



---

2022

## Roadmap to Reconciliation II: Ruminations on the Need for Integrity in Intellectual Interfaith Engagement

Shlomo Pill

Ariel J. Liberman

Follow this and additional works at: <https://digitalcommons.tourolaw.edu/lawreview>



Part of the [Jurisprudence Commons](#), and the [Law and Philosophy Commons](#)

---

### Recommended Citation

Pill, Shlomo and Liberman, Ariel J. (2022) "Roadmap to Reconciliation II: Ruminations on the Need for Integrity in Intellectual Interfaith Engagement," *Touro Law Review*: Vol. 38: No. 3, Article 5.

Available at: <https://digitalcommons.tourolaw.edu/lawreview/vol38/iss3/5>

This Article is brought to you for free and open access by Digital Commons @ Touro Law Center. It has been accepted for inclusion in Touro Law Review by an authorized editor of Digital Commons @ Touro Law Center. For more information, please contact [lross@tourolaw.edu](mailto:lross@tourolaw.edu).

**ROADMAP TO RECONCILIATION II:  
RUMINATIONS ON THE NEED FOR INTEGRITY IN INTELLECTUAL  
INTERFAITH ENGAGEMENT**

*Shlomo Pill\* & Ariel J. Liberman\*\**

**ABSTRACT**

This article builds on the framework for a law school-based academic center for Jewish-Muslim engagement laid out in our previous work, *Roadmap to Reconciliation*. In this follow-up essay, we outline standards, or ground-rules, for the individuals and institutions engaged in academic interfaith discussions of the kind that would occur in our proposed Center. Chief among these considerations is the need to respect the *integrity* of each respective faith tradition involved in such conversations. We argue for an interfaith dialogic modeled on the insights of Rabbi Joseph B. Soloveitchik, and discuss how his reflections on the potentials and risks of interfaith engagement can be helpful in setting standards for our proposed Center for Jewish-Muslim Engagement. By offering examples of integrity-rooted interfaith approaches to practical issues in the field of Jewish-Muslim engagement, and by providing a fresh look at new frontiers for intellectual collaboration between Jewish and Muslim scholarship, we further extol the virtues and the need for a path-breaking and principled research initiative in this field.

---

\* Senior Lecturer in Law, Emory Law School; Paul and Marion Kuntz Scholar in Law and Religion, Center for the Study of Law and Religion, Emory Law School, where his work focuses on constitutional law, comparative Jewish and Islamic law, religious liberty, and jurisprudence.

\*\* SJD Candidate, Center for the Study of Law and Religion, Emory Law School, where his research focuses on education law and policy, the intersection between law and religion, and comparative law. The ways in which the laws and perspectives of different faith traditions can help inform pressing secular reform efforts in the fields of American education law and policy. His interest in the subject of this piece stems from his on-the-ground professional background facilitating interfaith exchanges on university campuses and engaging students in the work of building inclusive communities.

## I. INTRODUCTION

In a recent article, *Roadmap to Reconciliation*,<sup>1</sup> we advocated for the establishment of an academic Center for Jewish-Muslim Engagement (“the Center”). As discussed in that piece, the Center would help service a gap in the North American Jewish-Muslim interfaith institutional landscape.<sup>2</sup> While there exists no fewer than twenty-eight social and religious organizations focused on cultivating Jewish-Muslim relations,<sup>3</sup> the proposed Center would be at the fore of *academic* Jewish-Muslim engagement. The Center would conduct path-breaking “theological, academic, and popular explorations of historical and contemporary relationships between Judaism and Islam as well as between Jewish and Muslim interests and experiences.”<sup>4</sup> Featuring rigorous scholarship, creative teaching, and public facing, pluralistic activism, the Center would harken to and develop what is a robust intellectual and theological common-ground between Judaism and Islam.<sup>5</sup> Indeed, there is more that unites these faith communities than divides them. Our earlier essay further offered some impressions on points of intersection between Jewish and Muslim traditions, histories, experiences, and contemporary concerns that could serve as useful bases for engagement efforts initiated through the Center.<sup>6</sup>

The aspirations and frameworks developed previously represent important foundations for rigorous Jewish-Muslim engagement in the United States. However, the work of strengthening and connecting people through interfaith dialogue, of questing for understanding and mutual knowledge, whether in social or intellectual

---

<sup>1</sup> J.R. Rothstein et al., *Roadmap to Reconciliation: An Institutional and Conceptual Framework for Muslim-Jewish Engagement*, 38 TOURO L. REV. 101, 152 (2022).

<sup>2</sup> The previous article discusses the numerous different organizations, initiatives and projects undertaken in the interest of Jewish-Muslim dialogue. Together, the incredible work done addresses far-ranging concerns like Anti-Semitism and Islamophobia, building community relations, addressing key social issues, and so much more. But, as we contended, the Center proposed would be the first in North America to approach the project of building connections between faith groups via intensive theological and historical research.

<sup>3</sup> See Rothstein et al., *supra* note 1, at Appendix A: List of Select Interfaith Groups Promoting Dialogue Between Muslims and Jews in North America.

<sup>4</sup> *Id.* at 141.

<sup>5</sup> See generally *id.*

<sup>6</sup> *Id.* at 201-19.

settings,<sup>7</sup> *must* be methodical; there are many ground-rules for creating the proper environment for two faiths to meet in equitable conversation.<sup>8</sup> Many of these parameters are already well-established: precepts like commencing interfaith conversations from a place firmly understanding one's own self-identity;<sup>9</sup> purpose-oriented discussions; the need to, at once, emphasize commonalities between faith communities through use of invitational rhetoric<sup>10</sup> while also espousing pluralistic ideals and epistemological humility;<sup>11</sup> and cultivating a neutral rather than persuasive space.<sup>12</sup> And especially in the intellectual sphere, these norms are essential for the production of positive outcomes and the generation of a culture of understanding.<sup>13</sup>

<sup>7</sup> See, e.g., KATE MCCARTHY, INTERFAITH ENCOUNTERS IN AMERICA 15, 14 (2007) (Often, distinctions are drawn between social and intellectual efforts at interfaith engagement and social efforts: “[t]here are two kinds of acknowledged experts in the field of interfaith relations: leaders of religious institutions who initiate, participate in, and offer rationale for interfaith encounters from within their own traditions; and scholars who attempt—from within, on the edges, or outside of these dialogues—to describe and systematize such encounters and their complex motivations, logics, and tensions in the context of broader social and intellectual issues.” However, historically, these two roles were often merged.).

