

**Jewish Ethics Since 1970:**  
**Writings on Methods, Sources, & Issues**

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**Introduction**

This volume emerged from a series of conversations among the editors who were given the task to create a reader for students of Jewish ethics. For quite some time we wrestled with what that meant. This introduction invites readers of this volume into those conversations. We share here some of the questions we considered, the debates we had about how to shape the project, and how we went about deciding what to include where.

The first section of this essay introduces some continuities with earlier contributions to Jewish ethics, as well as influences from contemporary history that have shaped the tenor, scope, and focus of the field and our deliberations. The second section discusses some of the values underlying the decisions we used to frame this volume. The third section provides an overview of the parts of the volume's structure and the general topics considered within them. With all this as background, the concluding section of this essay opens upon the animating question behind this volume's existence: what is Jewish ethics?

*Continuities and Influences in Modern Jewish Ethics*

To begin with, we decided that this volume would begin its consideration of modern Jewish ethics around the year 1970. This section explains our reasoning for selecting that date as the emergence of this field.

While ethics was certainly addressed in the Bible, Mishnah, Gemara, and midrashim and other early Judaic sources, the topic was addressed as a distinct subject and given extended consideration only starting in the 9<sup>th</sup> century with Saadia Gaon’s magnum opus, *The Book of Beliefs and Opinions (Kitab al-‘Amanat wal-I’tiqadat)*.<sup>1</sup> Saadia highlights ethics’ importance by situating it as the concluding treatise in that book; everything else—beliefs, opinions, and all the rest—is background for, leads up to, and culminates in ethics. Central to his argument is the observation that humans comprise multiple elements: they are not just bone or muscle or nerve or thought. It is thus erroneous to assume that human behaviors should be done in favor of one element at the expense of all others. Were a person to behave exclusively according to one’s appetitive, impulsive, or cognitive capacity, it would be dangerous, antisocial, and contrary to the Judaic foundations Saadia discusses. Vital, then, is it for humans to constantly consider various options for their actions, sound reasons for those choices, and clear values to guide deciding among them.<sup>2</sup>

Good judgment thus becomes part and parcel to Jewish ethics. This was highlighted in the 13<sup>th</sup> Century by Moshe ben Nachman’s reading of “Do what is right and good in the eyes of Adonai, that it may go well with you and that you may possess the good land Adonai your God

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<sup>1</sup> Saadia Gaon, *The Book of Beliefs and Opinions*, translated by Samuel Rosenblatt (New Haven: Yale University Press, 1976).

<sup>2</sup> For an overall history of Jewish ethics, see Alan Mittleman, *A Short History of Jewish Ethics* (Malden: Wiley-Blackwell, 2012); Elliot N. Dorff & Jonathan K. Crane, eds., *The Oxford Handbook of Jewish Ethics and Morality* (New York: Oxford University Press, 2012).

promised on oath to your ancestors” (Deuteronomy 6:18). Nachmanides saw in this teaching both an acknowledgment that law can never be exhaustive—some circumstances will be novel, and that Jews must discern, carefully, what is “good and right in the eyes of Adonai”—that is, what is *lifnim meshurat hadin*, or colloquially understood as, beyond the letter of the law. To do this, compromise may be necessary. For this reason, ethics, or good judgment, entails the difficult process of understanding (at least) what is right or legal and what is good or moral, and deliberating a course of action that best honors them.

A century before Nachmanides, Moshe ben Maimon brought Aristotelian virtue philosophy to such discussions about good judgment in his magisterial *The Guide of the Perplexed* (*Dalālāt al-Hā’irīn*, or in Hebrew, *Moreh Nebukim*).<sup>3</sup> Maimonides also praises impulse control, yet he stresses that it is intellectual knowledge of the divine that will induce the kind of *hesed* or lovingkindness that delights God. Virtue, righteousness, and integrity—all expressions of good judgment—are products of vigilant training and rigorous education.

