the ACLU than with a Christian white-supremacist group, or even a more mainstream white church that finds subtle ways of making African Americans feel unwelcome. That is to say, when and with whom Orthodox Jews share universal and communicable moral commitments, when and with whom ethical language has shared meaning, seems not to divide neatly and consistently along the lines of Jew, Christian, and secular, but rather seems to be dependent on the nature of the question being addressed and the particular commitments of the gentile with whom we might consider cooperation.¹⁸

Indeed, there is a context in which the Rav did discuss cooperation with avowed atheists: namely, “Kol Dodi Dofek”’s analysis of the relationship between religious Zionists and the secular Zionist establishment.¹⁹ There the Rav makes a distinction between a “covenant of fate” and a “covenant of destiny” that parallels the distinction between the public-universal and the private-religious that is highlighted in “Confrontation.” The “covenant of fate” involves concern for national security and material welfare. These shared concerns provide ground for cooperation between religious and self-declared secular Jews.²⁰ The “covenant of destiny,” which involves a vision of a covenantal relationship with God, is shared only by religious Jews. Cooperation with self-declared secular Zionists is not possible at the level of destiny. The Rav was deeply critical of secular Zionist culture. But if it were true, as R. Meir claims, that it is not possible to build civil society based on cooperation between self-proclaimed atheists and religious people, one would expect a very different approach to cooperation with secular Zionism than the one the Rav actually adopts.

Contextualizing “Confrontation” Within the Rav’s Other Writings

The differences between “Kol Dodi Dofek” and “Confrontation” point to another weakness in R. Meir’s argument. His article addresses only “Confrontation” and “On Interfaith Relationships,” without mentioning other writings of the Rav that touch on the relationship between religion and culture. R. Meir might argue that we should privilege “On Interfaith Relations” since it is the passage in the Rav’s writings that explicitly addresses practical policy matters. The theological essays, whatever their implications might be, are less significant than policy statements. Even if R. Meir would claim that “On Interfaith Relationships” is the most important passage, it is certainly not the only passage. Readers deserve an account of how the Rav’s policy statement is similar to or different from the implications of his theological stance elsewhere, particularly because the Rav himself indicates in “Confrontation” that his policy is grounded in his theology.

Some of these other passages seem to support R. Meir’s reading, such as the passage in “U-vikkashtem mi-Sham” in which the Rav explains that “A secular ethical norm,” on its own, “is inadequate.”²¹ But “U-vikkashtem mi-Sham” is only one of the Rav’s essays, and one with relatively few positive things to say about secular attempts to make sense of and conquer the world. As I have tried to argue more extensively elsewhere, the Rav’s position on the relationship between religion and public life is extremely complex, and may not be entirely consistent.²² While the Rav only rarely used the language of political philosophy, much of his writing on the unique, autonomous, and private nature of the religious experience implies a separation between religion and public ethical or political discourse. The Rav is motivated to adopt this position in part by his insistence on the methodological autonomy of religion, an approach related to his phenomenological method of describing human religious subjectivity in a way that naturally tends to focus on the personal and indescribable. Furthermore, the Rav harbored a fear that religion might be corrupted by interaction with politics, a concern reflected in his fear that the Chief Rabbinate of Israel could easily be swept away by power politics, and would not be independent enough to voice the position of halakhic Judaism as it saw fit.²³ Yet, these trends in the Rav’s thought are countered, if not contradicted, by an awareness that traditional Judaism and halakhic law do not appear to recognize a clear distinction between private religion and public life, and that a society

without an appreciation of the covenantal relationship with God is doomed to significant ethical failings. “Confrontation” is only one of the places where the Rav reflects on this tension, and the challenges we have seen in interpreting “Confrontation” are paralleled by similar challenges in making sense of those other sources as well.