<sup>8</sup> A great amount of literature has been devoted to building and expanding these ground-rules—though one would be hard-pressed to come up with any definitive list. For examples of the discussions around cultivating effective and respectful interfaith dialogue, see, e.g., Andrew Orton, *Interfaith Dialogue: Seven Key Questions for Theory, Policy and Practice*, 44 RELIGION, STATE, & SOC'Y 349 (2016).

<sup>9</sup> See Roger Burggraeve, *Dialogue of Transcendence: A Levinasian Perspective on the Anthropological-Ethical Conditions for Interreligious Dialogue*, 37 J. COMM'N & RELIGION 1, 3 (2014) (stating that dialogue helps promote understanding as well as edification of one's own belief. He argues against assimilation for this very reason, saying that only through exchange do we come to understand what makes each community unique.).

<sup>10</sup> This is discussed at length as the “mutuality model” of interfaith dialogue in PAUL KNITTER, INTRODUCING THEOLOGIES OF RELIGIONS 122-23 (2002).

<sup>11</sup> See also James Keaton & Charles Soukup, *Dialogue and Religious Otherness: Toward a Model of Pluralistic Interfaith Dialogue*, 2 J. INT'L & INTERCULTURAL COMM'N 168 (2009) (juxtaposing pluralism with exclusivism and inclusivism); Michael Atkinson, *Interfaith Dialogue and Comparative Theology: A Theoretical Approach to a Practical Dilemma*, 3 J. SOC. ENCOUNTERS 47 (2019).

<sup>12</sup> See, e.g., Sonja Foss & Cindy L. Griffin, *Beyond Persuasion: A Proposal for an Invitational Rhetoric*, 62 COMM'N MONOGRAPHS 2, 10-11 (1995).

<sup>13</sup> As an example of an academic interfaith initiative, consider, for instance, the “scriptural reasoning” projects developed, first, by a small group of Anglican scholars in the 1990s (who had based it on Jewish “textual reasoning” tradition), and now comprising the lifeblood of over 20 official international academic collectives, not to speak of the hundreds of initiatives being taken up by schools, hospitals,

This brief article builds on the ground rules for engagement, elaborating specifically on the notion of *integrity* in interfaith engagement. Integrity to one's self, to one's faith, to one's history, to one's theology—these are somewhat implicit in the principles listed above, essential to academic interfaith work, and should be brought to the fore of the Center's foundational model. Here, we first define the contours of 'integrity' by way of Rabbi Joseph B. Soloveitchik's famous, framing philosophical piece, *Confrontation*,<sup>14</sup> and discuss how his impressions on interfaith engagement can help frame the Center's efforts. We then offer three examples of 'integrity'-rooted interfaith approaches to practical academic and social issues ripe for Jewish-Muslim cooperation. Thus, we further substantiate our previously developed vision for the Center for Jewish-Muslim Engagement, where such intellectual cooperation would occur, as an intentional, effective and path-breaking project in this important field.

Part II discusses Rabbi Soloveitchik's *Confrontation* and its theoretical consequences on interreligious dialogue. Part III then focuses on real-world applications of this 'integrity'-focused brand of Jewish-Muslim engagement. Part III(A) focuses on areas for historical-based engagement, Part III(B) on cooperation over

---

ministries, prisons, and even generally by citizen groups. See MARIANNE MOYAERT, THE WILEY-BLACKWELL COMPANION TO INTER-RELIGIOUS DIALOGUE: *Scriptural Reasoning as Interreligious Dialogue* 64, 68-71 (Catherine Cornille ed., 2013). Here, Muslims, Jews, and Christians engage in the simultaneous study of texts from their respective scriptures, convene around central themes common across works, and thus "bring particular religious points of view into engagement with one another." *Id.* at 68. The wisdom of these projects is in the openness to all people and emphasis on the identification of "similar perfectness" in all scriptures; it "inevitably dissolve[s] any self-closed 'pre-assurance,'" represents an "engagement with many voices that cannot be integrated into a monologue," and helps participants "gain a better understanding of others as well as [their] own classics and tradition." See DAVID FORD, CHRISTIAN WISDOM: AN INTER-FAITH WISDOM: *Scriptural Reasoning Between Jews, Christians and Muslims* 273-303 (2007). The importance of such guideposts for inter-religious engagement cannot be understated, and, indeed, similar tenets lay at the core of the Center's broader scholarly mission and programmatic schema. For further bibliography on this, see David Ford, *Scriptural Reasoning: Its Anglican Origins, its Development, Practice and Significance*, 11 J. ANGLICAN STUD. 147 (2013); DAVID FORD, CHRISTIAN WISDOM: AN INTER-FAITH WISDOM: *Scriptural Reasoning Between Jews, Christians and Muslims* 273-303 (2007).

<sup>14</sup> This piece is a seminal work in the project of inter-faith engagement, and outlines a commonly-held Jewish perspective on the project. We begin with this Jewish view because of the expertise and backgrounds of the authors, as well as the broader applicability of this particular work to larger contexts in this growing field.

environmental issues, and Part III(C) on collaborative efforts on matters of religious expression and gathering. Part IV concludes by harkening back to the idea of the Center for Jewish-Muslim Engagement as a project rooted in integrity to each faith's individuality.

## II. THE NEED FOR INTEGRITY IN ENGAGEMENT: THE PHILOSOPHY OF CONFRONTATION

In 1964, Joseph B. Soloveitchik, *Rosh Yeshiva* at the Rabbi Isaac Elchanan Theological Seminary of Yeshiva University and an intellectual leader of 20<sup>th</sup> Century Jewish Orthodoxy, offered *Confrontation* as a statement on the necessary dynamics (and limits) for constructive and respectful interfaith relations.<sup>15</sup> Contextually, the piece responded to requests by Christians, particularly Roman Catholics in the time of the Second Vatican Council, for Jews to enter into a dialogue on theological issues.<sup>16</sup> More broadly, however, the essay represents a timeless, erudite philosophical exploration, a complex inquiry into human nature “based on a moral anthropology embedded in an interpretation of the biblical account of the creation of man.”<sup>17</sup> To many, the essay has gained a standing as its own *psak halacha* (legal decision) demanding study, application, and renewed exegesis with each new generation seeking to build bridges between faith communities.<sup>18</sup> And, certainly, it offers an important foundational framework for the interfaith project contemplated by the Center.<sup>19</sup>

### A. Soloveitchik's *Confrontation*

*Confrontation* begins by describing three “progressive levels” of man.<sup>20</sup>

<sup>15</sup> See generally Joseph B. Soloveitchik, *Confrontation*, 6 TRADITION 5 (1964).