From such medieval foundations, ethics would be treated with gravitas in subsequent generations of Jewish scholars, though primarily as embedded in texts devoted to law, philosophy, or theology. Things began to shift in the modern period, especially with Immanuel Kant’s challenge to embrace universalistic rationality – about which more will be said below. While sages of *mussar* (character or virtue) ethics in the 19<sup>th</sup> Century predominantly avoided this challenge, Hermann Cohen took up Kant’s gauntlet in the early 20<sup>th</sup> to promote the idea of ethical monotheism in his 1939 magnum opus, *Religion of Reason: Out of the Sources of*

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<sup>3</sup> Moses Maimonides, *The Guide of the Perplexed*, translated by Shlomo Pines (Chicago: University of Chicago Press, 1963).

*Judaism*.<sup>4</sup> Franz Rosenzweig, Martin Buber, and Emmanuel Levinas would, in their unique ways and diverse publications, echo Cohen’s call for a Jewish ethics dissociated from law.<sup>5</sup> For them, the other, or relationality, should be the focus of an ethics worthy of being called Jewish.

Such discussions about the relationship between law, philosophy, theology, and ethics, inspired a spate of publications in the 1970s, hence our decision to start here. One of the most foundational in that wave was Aharon Lichtenstein’s 1975 essay, “Does Jewish Tradition Recognize an Ethic Independent of Halakha?,” featured below in this volume as the first entry Part A, Section 1. Though he does not answer that question with much definitiveness, that essay, along with the volumes edited by Marvin Fox, *Modern Jewish Ethics: Theory and Practice* in 1975, and by Menachem Kellner, *Contemporary Jewish Ethics* in 1978, signaled the emergence of Jewish ethics as a distinct field within the larger ambit of Jewish studies.<sup>6</sup>

Concurrent with this new literature among Jews were the efforts across the United States and beyond by second-wave feminists. This larger movement gave voice to diverse perspectives challenging conventional assumptions about normativity, agency, inclusion, and responsibility, among other issues. Jewish communities were not immune to these swirling conversations and trends, as evidenced by the establishment in 1976 of *Lilith Magazine*, and

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<sup>4</sup> Hermann Cohen, *Religion of Reason: Out of the Sources of Judaism*, translated by Simon Kaplan (Atlanta: Scholars Press, 1995).

<sup>5</sup> For example: Franz Rosenzweig, *The Star of Redemption*, translated by Barbara Galli (Madison: University of Wisconsin Press, 2005); Martin Buber, *Between Man and Man*, translated by Ronard G. Smith (Boston: Beacon Press, 1955), and *Eclipse of God: Studies in the Relation between Religion and Philosophy* (Atlantic Highlands: Humanities Press International, Inc., 1988); Emmanuel Levinas, *Difficult Freedom: Essays on Judaism*, translated by Seán Hand (Baltimore: The Johns Hopkins University Press, 1990), *Totality and Infinity: an Essay on Exteriority*, translated by Alphonso Lingis (Pittsburgh: Duquesne University Press, 1961), and *Otherwise Than Being: or Beyond Essence*, translated by Alphonso Lingis (Pittsburgh: Duquesne University Press, 1998).

<sup>6</sup> Marvin Fox, ed., *Modern Jewish Ethics: Theory and Practice* (Columbus: Ohio University Press, 1975); Menachem Kellner, ed., *Contemporary Jewish Ethics* (New York: Sanhedrin Press, 1978).

Cynthia Ozick’s 1979 “Notes Toward Finding the Right Question,” which prompted Judith Plaskow’s response a few years later, “The Right Question is Theological.”<sup>7</sup> Such contributions pressed the point that in addition to interrogating *what* Jews ought to do (or not), a Jewish ethics meriting its name should also concern itself with *how* those arguments are made, by *whom*, and *why*. That is, a modern Jewish ethics needs to be a self-conscious enterprise, aware and critical of its voices and methods.