The Rav’s position in *The Halakhic Mind*, for example, would seem to point away from a link between religion and public life. The “epistemological pluralism” that the Rav advocates there insists that there are numerous methods for understanding the world. An individual comes at the world armed with an a priori method, a collection of tools with which to filter and understand what he or she perceives. Different methods are legitimate, provided that they are internally consistent, even if they are mutually exclusive. The natural sciences face the world armed with particular methodological tools, while the humanities might approach the same phenomenon with very different ones. An ethicist is dedicated to a particular method, while a student of aesthetics views things through different lenses. It is a category mistake to use the tools of one method within the discourse of another method, a mistake that leads to confusion and incoherence. Religion in general, and Halakhah in particular, adopt a unique and independent method for approaching the cosmos, one that is focused on identifying the religious subjectivity of the individual. This philosophy of religion is disconnected from the sciences, from aesthetics, and, most important for our context, from ethics as well. The Rav cites an example from the public sphere of the courtroom, arguing that if we explain the prohibition of perjury by saying that “it is contrary to the norm of truth,” then we make “religion the handmaiden of ethics,” and leave the autonomous methodology of religious philosophy.²⁴ If ethics and politics are categorically separate from religion, if explaining religion in ethical or political terms is a category mistake, if furthering ethical and political aims through religion is invalid, it is hard to figure out how religion could play any role in the betterment of public life. If this reading is correct, how does that square with the approach of “On Interfaith Relationships” which speaks of the ethical-moral function of religion in the public square?²⁵

Religion and Public Life in *The Lonely Man of Faith*

The essay by the Rav containing the most extensive reflections on the relationship between religion and public life is *The Lonely Man of Faith*. That essay, too, contains significant ambivalence, implying in some

places the separation of religion from public life, yet moving in alternative directions in other passages. Since the issues are not spelled out explicitly, and require a close reading of a number of passages, I would like to dwell at some length on *Lonely Man*, because that will indicate just how complex the Rav's position is, and how closely we must read his writings to understand his position(s).

As is well known, *Lonely Man* divides the human into two distinct typological personalities: Adam the first and Adam the second. Adam the first strives for majesty and dignity, which he achieves through technological, epistemological, and ethical control over the environment. Adam the second, in contrast, struggles with his individuality and loneliness, from which he finds at least partial relief in the intimate companionship of his covenantal relationship with Eve and with God. Adam the first finds a social outlet for his dignified task in the functional "majestic community," which forms because a group can be more effective in accomplishing pragmatic tasks than an individual. Adam the second, in contrast, finds his social outlet in the "covenantal faith community," in which pragmatic concerns are eschewed. Instead, shared commitments to each other and to God mitigate the sense of loneliness and existential inadequacy that plagues Adam the first. According to the Rav, each individual contains both Adams, moving back and forth constantly between the two typological states of mind. The loneliness inherent in this dialectical movement cannot be alleviated, given the tragic and paradoxical nature of the human condition.

The Rav states that "participat[ing] in state affairs," where pragmatic concerns of security, wealth, and collective needs are procured, is part of the majestic community of Adam the first.²⁶ In contrast, Adam the second represents a private and highly personal religious experience, one that by definition cannot emerge from its narrow concerns to the world of the pragmatic public space without concurrently abandoning Adam the second's mode of being and becoming Adam the first. Hence, to understand the relationship between religion and public life in *Lonely Man* we must understand the relationship of religion and God to Adam the first, as well as the relationship between Adam the first and Adam the second.

While Adam the first retains a relationship to religion and to God, the Rav makes it clear that this religion is voluntary. Adam the first's activities fulfill the divine command to "fill the earth and subdue it,"²⁷ but the Rav indicates that Adam the first need not be aware that he is fulfilling this command. The "atheist cosmonaut circling the earth" is also "replete with dignity."²⁸ The voluntary nature of Adam the first's

relationship with religion is reflected in language such as “majestic man, *even when* he belongs to the group of *homines religiosi*,”²⁹ implying that some majestic men do not have this experience. *Mizvot ein zerikhot kavvanah*, if you will, and therefore world conquest fulfills the divine command whether the perpetrator believes in God or not, whether it is done in the context of a religious tradition or not, whether the perpetrator retains any relationship to revelation or not. The divine command to behave as Adam the first transforms world conquest into religious activity at the axiological level, but not the sociological or psychological one.