<sup>16</sup> It was published one year before the publication of *Nostra Aetate*, the Catholic document that began the process of redefining the Church's attitude to Jews and Judaism. See generally *id.*

<sup>17</sup> Marshall J. Breger, *Rabbi Joseph Soloveitchik's Confrontation: A Reassessment*, 1 STUD. CHRISTIAN-JEWISH REL. 151 (2005).

<sup>18</sup> *Id.*

<sup>19</sup> Rothstein, *supra* note 1, at 174-78.

<sup>20</sup> These are based in the biblical accounts of creation. See Soloveitchik, *supra* note 15, at 5.

The first level depicts man in a non-confronted existence, one of uniformity with nature and simplicity of being.<sup>21</sup> This man is “irresponsive to the pressure of both the imperative from without and the ‘ought’ from within.”<sup>22</sup> In other words, he is indistinct from the natural order,<sup>23</sup> seeking out only “boundless aesthetic experience.”<sup>24</sup> Then, on the second level, natural man begins to cast a “contemplative gaze on his environment.”<sup>25</sup> He reflects on the mystery of his surroundings and separates himself from them; the mystery of his surroundings becomes the “non-I outside,” and, ultimately, the divine norm.<sup>26</sup> At once, man feels empowered and uniquely positioned, but also un-free and imperfect in relation to the divine norm.<sup>27</sup> At this point, man must choose to either “play an active role as subject-knower” to *confront* the “objective order,” or resign himself to the immense pressure of the “objective outside.”<sup>28</sup> Soloveitchik reflects that Jewish Law begs us towards the former approach, but laments that this is far too often out of a yearning for power over nature rather than out of the divine mandate entrusted to him as the intelligent “outsider.”<sup>29</sup>

Finally, on the third and most complicated level, man is no longer staring at his surroundings with any sense of superiority or distance.<sup>30</sup> Rather, man faces another individual of similar uniqueness and ability to reciprocally engage in a communication.<sup>31</sup> In this, man may form community.<sup>32</sup> Soloveitchik remarks that communication between men promises both a sharing of common enterprise and cooperative exchange, as well as their own individuality and unique

---

<sup>21</sup> *Id.*

<sup>22</sup> *Id.* at 6.

<sup>23</sup> Eugene Korn, *The Man of Faith and Religious Dialogue: Revisiting ‘Confrontation’* 25 MOD. JUDAISM 290, 307 (2005).

<sup>24</sup> Soloveitchik, *supra* note 15, at 7.

<sup>25</sup> *Id.* at 9.

<sup>26</sup> *Id.*

<sup>27</sup> *Id.* at 9-10.

<sup>28</sup> *Id.* at 10.

<sup>29</sup> *Id.* at 11.

<sup>30</sup> *Id.* at 14.

<sup>31</sup> *Id.*

<sup>32</sup> Edward Breuer, *Revisiting ‘Confrontation’ After Forty Years*, BOS. COLL. CTR. CHRISTIAN-JEWISH LEARNING (Nov. 23, 2003), [https://www.bc.edu/content/dam/files/research\\_sites/cjl/texts/center/conferences/soloveitchik/index.html](https://www.bc.edu/content/dam/files/research_sites/cjl/texts/center/conferences/soloveitchik/index.html).

experiences.<sup>33</sup> He further state that, “in spite of our sociability and our outer-directed nature, we remain strangers to each other,” living separate lives though with some overlapping incidents.<sup>34</sup> The danger on this level, Soloveitchik warns, is forgetting the art of “living in community and simultaneously in solitude,” and confronting one another with a subject-object mindset manifesting as a search for power.<sup>35</sup> With this said, Soloveitchik provides his framework for the Jewish view on interfaith dialogue.<sup>36</sup>

According to Soloveitchik, the Jewish people face a “double-confrontation,”<sup>37</sup> because they interact—and have always interacted—with the world as part of both the universal human collective and an exclusive covenantal community.<sup>38</sup> The newly-developing “Westernized Jew”<sup>39</sup> archetype finds it impossible to be a part of both communities, to at one moment stand in the interest of the “welfare of all” and the next to “confront our comrades as a distinct and separate community.”<sup>40</sup> For them, one must choose between communities; to operate as *either* “confronted human beings” or “confronted Jews.”<sup>41</sup> In choosing the former—indeed, choosing assimilation—the Westernized Jews believe they can still retain an inner sense of Jewish selfhood.<sup>42</sup>

This is impossible, according to Soloveitchik.<sup>43</sup> There can be no Jewish identity in “single-confrontation,” and, indeed, no faith community, without otherness and uniqueness.<sup>44</sup> A faith community expresses its individuality by (1) distinguishing its divine imperatives from the ethos of other faiths, (2) believing that its doctrines and value systems are “best-fitted for the attainment of the ultimate good,”<sup>45</sup> and (3) steadfastly holding to its sense of collectivity, individually, communally, and cosmologically, and expecting members to subscribe

---

<sup>33</sup> Soloveitchik, *supra* note 15, at 14.

<sup>34</sup> *Id.* at 16.

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> *Id.* at 17.

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Id.* at 18.

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.* at 19.



to its unique expectations.<sup>46</sup> At the same time, “there is no contradiction between coordinating our cultural activity with all men and at the same time confronting them as members of another faith community.”<sup>47</sup> In other words, relating to non-Jews is necessary and only possible as *both* a Jew and a member of common humanity, the “double-confrontation.”<sup>48</sup>

But, this is not to say there cannot be a renewed dialogue with outside faith communities for the betterment of humanity while still retaining the unique *integrity* of individual faith communities.<sup>49</sup> And, indeed, there *is* an affirmative obligation, need, and benefit to taking an interest in things common between faiths (for example, an interest in alleviating human suffering), and *also* what we do not (for example, our own unique otherness).<sup>50</sup> Rather, Soloveitchik contends, in order to have the interfaith confrontation, full religious freedom and equal rights are not just important but *required*.<sup>51</sup> The conversation must be the product of two independent faith communities coming together not as a brethren, but as proudly separate entities. The conversation can certainly be approached by each faith community in its own terms, but must result in something more than one side becoming an object of observation, to be *forgiven* or *accepted*, or simply viewed in relation to the other faith community.<sup>52</sup> Any practical program built on these dynamics cannot stand as religiously democratic.

As part of the interfaith conversation, there can be no standardization of religious experience; dialogue cannot be structured around compromising faith, belief, theology, or ritual. Indeed, “the great encounter with God is a wholly personal and private affair that is not comprehensible to the outsider.”<sup>53</sup> Neither side of inter-religious dialogue, therefore, should recommend changes to ritual or religious texts as part of reconciliatory or bridge-building discussions,<sup>54</sup> nor is either side free to revise historical attitudes between their faiths, to “trade favors pertaining to fundamental matters of faith” or even

---

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

<sup>49</sup> *Id.* at 20.