Within a few short years, new volumes asserted the emergence of Jewish Ethics as a stand-alone field. The 1984 *A Book of Jewish Ethical Concepts: Biblical and Post-Biblical* by Abraham Bloch, the annotated bibliographies of modern Jewish ethics and morality by S. Daniel Breslauer in 1985-6, and Nachum Amsel’s 1994 *The Jewish Encyclopedia of Moral and Ethical Issues*, indicated scholarly as well as popular interest in this field.<sup>8</sup> By the end of the 20<sup>th</sup> Century, theologians like Eugene Borowitz, David Novak, Rachel Adler, and Jonathan Sacks, legal scholars like J. David Bleich and Elliot Dorff, biomedical ethicists like Fred Rosner and Avraham Steinberg, among a host of others—produced substantial contributions to the field, though as will be shown in this volume they deployed diverse methodologies to do so.<sup>9</sup>

Some of these scholars met in person at the annual conferences of the Society of Christian Ethics, which was established in 1959. With membership among their ranks slowly rising, in the early 2000s this small group of Jewish ethicists forged a new entity—the Society of

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<sup>7</sup> Cynthia Ozick, “Notes toward Finding the Right Question,” *Lilith* 6, (1979), pp. 19-29; Judith Plaskow, “The Right Question is Theological,” in *On Being a Jewish Feminist*, 223-233, ed. by Susannah Heschel (New York: Schocken Books, 1983).

<sup>8</sup> Abraham Bloch, *A Book of Jewish Ethical Concepts: Biblical and Postbiblical* (New York: Ktav, 1984); Daniel Breslauer, comp., *Contemporary Jewish Ethics: A Bibliographical Survey* (Westport: Greenwood, 1985), and *Modern Jewish Morality: A Bibliographical Survey* (New York: Greenwood, 1986); Nachum Amsel, *The Jewish Encyclopedia of Moral and Ethical Issues* (Northvale: Jason Aronson, 1994).

<sup>9</sup> Most of these scholars are featured in this volume below; see their selections for further information.

Jewish Ethics—that would convene meetings alongside the SCE. They envisioned that this new SJE would vet its own proposals, and, like the SCE, facilitate dispassionate, cross-denominational, multi-disciplinary, and deep conversations on all things Jewish ethics. The SJE membership steadily grew in number and disciplinary diversity. By 2015 the organization and field had sufficiently matured to warrant the establishment of a new publishing venue, *The Journal of Jewish Ethics*. Since then, the age-old debates about the relationships between law, philosophy, and theology, between agency, norms, and responsibility, between tradition and change—have continued in animated style in the pages of the *JJE*. However raggedy the boundaries of contemporary Jewish ethics may be, the field broadly embraces diverse ways to theorize, observe, and enact good judgment.

#### *Organizing Principles for this Volume*

All edited volumes of this kind are a reflection of their editors' scholarly interests, deeply held commitments, and epistemic limitations. The present volume bespeaks the profound influence of methodological debates such as the ones mentioned above, and our subsequent editorial conviction that to focus on methods of reasoning is a compelling and generative way to study, and to teach, Jewish ethics. The field of Jewish ethics, we contend, is never far from foundational questions about how to do Jewish ethics - and these questions are inseparable from other kinds of scholarly conclusions or prescriptions.

In part because we experience Jewish ethics deliberatively, the volume is organized not by standalone essays but by small sets of curated conversations between scholars from

different time periods, academic subfields, and religious commitments (or lack thereof), in hopes that these deliberate juxtapositions will encourage scholars and students to similar meta-ethical analyses on Jewish ethics, broadly construed. These conversations feature anywhere between two to six voices that model distinct approaches to Jewish ethical questions, an intentional choice for scholarly and pedagogical reasons. Only one selection on a given theme could lead students to erroneously think it represents “the Jewish position”; conversely, an overly-broad array of voices might suggest we were striving to be comprehensive. Instead, these curated conversations may serve as introductions to an array of methods, texts, and disputes across time and space.