The Rav also describes Adam the first’s relationship to the organized religious tradition, which occurs within what he refers to as the “religious community,” which he claims is part of the majestic and *not* the covenantal community. “The two communities [religious and covenantal faith] are as far apart as the two Adams. While the covenantal faith community is governed . . . by a desire for a redeemed existence, the religious community is dedicated to the attainment of dignity and success and is—along with the whole gamut of communities such as the political, the scientific, the artistic—a creation of Adam the first.”³⁰

The Rav makes it clear that the existence of the religious community, the emergence of religion into the public square, is *not* a solution to the moral malaise that plagues contemporary culture. The Rav mentions the religious community in the context of explaining why modern society, due to its refusal to acknowledge the legitimacy of Adam the second’s private faith, has become “diabolical” and “demonic,”³¹ even when it is religious. The religious community is ill suited to guarantee for the moral integrity of the majestic community because the religious community is no less concerned with advancing human dignity than any other aspect of the majestic community. In this passage—against the implications of “Confrontation”—it is the incommunicable and private experiences of Adam the second’s covenantal community, rather than cooperation at the universal communicable Adam the first level, that helps prevent the moral collapse of culture.

Furthermore, the Rav is ambivalent about the very legitimacy of the religious community. In one place he indicates that majestic man’s eudamonic approach to religion “is not completely wrong, if only . . . he would recognize also the non-pragmatic aspects of religion.”³² In another place, however, the Rav explains that, “The Biblical account of the original sin is the story of man of faith who realizes suddenly that faith can be utilized for an acquisition of majesty and glory and who, instead of fostering a covenantal community, prefers to organize a political util-

itarian community. . . . The history of organized religion is replete with instances of desecration of the covenant.³³ The suggestion that religion becomes illegitimate whenever it is drafted into human attempts to control the environment makes it almost impossible to elaborate on religion's function within the public life of Adam the first.

In *Lonely Man*, the Rav also reflects on the relationship between Adam the first and Adam the second, and here too there appears to be tension if not contradiction. In the main thrust of the essay, the Rav emphasizes the mutual incompatibility of the two figures. "Their methods are different, their modes of thinking, distinct, the categories in which they interpret themselves and their environment, incongruous."³⁴ Hence, the Rav argues that a great tragedy of human existence stems from the fact that the two figures can never be merged. The individual remains lonely due to a constant dialectical movement between the two modes of being.

Yet, the sharp differentiation of Adam the first from Adam the second makes it difficult to explain Halakhah. Revelation and prophecy, the sources of Halakhah, are covenantal experiences,³⁵ but halakhic law is integrated with the public, political, and communal life of the entire people. Perhaps this tension is what pushes the Rav, in a passage on the "teleology of Halakhah," to suggest a very different model of the relationship between the majestic and covenantal communities.

The Halakhah has a monistic approach to reality and has unreservedly rejected any kind of dualism. The Halakhah believes that there is only one world—not divisible into secular and hallowed sectors. . . . Accordingly, the task of covenantal man is to be engaged not in dialectical surging forward and retreating, but in uniting the two communities into one community where man is both the creating free agent, and the obedient servant of God.³⁶

Here, the Rav suggests merging the two Adams and their communities, thereby eliminating the distinction between Adam the first and Adam the second. However, unification of the two Adams seems to contradict the main body of the essay, where the oscillation between the two figures is an indispensable part of the universal human condition willed by God. I have not heard a compelling reading that harmonizes these two passages. It seems likely to me that this contradiction reflects the Rav's discomfort with the implications of his presentation of private religion as distinct from, and unrelated to, public society.

There is more to say about the relationship between public/secular and private/religious in the Rav's writings, and mine is certainly not the

only plausible reading of *Lonely Man* or of the Rav's other essays. My point is not to have the final word on how to read the intricacies of the Rav's position on such complicated questions as the social function of religion. At the end of the day, it seems to me that the Rav's approach to the social function of religion is anything but uncomplicated, and that R. Meir's attempt to pigeonhole the Rav into a particular neo-conservative stance does not do justice to the Rav's thought. It is far more instructive to grapple with the Rav's writings with full recognition of, and attention to, their many tensions and complexities, rather than draft him into the camp of a particular contemporary political position.