<sup>50</sup> *Id.*

<sup>51</sup> *Id.* at 21.

<sup>52</sup> *Id.* at 22-23.

<sup>53</sup> *Id.* at 24.

<sup>54</sup> *Id.* at 25.

reconcile “some” differences.<sup>55</sup> Instead, the determinative goal for interfaith dialogue should be civic enterprise and humanitarian change, to enrich society with the creative input from faith communities, but *never* to sever or shift a community’s unique relationship with God. A discussion of shared perspectives, of worldly innovation and change, can absolutely happen while simultaneously honoring the individuality and integrity of faith communities.<sup>56</sup>

### **B. Integrity, Individuality, and Confrontation and Contemporary Muslim-Jewish Engagement**

Rabbi Lord Jonathan Sacks, in reflecting on *Confrontation*, states that “the great faiths constitute different languages of perception, imagination, and sensibility. They are only partially transmittable into one another.”<sup>57</sup> The questions ripe for interfaith dialogue, by extension, ought to be relegated only to those matters that *are* transmittable, or, as Soloveitchik discusses, those issues of civic enterprise and humanitarian change, rather than those of the theological.<sup>58</sup> Judaism and Islam share many common values of this order, chief among them the importance placed on human life, justice,

---

<sup>55</sup> *Id.*

<sup>56</sup> *Id.* at 28-29 (after *Confrontation*, the Rabbinical Council of America in 1964 adopted a statement on interfaith relations that argued that a harmonious relationship among the faiths is necessary given the increasing prevalence of secularist and materialist attitudes. Yet, this relationship can only be of value if not in conflict with or challenging the uniqueness, intrinsic dignity, and metaphysical worth of participating faith communities); *see also* JOSEPH B. SOLOVEITCHIK, A TREASURY OF TRADITION: *Addendum to the Original Edition of “Confrontation”* 78-80 (1967). In 1967, Rabbi Soloveitchik himself wrote an addendum to *Confrontation* concerned with emphasizing the necessary separation between their commitment to God and the “family of man,” stating that “in the areas of universal concern, we welcome an exchange of ideas and impressions,” but in areas of religious law and faith, there is no room for such a discussion. *Id.* at 78. Soloveitchik offers that in such matters of faith different sides will employ “different categories and move within incommensurate frames of reference and evaluation.” *Id.* at 79. As a final point, he draws a distinction between those universal religious problems that are public and suited for dialogue, and those private matters that are about individual commitment to God. *Id.* at 79-80.

<sup>57</sup> Jonathan Sacks, *The Voice of Judaism in the Conversation of Mankind* (Nov. 23, 2003), BOS. COLL. CTR. CHRISTIAN-JEWISH LEARNING, [https://www.bc.edu/content/dam/files/research\\_sites/cjl/texts/center/conferences/soloveitchik/sol\\_sacks.htm](https://www.bc.edu/content/dam/files/research_sites/cjl/texts/center/conferences/soloveitchik/sol_sacks.htm).

<sup>58</sup> Soloveitchik, *supra* note 56.

and law.<sup>59</sup> And, indeed, the active relegation of interfaith conversation to those fields that exist on the human-level—construing their beliefs, ritual, and religious ideals as areas beyond outsider perception—is *the* essential pillar for respecting the individual integrity and dignity of participating faith communities, for their beliefs, ritual, and religious ideals that are held as beyond outsider perception.<sup>60</sup>

Importantly, this narrowing of the discursive field away from more rigid religious topics, and towards more collaborative ones, should be seen as something positive. Discussing, for example, the place and role of the Jews in the Qur'an, the prophetic inspiration of Muhammad, the place of the synagogue and the mosque, or the concept of covenant in Judaism and Islam, with the aim of changing minds or opinions promises great controversy. And, to be sure, there is no shortage of topics that are more amenable for discussion; indeed, “all religions have been traumatized by modern and post-modern culture” such that there are ample grounds to forge connection.<sup>61</sup> Conversations about war and diplomacy, poverty, freedom, moral values, civil rights, common dietary laws are but a few topics ripe for interreligious conversation. For both Jews and Muslims, anti-semitism and Islamaphobia continue to serve as fertile common ground for dialogue, as well as issues of modernization, assimilation, and the alienation of our communities from spiritual traditions.<sup>62</sup> Indeed, dialogue on any of these issues can be done with *integrity*, or, in other words, the respect of the “incommensurable” aspects of Islam and Judaism in the larger quest to forge common ground.<sup>63</sup>

Furthermore, *integrity* necessitates that we come at conversation not from a place of compromise or rejection of another's beliefs, but of curiosity and learning. As to Jewish-Muslim dialogue, specifically, it is inherently flawed to come to the table seeking one side to reject certain claims or historical attitudes. One example of this, for instance, would be to ask Muslims to reject outright claims

---

<sup>59</sup> *Id.* at 2.

<sup>60</sup> *Id.* For the Christians and the Jews, for instance, Soloveitchik observed that topics like “Judaic monotheism and the Christian idea of the Trinity; The Messianic idea in Judaism and Christianity, the Jewish attitude on Jesus . . . [and more]” ought not be permissible grounds for dialogue. *Id.* at 79.

<sup>61</sup> Korn, *supra* note 23, at 301.

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

that contemporary Jews are in any way cursed or hated by God,<sup>64</sup> or that Jews today are responsible for the actions of the Jews that lived in Medina during the time of the Prophet Muhammad.<sup>65</sup> This is unproductive, too bold, and too brash; as the Rabbinical Assembly of 1964 articulated, any “revision of basic historic attitudes [is] incongruous with the fundamentals of religious liberty . . . [and] can only breed discord and suspicion.”<sup>66</sup> The key, instead, in adopting an *integrity-rooted* approach, would be simply to acknowledge theological differences and past attitudes, put them behind us, and focus ways our unique faith communities approach common problems today.

But the question becomes whether there is *any* place for accommodating concerns over peripheral, customary or deeply-rooted attitudes of Jews or Muslims towards one another. The answer is yes, so long as those accommodations are made out of an interest in equalizing the starting positions of faith communities entering into a conversation with one another. Jews, for example, might seek for Muslims to revisit *present* characterizations about the Jews as deceitful, corrupt or untrustworthy—perhaps resulting out of a historical stigma—only because these could inhibit any interest in dialogue. Muslims, similarly, might ask that Jews revisit the roots of any misguided, “alarmist” feelings that might persist about Muslims aiming to do Jews harm. Furthermore, both communities might acknowledge that ancient textual traditions reflecting animosity between the faiths might be less germane to a modern discussion taking place in the context of their communities’ own respective diasporas, or establish that the most fruitful dialogue might arise from focusing on texts that promote and reinforce positive and tolerant, rather than malicious, ideals. In this way, dialogue can center around developing peace, understanding, and progress between our diverse faith traditions into the future.