In describing the book’s divisions as “curated,” we call attention to the visibility of the editors in the crafting of this volume. The book explicitly reflects our distinctive editorial choices: not only which authors to include, but also with whom to invite them into conversation, and to what conversation they might contribute. Such choices are not self-evident, but express our chief priorities for the volume. First, we maintain an explicit focus on methods of reasoning in addition to, or instead of, definitive ethical “answers” to a given topical query, and invite readers to zero in on these explicit and implicit methodological turns at work in each selection.

Second, we present a picture of a developing academic field, from 1970 to the present. The volume works with the assumption that in seeing how and where scholars engage with one another’s work, we may see the contours of a broad scholarly trend: what questions come up again and again? Which works are cited by scholars across a variety of settings? We acknowledge that since the emergence of the SJE in the early 2000s and the JJE in 2015, there

has been far more publications in the field in recent years. The burgeoning of the field is reflected in this volume, which includes many more pieces from recent years than from the last decades of the 20th century. Based on these developments, we invite readers to consider what the field is poised to become.

We made every effort to ensure this volume features a wide array of thinkers from a variety of scholastic affiliations and a range of professional experience. But, of course, our decision to feature scholarly essays necessarily excludes many other genres of literature that could potentially appear in collections of modern literature on Judaism and ethical reasoning. It means, for instance, that the genre of rabbinical responsa (individual or collective rabbinic answers to questions of Jewish religious law) is not represented in this book, despite its importance in some Jewish - particularly Orthodox - communities as a way of setting communal norms. So too the genre of the synagogue sermon, or *dvar Torah*, does not appear in this volume (though some of the selections do themselves make reference to responsa or sermons).

The emphasis on scholarly writing also excludes essays and books written in a popular idiom, or for a wide audience: opinion pieces in print or online sources, substantive social media posts, and other reflections of popular ethical discourse do not appear in this book. Our decision to focus on the development of Jewish ethics as a *scholarly* field necessarily excludes these and other writings, even while we readily acknowledge the influence of popular works on scholarly writing (and vice versa). It is also true that scholarly publications often lag behind other kinds of writing - owing, in no small part, to the slow and capricious nature of academic publishing. As a result, many of the most prominent social debates as of this writing - such as, for instance, analyses of artificial intelligence, or recent racial discourses in the US, or the latest



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Israel-Hamas war - are only beginning to emerge in academic Jewish ethics. In some of the most recent selections in this volume, we may see hints of which questions will characterize the field in the decades to come.

Finally, we intend this volume to be useful and accessible for teaching, a productive resource for undergraduates, graduate students, rabbinical students, and others. Each section of the book, and each curated conversation in the sections, is preceded by an introduction that considers some of the major questions and methodological disputes in those conversations. These editorial “interventions” are designed not only to give students some brief background for their reading, but to make it possible for teachers to assign some sections or conversations without having to assign the whole book. And in the emphasis on “conversations” around a question, we hope to create the conditions for students to do meaningful comparative analysis of the methods and arguments of each thinker.

### *Structure of this Volume*

This volume opens with a substantial section on theories and methods of doing Jewish ethics. Most of the selections attend to definitional questions - what is “Jewish ethics”? - and to fundamental methodological queries: how does one do Jewish ethics? This volume introduces some important, and ongoing, theoretical queries too: how do we know if the ethical reasoning in question is “Jewish”? What sources, themes, and resources do we see repeatedly in work marked as Jewish ethics? How might we evaluate the appropriateness of these sources and their deployment and interpretation? The very first selection in this volume

(Lichtenstein, mentioned above) even asks whether we can really separate Jewish ethics from the ancient category of Jewish law at all - and if so, what the relationship is between the two ideas. The categories in this opening section are clearly best understood as foundational methodological themes across a broad spectrum of scholarly work in Judaism and ethical reasoning in the last several decades.

Yet although Part A introduces these fundamental questions and concepts, we should not understand this section only as a foundation on which “real” Jewish ethics can then proceed in the parts that follow. Rather, we assume that to reflect methodologically on the Jewish tradition and its intersection with ethics is already to have begun doing Jewish ethics - that, in fact, all work plausibly described as Jewish ethics also contains arguments and assumptions (marked or unmarked) about the correct ways of doing this work.