Notes

1. R. Joseph B. Soloveitchik, "Al Ahavat ha-Torah u-Geulat Nefesh ha-dor," *Besod ha-Yahid ve-ha-Yahad*, ed. Pinhas Peli (Jerusalem, 1976), 429.
2. Meir Soloveitchik, "A Nation Under God: Jews, Christians, and the American Public Square," *The Torah u-Madda Journal*, 14 (2006-07): 62-83. Page references to this article appear in parentheses.
3. Joseph B. Soloveitchik, "Confrontation," 6, 2 (1964): 5-29. "On Interfaith Relationships," reprinted in Rabbi Joseph B. Soloveitchik, *Community, Covenant and Commitment: Selected Letters and Communications*, ed. Nathaniel Helfgot (New York, 2005), 259-260.
4. Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America* (Grand Rapids, MI, 1984).
5. See, for example, Martin E. Marty, *Pilgrims in Their Own Land: 500 Years of Religion in America* (Boston, 1984), and in more detail, at least regarding more recent history, see his *Modern American Religion*, three volumes (Chicago and London, 1986-1996).
6. America's self-definition as a religious nation "did *not* mean that 'Judeo-Christian heritage' people invoke when they want to defend civil religion of Tocqueville's sort or try to shoehorn prayer back into schools. The dominant Christianity of America tolerated when it did not encourage anti-Semitism and anti-Catholicism. The 'Judeo' part of the mythical Judeo-Christian heritage was a Protestant reading of *its* 'Old Testament' as if that were the Jewish scripture. . . . Nineteenth-century Protestantism was not ecumenical. Those harking back to the 'good old days' of religion in public life forget just how exclusive that religion was." Garry Wills, *Under God: Religion and American Politics* (New York, 1990), 381-382. For more on the notion of a Protestant America, see Robert Handy, *A Christian America: Protestant Hopes and Historical Realities* (New York, 1971).
7. See Will Herberg, *Catholic-Protestant-Jew: An Essay in American Religious Sociology* (Garden City, NY, 1955).
8. See Peter Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York, 1967). Berger himself no longer thinks that that is the case. Also see Jose Casanova, *Public Religion in the Modern World* (Chicago, 1994).
9. That the link is often revealed in bloody conflict should, at the very least,

- give us pause to reflect on the potential dangers of religion's public role.
10. Why stop at homosexual marriage? Why not restrict homosexual relations between consenting adults (something that certainly also has grounding in American history)? Should America prohibit abortion even for someone who does not share R. Meir's Judeo-Christian ethics? (Though R. Meir does not use the expression "Judeo-Christian," perhaps due to discomfort with its implications, the Rav did use the expression, so I feel comfortable using it here. See "Confrontation," 22.)
 11. Marc D. Stern has raised many of these questions in his thoughtful and subtle essay, "Jews and Public Morality," in *Tikkun Olam: Social Responsibility in Jewish Thought and Law*, ed. David Shatz, Chaim I. Waxman, and Nathan J. Diamant (Northvale, NJ, 1998), 159-200. One need not agree with every public stance Stern has taken to realize that he has a nuanced approach to these questions. R. Meir need not have been so quick to dismiss either his conclusions or his brief suggestions regarding the Rav.
 12. As a methodological point, given the contradictions between the Rav's various theological writings, and even contradictions within the same works, it behooves students of the Rav not to try to harmonize the Rav's writings, but to look at the internal tensions in his thinking that push him to contradict himself. This reflection requires an independent discussion, *ve-ein kan makom leha'arikh*.
 13. *Community, Covenant and Commitment*, 261.
 14. R. Meir takes the expression "the threat of secularism" in "On Interfaith Cooperation" to mean that the Rav wanted Jews and Christians to join together to combat secular and atheistic ethics in the public sphere. While this reading is possible, it is not the only possible reading. The Rav could also be arguing that Jews and Christians should band together against secularist attempts to deny the legitimacy and validity of the personal, private, and incommunicable aspects of religion. This seems to be the implications of Chap. IX of *The Lonely Man of Faith* (New York, 1992; original publication 1965). In the cold war years in which "Confrontation" was written, "the threat of secularism" may have also been a reference to Communism.
 15. These questions stood at the center of a forum on "Confrontation" at Boston College's Center for Christian-Jewish Learning, the proceedings of which are available at <http://www.bc.edu/research/cjl/meta-elements/texts/center/conferences/soloveitchik/index.html> (accessed January 2008). Participants in that forum also made much of the seeming contradiction between the text of "Confrontation," which defines areas of cooperation as "secular," and n. 8 which argues that, for the man of God, secular areas are also religious. According to David Berger, this contradiction "underscores the artificiality of any sharp division between theological and non-theological matters." Also see David Singer and Moshe Sokol, "Joseph Soloveitchik: Lonely Man of Faith," *Modern Judaism*, 2, 3 (1982): 227-272, David Hartman, *Love and Terror in the God Encounter: The Theological Legacy of Rabbi Joseph B. Soloveitchik* (Woodstock, VT, 2001), chap. 5. One need not agree with the proposed answers to these questions to realize that the questions are good ones.
 16. The answer to this question requires a "reality check" as well. Have concrete religious people made better moral decisions in the context of this war than secular ones?
 17. This also raises the possibility that there might not be as much consensus as