It bears repeating that any of these accommodations can be made *without* rejecting historical or theological realities, but by merely revisiting prejudices to come to interfaith conversations from a place

---

<sup>64</sup> See, e.g., Qur’an 5:78-79 (“Curses were pronounced upon those of the Children of Israel that rejected faith . . .”); *Id.* at 7:163-166 (describing God cursing a Jewish community that violated the Sabbath by turning them into apes).

<sup>65</sup> See *id.* at 33:26-27 (describing how Muhammad killed or captured members of the Jewish community of Medina who aided the enemies of the nascent Muslim community).

<sup>66</sup> Soloveitchik, *supra* note 15, at 29.

of equity and strength rather than fear. This is further reflective of our larger concern with preserving the integrity of participating faith communities. To be sure, dialogue is not about deconstructing or questioning the internal virtue of Judaism or Islam, or picking apart the “bad parts” of either faith. Rather, the conversation is about the future, a new path built on old, respected, and *tolerated* differences.<sup>67</sup>

Tolerance is yet another concept that needs explication; the term must mean something more than passively acknowledging religious diversity or treating differences between Islam and Judaism as relative and incidental. Instead, a tolerance of differences speaks to the need to actively take seriously the theological and social commitments of each faith *even* in matters that make us uncomfortable or apprehensive. Consider, for instance, Islam’s view of Muhammad as the “seal of the prophets,”<sup>68</sup> whose revelations consequently abrogated earlier revelatory texts.<sup>69</sup> To be sure, this is an incredibly uncomfortable contention for the Jewish community who places value on those earlier texts. But, a toleration of differences asks us to live with that discomfort. In so doing, we acknowledge, as Soloveitchik asks, that “[one’s religious experience] reflect[s] the numinous character and the strangeness of the act of faith of a particular community which is totally incomprehensible to the man of a different faith community.”<sup>70</sup> This sort of tolerance “can make each religion aware of its own limitations and relativity while at the same time all religions can enrich and fertilize each other through their encounter and exchange.”<sup>71</sup>

Along with this notion of tolerance is a respect for pluralism. In the context of interreligious dialogue, pluralism asks that each faith consider the other as having not only intrinsic value, but equal spiritual

---

<sup>67</sup> *Id.* at 23. Again, Soloveitchik reminds us that “when God created man and endowed him with individual dignity, He decreed that the . . . relevance of the individual human being is to be discovered not without but within the individual . . . the same is true of a religious community.” *Id.* In other words, only one’s community, internally, has any authority over assessing its theological or historical attitudes.

<sup>68</sup> Qur’an 33:41.

<sup>69</sup> For more on this, see PERRY SCHMIDT-LEUKEL, TWENTY FIRST CENTURY THEOLOGIES OF RELIGION: *Pluralist Approaches in Some Major Non-Christian Religions* 159, 165 (2017).

<sup>70</sup> Soloveitchik, *supra* note 15, at 23-24.

<sup>71</sup> See Schmidt-Leukel, *supra* note 69, at 168.

value to their own.<sup>72</sup> Importantly, pluralistic thinking is not an affront to any innate exclusivism associated with Jewish or Muslim theology, but is more about ensuring that neither confronter will “command us to take a position beneath himself not alongside of but above us.”<sup>73</sup> Rabbi Soloveitchik admonished Vatican II for categorizing the Jews as “brethren.”<sup>74</sup> Instead, the faiths would better be considered accepted, but separate and independent, participants in a global interfaith conversation. In this way, pluralism, being ontologically non-hierarchical, opens the doors for building connections, identifying commonalities, and embracing differences for the benefit of societal transformation.<sup>75</sup>

This is not to say, however, that reticence to be termed “brethren” should be read as apprehension for attaining a fuller understanding of one another’s faith traditions. Indeed, the opposite is true: any failure to understand another religious tradition in which we are in dialogue can have very real practical consequences. Consider, for instance, how a Jordanian cleric recently misquoted a *hadith* that stated “there is a Jew behind me, come and kill him.”<sup>76</sup> Quick, alarmist responses to that statement—based in ignorance of context or full-understanding of the *hadith*—produce virulent anti-semitism and disquieting claims of Islamic support for the substance of the quote.<sup>77</sup> Such misunderstandings kill potential for dialogue *ab initio*, even where a brief comment on context or translation might dispel the problematic nature of the quote outright. Indeed, nurturing a culture

<sup>72</sup> Paul R. Mendes-Flohr, *Reflections on the Promise and Limitations of Interfaith Dialogue*, 48 EUROPEAN JUDAISM 5, 8 (2013).

<sup>73</sup> Soloveitchik, *supra* note 15, at 21.

<sup>74</sup> *Id.*

<sup>75</sup> *Id.* at 24 (“all of us speak the universal language of modern man . . . [and] our common interests lie not in the realm of faith, but in that of the secular orders.”).

<sup>76</sup> Omar Suleiman et al., *The Myth of An Antisemitic Genocide in Muslim Scripture*, YAQEEN INST. ISLAMIC RSCH. (2018), <https://yaqeeninstitute.org/wp-content/uploads/2017/08/FINAL-The-Myth-of-An-Antisemitic-Genocide-In-Muslim-Scripture-1.pdf>.

<sup>77</sup> In another instance, the Qur’an describes Jews as “‘apes and pigs.’ Become apes—despised and disgraced!” Qur’an, Sura 7:166; *see also* Qur’an 5:60 (“Shall I tell you about those whose retribution with Allah is even worse? They are the ones whom Allah has cursed, and who incurred His wrath and some of whom were changed into apes and swine, and who served the false deities.”). Again, one is triggered by potential anti-semitism when in fact the quotes themselves can be explained away through proper learning. *See* Mohammed Dajani, *On the Significance of Dialogue*, WASHINGTON INST. (May 13, 2016) <https://www.washingtoninstitute.org/policy-analysis/significance-dialogue>.

not just of tolerance and pluralism, but also of a willingness to learn and study, should be mainstream to interfaith dialogue efforts.

Through bridging gaps in our shallow conceptual understandings of different faiths and value systems, as well as re-orienting any negative pre-dispositions about different faiths, we can have more productive interfaith engagement.