The opening section certainly includes a number of selections whose chief arguments are meta-ethical; that is, they primarily consider how thinkers should proceed in their scholarship, whatever the precise nature of that scholarship. These selections still ground their theoretical work in particular texts or experiences; Louis Newman’s essay in the opening subsection, for instance, considers arguments around euthanasia to make a broader argument about the limitations of classical Jewish texts for modern and contemporary ethics, while Sarra Lev’s essay in the section on character formation describes a particular semester of teaching Talmud to consider the relationship between reading practices and individual and communal virtue.

But it also includes selections which attend just as much to a particular modern issue as to the broad methodological questions surrounding it. Michal Raucher’s selection, for instance,

is excerpted from her book-length ethnographic study of ultra-Orthodox women in Jerusalem, and their distinctive experiences of pregnancy, parenthood, and bodily authority in male-dominated communities. The selection by Rachel Adler, included in the subsection on ethics and law, is an essential contribution to any study of Jewish feminist ethics and includes specific prescriptions for how Jewish rituals might be adapted in light of feminist critique. In such selections, the methodological arguments or overarching themes are inseparable from the authors' consideration of some particular ethical realm.

The remaining three parts are titled quite broadly: "Communities," "Constructions of the Human," and "Bioethics." In moving from broad methodological queries directly to communities in Part B, we signal our assumption that the very first settings in which we find ourselves are in fact communal, not individual: we emerge into various kinds of families and groups, for better and worse, and must ask difficult questions of ourselves and others about communal responsibilities and failures. Part C then moves to more specific questions about how to determine who is included in which communities, and how we create circumstances in which we may thrive. And Part D, on Jewish bioethics, introduces profound questions of medicine and bodily phenomena at all stages of life.

Crucially, however, many of the selections in these more "issue-based" sections could also find a home in Part A. Nadav Berman's essay on autonomous weapons systems in modern warfare, included in Part B, "Communities," in the conversation about State Power, exemplifies the complex relationship between Jewish law and Jewish ethics. Max Strassfeld's work on trans discourses in the conversation on Gender, featured in Part C, "Constructions of the Human," analyzes the methodological complexity of deriving contemporary ethical conclusions from

classical rabbinic literature. The fact that so many selections in this volume could be included in other sections is intentional: a way of marking that the boundaries between meta-ethical arguments and work on a particular ethical “issue” are by no means clear.

### *What is Jewish Ethics?*

Implicit in the organization of this volume—and in its very existence—is our assertion that there is such a thing as Jewish ethics, and that it is a topic worthy of study. Other scholars have raised questions about whether it makes sense to speak of Jewish ethics at all. From the outset, we want to acknowledge some of the challenges inherent in the study of Jewish ethics, and briefly explain how we think about them.

One reason to question whether one can speak of Jewish ethics is that there is not a specific term or concept that is precisely equivalent to “ethics” in classical Jewish literature. The study of ethics traces back to ancient Greek philosophers like Plato and Aristotle, who defined the study of ethics as an investigation into what kind of virtues lead to human flourishing. Ancient Jewish cultures, rooted in devotion to the Torah, had a different orientation. Jewish sages focused their studies on interpreting the Torah in an effort to discern what God wanted and expected of people. But even as classical Jewish writings focus on the study and practice of divine commandments, Jewish literature is intently interested in practices, principles, and character traits that allow for people and communities to thrive. Though there is not a discrete concept that is equivalent to “ethics,” there is lots of content in biblical, post-biblical and rabbinic writings that engages ethical ideas. On this basis alone, we think it makes sense to talk

about Jewish ethics. And while there is broad overlap between the kind of actions and qualities that Greek philosophers associate with human flourishing and that Jewish sages associate with piety, the differences in focus, orientation, and language between Jewish teachings and the Western philosophical tradition are themselves illuminating.