- R. Meir imagines among Orthodox Jews on the question of American laws regarding homosexual marriage, euthanasia, or abortion.
18. The Rav says that shared Judeo-Christian ethical language “quite often is incomprehensible to the secularist.” In analyzing this passage, R. Meir downplays the obvious implication that at least sometimes Jews and secularists can communicate.
 19. *Kol Dodi Dofek: Listen, My Beloved Knocks*, trans. David Z. Gordon (New York, 2006), 81-89.
 20. The Rav identifies the “covenant of fate” as being contracted between the Jewish people and God, and it is therefore not entirely secular. This is beside the point. As Dov Schwartz points out, the Rav is following much of religious-Zionist thought in identifying an unconscious religious motivation in secular and atheistic Zionists. That is, the secular partners in the “covenant of fate” still understand themselves to be atheistic and secular. Therefore, they do not, and cannot, bring a shared religious language into the public square. See Dov Schwartz, “Mishnato Shel ha-Rav Y.D. Soloveitchik bi-Re’i he-Hagut ha-Ziyyonut ha-Datit: ha-Hilun ve-ha-Medinah,” in *Emunah bi-Zemannim Mishtannim: Al Mishnato shel ha-Rav Y.D. Soloveitchik*, ed. Avi Sagi (Jerusalem, 1996), 123-145.
 21. “U-vikkashtem mi-Sham,” in R. Yosef Dov Halevi Soloveitchik, *Ish ha-Halakhah: Galuy ve-Nistar* (Jerusalem, 1992), 162. It should be noted, however, that in context this passage is more of a critique of a Kantian rationalistic-ethical religion than it is of atheism. It does *not* follow from this that cooperation with atheists on matters of shared concern is impossible, just as a critique of aspects of Christian ethics does not make such cooperation impossible.
 22. Yoel Finkelman, “Religion and Public Life in the Thought of Rabbi Joseph Soloveitchik,” *Jewish Political Studies Review*, 13:3-4 (2001): 41-70, available at <http://www.jcpa.org/jpsr/jpsr-finkelman-f01.htm> (accessed January, 2008), and “Religion and Public Life: Diaspora and State in the Thought of Y.D. Soloveitchik, A.J. Heschel and Mordecai Kaplan” [Hebrew], in *Dat u-Medinah be-Hagut ha-Yehudit ba-Me’ah ha-Esrin*, ed. Aviezer Ravitzky (Jerusalem, 2005), 367-407. Were I writing those essays today, I would express my reading of the Rav with more caution and hesitation.
 23. See, for example, *Community, Covenant and Commitment*, 209, 225-226. Also see Jeffrey Saks, “Rabbi Joseph B. Soloveitchik and the Israeli Chief Rabbinate, Biographical Notes (1959-1960),” *BDD* 17 (2006): 45-67.
 24. *The Halakhic Mind* (New York, 1986), 93.
 25. This epistemological discussion serves as the ground for the claim in *Ish ha-Halakhah* that Halakhah is first and foremost an epistemological system, one that (according to many, though not all, passages in the essay) is primarily concerned with theoretical formulations as constructed in the *beit midrash*, and not as implemented in the public sphere. While less explicit than in *The Halakhic Mind*, the confinement of halakhic man to the *beit midrash* seems also to point in the direction of a privatization of religion. See *Halakhic Man*, trans. Lawrence J. Kaplan (Philadelphia, 1983), 23-29, 64; for the Hebrew, see *Ish ha-Halakhah: Galuy ve-Nistar*, 31-35, 59-60.
 26. *Lonely Man*, 82.
 27. *Ibid.*, 19, citing Genesis, 1:28; also see p. 12.
 28. *Ibid.*, 25.
 29. *Ibid.*, 50. Emphasis mine.
 30. *Ibid.*, 92-93.