### III. INTEGRITY-ROOTED INTERFAITH COLLABORATION: SOME NEW FRONTIERS

The envisioned task of the Center would be to invite the above sort of conversation, rooted in tolerance, pluralism, and, above all, *integrity*, between Jews and Muslims individually, and Judaism and Islam theoretically. The scholarly work would be instrumental in strengthening conceptual understandings of one another's faith, and the broad attention given to differences as well as similarities between communities could open a new frontier in the interfaith project. To that end, this section outlines three foundational areas upon which Jews and Muslims might build connection, common-ground, and dialogue in a way that honors the individuality of each faith. The Center's work could commence with these areas of conversation, or, indeed, from so many others.

#### A. Historical Connection as a Foundation for Engagement; Setting the Record Straight

The first potentially fruitful area for productive Jewish-Muslim conversation has the benefit of tackling the estrangement between Jews and Muslims in the modern world, while also offering a foundation for future reconciliatory efforts. Namely, exploring and developing an understanding of the historical and narrative records of Muslim dealings, collaborations, and relations with Jews in the early years of Islam, especially during the lifetime of the Prophet Muhammad.<sup>78</sup>

Arabia, in the late-500's and early 600's CE, was home to some significant numbers of Jews.<sup>79</sup> While little is known about the

---

<sup>78</sup> For a more profound treatment of this topic, see generally MICHAEL LECKER, *JEWES AND ARABS IN PRE- AND EARLY ISLAMIC ARABIA* 39 (Abdelwahab Meddeb & Benjamin Stora eds., 1998).

<sup>79</sup> *Id.* at 18.

character of these Jewish communities from within Jewish sources,<sup>80</sup> early Islamic texts and traditions are replete with records of many positive interactions between the Prophet and Jewish communities,<sup>81</sup> especially in terms of the formal agreements which Muhammad entered into with non-Muslim communities during his lifetime.<sup>82</sup> The first of these agreements, the *Mithaq Madina*, or “Charter of Madina,” for example, was created as a kind of proto-constitution intended to demarcate the rights, responsibilities, and relations between the various tribal groups—from Jewish tribes to pagan Arabs—living in Medina at the time of Muhammad’s arrival in the city.<sup>83</sup> Accordingly, the Charter likely reflects some of the earliest Islamic ideas, carried by the Prophet himself, about proper Jewish-Muslim interactions.<sup>84</sup> It discusses, at great length, the rights and duties of all parties to the covenant, declaring the creation of a single political community in Medina even as it affirms the distinct religious identities and practices of the city’s Jewish and Muslim populations.<sup>85</sup> And, indeed, similar expressions of political and economic engagement between Muhammad and Arabian Jews are evidenced in the other treaties and charters of the day.<sup>86</sup>

Now, of course, the story of early Muslim treaties with Arabian Jews is more complicated than just one of peace, acceptance, and equality. To be sure, Muhammad negotiated his agreements from a position of strength, and, especially when it came to the Charter of Madina, his treaties represented a coordinated effort to reduce Jewish status to that of *dhimmis*—protected, yet very much second-class members of Muslim controlled societies.<sup>87</sup> Narrative accounts of the Prophet’s life include examples of hostile interactions between

<sup>80</sup> See generally GORDON D. NEWBY, A HISTORY OF JEWISH-MUSLIM RELATIONS: *The Jews of Arabia at the Birth of Islam* (Abdelwahab Meddeb & Benjamin Stora eds., 2013).

<sup>81</sup> See Ahmed Al-Wakil, *Searching for the Covenants: Identifying Authentic Documents of the Prophet Based on Scribal Conventions and Textual Analysis* (March 26, 2017) (MPP thesis, Hamad Bin Khalifa University) (ProQuest).

<sup>82</sup> *Id.*

<sup>83</sup> See generally MICHAEL LECKER, THE CONSTITUTION OF MEDINA: MUHAMMAD’S FIRST LEGAL DOCUMENT (2004).

<sup>84</sup> Uri Rubin, *The “Constitution of Medina” Some Notes*, 62 *STUDIA ISLAMICA* 5, 13-15 (1985).

<sup>85</sup> Al-Wakil, *supra* note 81, at 30.

<sup>86</sup> W. MONTGOMERY WATT, MUHAMMAD AT MEDINA (1956) 192-219 (2014).

<sup>87</sup> Nasim Hasan Shah, *The Concept of Al-Dhimmah and the Rights and Duties of Dhimmis in an Islamic State*, 9 *INST. MUSLIM MINORITY AFFS. J.* 217, 217-22 (1988).



Muslims and Jews alongside instances of coexistence and mutual respect.<sup>88</sup> And, eventually, Islamic sources relate that the Jews of Madina reneged on the terms of the Charter, leading Muhammad to ultimately expel them from the city.<sup>89</sup>

To be sure, genuine, integrity-rooted Jewish-Muslim engagement ought not obfuscate acknowledging difficult realities.<sup>90</sup> But, importantly, discussions of these early agreements between Muhammad and Jewish communities within his sphere of influence offer a historical and narrative foundation for Muslim-Jewish engagement. This basis, indeed, was undertaken in a spirit of toleration for religious difference and, to a large extent, mutually beneficial societal cooperation.

Jewish-Muslim engagement in the centuries following the Prophet's death, furthermore, provide even stronger historical models for fruitful engagement. Indeed, many have noted that early Islamic intellectual history was characterized by substantial Muslim borrowing from Jewish thinking.<sup>91</sup> In addition to biblical narratives and rabbinic teachings finding their way into Islamic scriptural texts and traditions,<sup>92</sup> Muslim encounters with the Jewish Talmudic academics of Persia in the 7<sup>th</sup> Century likely influenced the subsequent development of Islamic legal thinking and practice.<sup>93</sup> From among the rabbinic thinkers, early Muslims encountered a highly developed and sophisticated system of religious jurisprudence that integrated scriptural text, traditions and precedents, local customs, human reasoning, and interpretation into a comprehensive system of Jewish Law that covered ritual and temporal matters.<sup>94</sup> In the succeeding centuries, Muslim jurists would go on to synthesize many of these

---

<sup>88</sup> *See id.*

<sup>89</sup> Al-Wakil, *supra* note 81, at 30.

<sup>90</sup> *Id.*

<sup>91</sup> CAMILLA ADANG ET AL., JEWISH-MUSLIM INTELLECTUAL HISTORY ENTANGLED 2-9 (2020).

<sup>92</sup> *See generally* JACOB NEUSNER, THE SOCIAL TEACHINGS OF RABBINIC JUDAISM (3 VOLS) (2001).

<sup>93</sup> Menahem Mansoor, *Islam and Judaism: Encounters in Medieval Times*, 26 HEBREW STUD. 103, 103–13 (1985).