One salient difference between Jewish teachings and the Western philosophical tradition is the form and structure of the Jewish literature that organizes ethical content. Rabbinic literature is largely commentarial, so that Jewish discussions of any given topic are dispersed across a vast corpus. For a study of Jewish teachings about the virtue of honesty, for example, one might consult rabbinic commentaries on the biblical prohibition of false testimony, or on the biblical commandment to use fair weights and measure; one might look to legal traditions about honesty in business transactions in the early rabbinic compilation known as the Mishnah, and then trace commentary and discussion of these legal traditions in the Talmud and in talmudic commentaries; other rabbinic works might transmit exemplary stories about rabbis who tell the truth. Yet another site for Jewish teaching is the tradition of rabbinic responsa, discussed above. Rabbinic teachings are not systematized, and the tradition is multivocal, so there might be a diversity of Jewish teachings on any given topic. This is in marked contrast to philosophical writing which tends to be organized topically and presents arguments in a highly structured and well-reasoned way. Beginning in the medieval period, Jewish thinkers who were well-versed in both rabbinic teachings and in philosophic texts sought to systematize Jewish teachings and lay things out in coherent topical arrangements. It might be, however, that differences in the structure and idioms of traditional Jewish and philosophic texts are more than differences of style, that they reflect different patterns of thought and

different ways of weighing particular cases vis-a-vis general principles. We see the different forms of Jewish ethical expression—in commentary, narrative, aphorisms, responsa, and legal dialectic—as an important source for theorizing about Jewish ethics.<sup>10</sup>

One consequence of the unruliness of classical Jewish discourse is that Jewish outlooks, methods, and principles do not always accommodate the taxonomies that philosophers use to characterize the different schools or approaches to the study of ethics. Students of moral philosophy distinguish among three main theoretical approaches: Virtue ethics, consequentialism, and deontological ethics. Virtue ethics focuses on the qualities or dispositions of an ethical subject; consequentialism emphasizes the practical effects of any given ethical decision; deontological ethics entails a focus on the duties, rules, and principles that should govern behavior. Jewish ethics does not fall neatly into any one of these categories. While the Jewish emphasis on commandments means that Jewish tradition is broadly oriented toward explicating duties, there are many Jewish works that focus on character.<sup>11</sup> Jewish legal discussions in talmudic literature are often dedicated to examinations of how edge cases or exceptional circumstances complicate rules and principles, and in these determinations, rabbinic decision-making is strongly oriented toward the practical considerations that characterize a consequentialist approach. This is just one example of how Jewish ethical tradition resists translation into philosophic discourse. Another common set of distinctions that

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<sup>10</sup> For examples of recent scholarship that engage the forms and style of rabbinic discourse as sources for Jewish ethics, see Emily Filler, "Classical Rabbinic Literature and the Making of Jewish Ethics," *Journal of Jewish Ethics* 1, no. 1 (2015): 153–170; and Mira Beth Wasserman, "Talmudic Ethics with Beruriah: Reading with Care," *Journal of Textual Reasoning* 11, no. 1 (2020): 4-23.

<sup>11</sup> For study of the long tradition of virtue ethics within Judaism, see Geoffrey D. Claussen, Alexander Green, and Alan L. Mittleman, *Jewish Virtue Ethics* (Albany: SUNY Press, 2023).

scholars make is between meta-ethics, historical ethics, and applied ethics. But as the pieces that we've selected indicate, Jewish ethicists don't maintain these distinctions: often, approaches to specific problems—applied ethics—are grounded in considerations of ancient texts, and it is only through a consideration of theoretical questions about the authority of these texts that Jewish thinkers can make a case for how ancient texts might speak to contemporary problems. In such investigations, the historical and the theoretical cannot be disentangled from the practical.

That Jewish textual discussions are not always legible to philosophers of ethics is not on its own a reason to challenge the notion that there is such a thing as Jewish ethics. But there are those who argue for the incommensurability of Judaism and ethics. Challenges to the very notion of Jewish ethics can come from either direction—from a perspective grounded in Western moral philosophy, or from a grounding in Jewish thought.

The challenge from Western moral philosophy is not specific to Jewish ethics but can as easily be leveled against any particular religious tradition. At issue is the principle enshrined by Immanuel Kant that ethics need be universal in its applicability. According to Kant's categorical imperative, the same rules need apply to all people. Ethics is governed by reason and cannot discriminate with regard to a person's background or commitments. This universalizing principle puts Kantian ethics at odds with many aspects of Jewish tradition which are oriented to the Jewish people, in particular. While some elements of Jewish teaching address humanity as a whole, Jewish texts are overwhelmingly focused on obligations and experiences that distinguish Jews from others. Some contemporary Jewish ethicists take pains to highlight the

universal aspects of traditional Jewish teachings,<sup>12</sup> while others emphasize the ways that Jewish thought has changed and evolved in response to the modern emphasis on the universal.<sup>13</sup> In this postmodern moment, many ethical thinkers are newly attuned to the ways that the modern, rationalizing rhetoric of universalism has often masked its own exclusionary logic, treating the distinctive concerns of Western Christianity as a standard by which all other cultures should be measured. For some of the thinkers represented in this volume, the particular idioms, concerns, and orientations that characterize Jewish discourse about morality, justice, and the human predicament provide a valuable counterbalance to Western patterns of ethical reasoning.<sup>14</sup> For feminist thinkers in particular, Jewish tradition offers a valuable corrective to Western biases.<sup>15</sup>

At the same time, there are Jewish thinkers who argue against the notion of Jewish ethics from another direction, contending that Jewish principles simply do not accord with the very idea of ethics. For some Orthodox Jewish thinkers, in particular, Judaism cannot accommodate ethics because when Jews face the kinds of questions that ethics addresses, these questions are most appropriately addressed by the dictates of Jewish law, or halakhah. According to this way of thinking, ethical deliberation does not enter into things, because halakhah alone is determinative of Jewish norms. For these thinkers, halakah and ethics are

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<sup>12</sup> See, for example, David Novak, *Natural Law in Judaism* (Cambridge: Cambridge University Press, 1998).

<sup>13</sup> See, for example, Emil L. Fackenheim, *Encounters Between Judaism and Modern Philosophy: Preface to Future Jewish Thought* (New York: Schocken, 1980).

<sup>14</sup> See the pieces by Robert Cover in Section A 3, by Emmanuel Levinas in A 4, and by Benjamin Freedman in Section D 1.

<sup>15</sup> See the pieces by Mara Benjamin in Section A 4 and by Toby Schonfeld and Laurie Zoloth in Section D 1.



rival orders of normativity, and the two systems are incommensurable.<sup>16</sup> Some Jewish thinkers moderate this view slightly when they argue that there can be a role for ethics that accommodates the centrality of halakhah, as an adjunct or supererogatory addition to halakhah.<sup>17</sup> The pieces that we have gathered in the following chapters construct the relationship between halakhah and ethics in a diversity of ways. The approach we have adopted in shaping this book is to identify the question of halakhah's relationship with ethics as one of the important theoretical questions for the field. Indeed, for us, Jewish ethics is precisely the field in which questions about halakhah's authority and grounding can be investigated, interrogated, explicated, and deliberated.

For us, Jewish ethics is not just a set of propositions or principles; it cannot be reduced to a single trajectory of thought or abstracted as an elaborate system of ideas. For us, Jewish ethics is the field of study that engages Jewish texts, ideas, history, and experience in conversations about values and virtues, justice and good judgment, human relations and responsibilities. This volume presents some of those conversations and it is our hope that it will spark many more.

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<sup>16</sup> Menachem Kellner, "Reflections on the Impossibility of Jewish Ethics," in *Moshe Schwarcz Memorial Volume* (Bar Ilan Annual, 22-23) (1987): 45-52. For an even stronger articulation of this view, see the condemnation of universalizing Jewish content in Michael Wyschogrod, *The Body of Faith* (San Francisco: Harper & Row, 1989).

<sup>17</sup> This is the outlook that characterizes much of traditional *mussar* literature. See the piece by Lichtenstein in Part A for a more recent expression.