<sup>94</sup> Judith Romney Wegner, *Islamic and Talmudic Jurisprudence: The Four Roots of Islamic Law and Their Talmudic Counterparts*, 26 AM. J. LEGAL HIST. 25, 25-71 (1982).

rabbinic legal perspectives into the development of a systematic jurisprudence of Islamic Law.<sup>95</sup>

Commensurately, as Muslims advanced areas of theology, philosophy, and legal sciences, Jewish scholars were also prompted to borrow from the Islamic tradition themselves.<sup>96</sup> By the 10<sup>th</sup> Century, rabbis in the Muslim world began to develop and articulate systematic theology and principles of religious dogma, perhaps as a response to the compellingly rigorous development of such disciplines among Muslim theologians.<sup>97</sup> Around the same time, Jewish Law scholars in the Muslim world also began a process of codifying and systematizing Jewish Law in ways that bear close resemblances to the organization and conception of law texts that originated among Muslim jurists.<sup>98</sup> Jewish and Muslim religious thinkers also utilized each other's texts and traditions in other areas; for instance, sayings attributed to the Prophet Muhammad found their way into Jewish ethical tracts,<sup>99</sup> and Jewish translators made Islamic philosophical works available to Hebrew-speaking audiences.<sup>100</sup>

Of course these relations and exchanges were also not all positive.<sup>101</sup> Especially following the Almohad conquests of North Africa and Andalusia, as well as the Mongol disruptions of established Muslim polities in Central Asia and the Middle East, Jews often lived in Muslim societies subject to significant legal constraints.<sup>102</sup> In some instances, Jews were massacred,<sup>103</sup> expelled,<sup>104</sup> or subject to forced conversions.<sup>105</sup> Islamic beliefs and practices were often strongly criticized in rabbinic works, even as Islam—unlike Catholicism—was

---

<sup>95</sup> Gamal Moursi Badr, *Islamic Law: Its Relation to Other Legal Systems*, 26 AM. J. COMPAR. L. 187, 187–98 (1978).

<sup>96</sup> See generally Shlomo C. Pill, *Legalization of Theology in Maimonides and al-Ghazali*, 6 BERKELEY J. MIDDLE E. & ISLAMIC L. 1 (2014).

<sup>97</sup> *Id.* at 21 (discussing Maimonides and his relationship to Islamic tradition).

<sup>98</sup> Badr, *supra* note 95, at 187-98.

<sup>99</sup> Hadith of the donkey carrying books in Chovot Halevavot. See Qur'an 62:5.

<sup>100</sup> Consider, for example, the famous Samuel Ibn Tobbon (translator of *Guide to the Perplexed*), as well as Moshe Narboni (commenting on the works of Ibn Rushd).

<sup>101</sup> Mansoor, *supra* note 93.

<sup>102</sup> AMIRA K. BENNISON, *THE ALMORAVID AND ALMOHAD EMPIRES* 62-117 (2016).

<sup>103</sup> MARIBEL FIERRO, *FORCED CONVERSION IN CHRISTIANITY, JUDAISM AND ISLAM: Again on Forced Conversion in the Almohad Period*, 111-32 (2019).

<sup>104</sup> *Id.* at 119.

<sup>105</sup> *Id.*

not regarded as an idolatrous faith in Jewish sources.<sup>106</sup> To be sure, modern scholarship confirms that the so called “Golden Age” of Jewish-Muslim coexistence was far from a pluralistic utopia.<sup>107</sup>

Even still, by and large, Jews and Muslims lived in relatively prosperous coexistence in the medieval world.<sup>108</sup> Jewish economic, intellectual, and religious life flourished in many respects—especially in comparison to the more repressive conditions Jews faced in Christian Europe.<sup>109</sup> Some Jews attained high political rank within the Muslim world,<sup>110</sup> enjoyed economic freedoms and opportunities,<sup>111</sup> and had the legally protective minority status within Muslim societies.<sup>112</sup> Muslims, in turn, enjoyed the benefits of business, social, and political ties with local Jews.<sup>113</sup> They gained access to European economic markets through Jewish commercial ties across Muslim/Christian political and linguistic divides, and generally enjoyed Jewish support for Muslim governments against foreign invasions.<sup>114</sup>

Jewish-Muslim relations would go on to improve even more during the rise of the Ottoman Empire.<sup>115</sup> Indeed, the consolidation of the Ottoman Empire, coinciding with the expulsion of all Jews from Spain in 1492, featured many of these Jews flooding into Ottoman-controlled Greece, Turkey, Egypt, and Syria.<sup>116</sup> The relative political and economic stability of the Empire contributed to Jewish economic and religious flourishing; Jews throughout the Mediterranean became major players in Ottoman commerce,<sup>117</sup> rabbinic law flourished, and

---

<sup>106</sup> See ISADORE TWERSKY, *A MAIMONIDES READER* 477 (1972) (criticizing another rabbi for thinking that Islam is an idolatrous religion). See also Mishneh Torah 11:7.

<sup>107</sup> See MARK R. COHEN, *A HISTORY OF JEWISH-MUSLIM RELATIONS: Prologue: The “Golden Age” of Jewish-Muslim Relations: Myth and Reality* 28 (2013).

<sup>108</sup> See generally JACOB RADER MARCUS & MARC SAPERSTEIN, *THE JEWS IN CHRISTIAN EUROPE: A SOURCE BOOK, 315-1791* (2015).

<sup>109</sup> *Id.*

<sup>110</sup> See generally NORMAN STILLMAN, *ENCYCLOPEDIA OF JEWS IN THE ISLAMIC WORLD* (2010).

<sup>111</sup> *Id.*

<sup>112</sup> *Id.*

<sup>113</sup> MOSHE GIL, *JEWS IN ISLAMIC COUNTRIES IN THE MIDDLE AGES* (2004).

<sup>114</sup> *Id.*

<sup>115</sup> See generally Jonathan Ray, *Iberian Jewry between West and East: Jewish Settlement in the Sixteenth-Century Mediterranean*, 18 *MEDITERRANEAN STUD.* 44 (2009).

<sup>116</sup> *Id.* at 44.

<sup>117</sup> *Id.* at 60.

Jewish mysticism developed exponentially in Safed, Egypt, and other locales.<sup>118</sup> Furthermore, the consolidation of administrative functions within the empire's centralized bureaucracy provided Ottoman Jews with greater legal protection and stability, permitting them to manage their own internal affairs through their own courts into the early 20<sup>th</sup> Century.<sup>119</sup>

While these great strides were made, it is, of course, essential to acknowledge, again, the unpleasant aspects of Jewish-Muslim relations in the Ottoman Period. Anti-Jewish sentiments prevailed among many Muslims, leading to unofficial harassment and persecution.<sup>120</sup> Additionally, as European colonial influence began to make inroads within the Muslim and Ottoman worlds, European religion-, nationality-, and ethnicity-based anti-semitism gained traction as well.<sup>121</sup> Jews experienced substantial hardship, and some violence at the hands of Muslims, especially as tensions between the two groups became politically charged with the rise of Zionism and the gradual weakening of the Ottoman Empire in the 19<sup>th</sup> Century.<sup>122</sup> These political differences were and still are real and sharp.

But, while the wounds experienced by both groups as a result remain raw and painful, Jews and Muslims do not need to ignore them in order to be engaged in developing the tools and foundations for broader reconciliation. The history of Jewish-Muslim relations, while not always picturesque, recalls both groups' willingness to work with and learn from the other for the betterment of each tradition and community, and for the broader society.

## B. Environmental Advocacy

The Jewish and Muslim communities share so much more than a history, however. In fact, the two groups share a unified voice in various public policy conversations at the community and global levels.<sup>123</sup> On the matter of the environment, for instance, the teachings

---

<sup>118</sup> JONATHAN GARB, *A HISTORY OF KABBALAH* 30-60 (2020).

<sup>119</sup> See MINNA ROZEN, *THE CAMBRIDGE HISTORY OF TURKEY: The Ottoman Jews* 256 (Suraiya Faroqhi ed., 2006).

<sup>120</sup> See EFRAT AVIV, *ANTISEMITISM AND ANTIZIONISM IN TURKEY: FROM OTTOMAN RULE TO AKP 14-17* (1st ed. 2019).

<sup>121</sup> *Id.* at 314-15.

<sup>122</sup> *Id.* at 318-19.

<sup>123</sup> One example of such is the Jews and Muslims of Australia. See Simon Tatz, *The Anti-Muslim Sentiment is Sadly Familiar for Many Australian Jews*, AUSTL. BROAD.

of both Islam and Judaism offer moral guidance that can inform policy debates. Indeed, each respectively proffers that humankind must find a balance between using, preserving, and respecting natural resources.<sup>124</sup>

Yet, even beyond the texts, the priority that these faiths give to cultivating efforts towards environmental sustainability is made manifest on the modern world stage. In 1986, for example, both international faith communities sent delegates to a 1986 WWF-International Summit in Assisi, Italy, where five global leaders of five faiths offered “faith declarations on nature.”<sup>125</sup> His Excellency Dr. Abdullah Omar Nasseef, the then-Secretary General of the Muslim World League, offered that “[t]he central concept of Islam is *tawheed* or the Unity of God. Allah is Unity; and His Unity is also reflected in the unity of mankind, and the unity of man and nature.”<sup>126</sup> To wit, Muslims are to be held “responsible for maintaining the unity of His creation, the integrity of the Earth, its flora and fauna, its wildlife and natural environment.”<sup>127</sup> To be in “unity,” furthermore, cannot be about domination or antagonism—that is, inter-personally or in terms of relationship with nature—but in “balance and harmony.”<sup>128</sup> Muslims, he propounded, “will be answerable for how we have walked this path, how we have maintained balance and harmony in the whole of creation around us.”<sup>129</sup>

Interestingly, though perhaps unsurprisingly, Rabbi Arthur Hertzberg, then-Vice President of the World Jewish Congress, instructed similarly that Judaism always held “this world [as an] arena that God created for [humans], half beast and half angel, to prove that [we] could behave as . . . moral being[s].”<sup>130</sup> He indicted man, who

---

CORP., (Nov. 26, 2015, 2:37 PM), <https://www.abc.net.au/news/2015-11-27/tatz-anti-muslim-sentiment-familiar-for-jews/6969356>.

<sup>124</sup> See Qur’an 55:7-9 (“Allah raised the heaven and established the balance, so that you would not transgress the balance. Give just weight—do not skimp in the balance”); Nahmanides, commentary to *Deuteronomy* 22:6.

<sup>125</sup> THE ASSISI DECLARATIONS: MESSAGES ON HUMANITY AND NATURE FROM BUDDHISM, CHRISTIANITY, HINDUISM, ISLAM & JUDAISM (Sept. 29, 1986), *available at* <http://www.arcworld.org/downloads/THE%20ASSISI%20DECLARATIONS.pdf>.

<sup>126</sup> *Id.* at 11 (emphasis added) (Muslim statement from the Assisi Declarations on Nature).

<sup>127</sup> *Id.*

<sup>128</sup> *Id.*

<sup>129</sup> *Id.*

<sup>130</sup> *Id.* at 14 (Jewish statement from the Assisi Declarations on Nature).

was “given dominion over nature,” for failing in their moral charge; and articulated how we remain “commanded to behave towards the rest of creation with justice and compassion.”<sup>131</sup> Indeed, “[humanity] lives always in tension between his power and the limits set by conscience.”<sup>132</sup>

To be sure, these commissions and calls to action have served as inspiration for a growing number of grassroots faith-based organizational efforts in environmental advocacy. In North America alone, groups like the “Coalition on the Environment and Jewish Life” and “Green Muslims” have already made important contributions to conversations around global sustainability and climate change, and continue to lead in the field.<sup>133</sup> On a larger scale, Israel has signed international environmental agreements, Muslim university groups and scholars have issued public statements on conservationism and Islam, and spiritual leaders across the board publicly campaign on environmental issues in ways rooted in their religious and textual traditions.<sup>134</sup>

The Center might continue the momentum of these excellent on-the-ground organizations by bolstering these efforts with scholarship on the intellectually comparable outlooks of Judaism and Islam on environmental sustainability, protection, and advocacy. By considering source texts, the history of these communities, and projections for the future, the environmental arena could be a fruitful sphere for dialogue and common-ground.

### C. Religious Expression and Gathering

Lastly, and thinking more on a national-level, Muslims and Jews in North America, are expressing revitalized interest in the preservation and respect of the right for religious people to gather, practice, and pray in their largely secular surroundings brought about by generational diaspora.

---

<sup>131</sup> *Id.*

<sup>132</sup> THE ASSISI DECLARATIONS ON NATURE, *supra* note 125, at 14.

<sup>133</sup> Interestingly, though there are several interfaith environmental organizations in North America and abroad, there are none that present a Jewish-Muslim collaboration. *See* Rothstein, *supra* note 1, at Appendix A.

<sup>134</sup> Jens Koeherson, *Muslims and Climate Change: How Islam, Muslim Organizations, and Religious Leaders Influence Climate Change Perceptions and Mitigation Activities*, 12 WIREs CLIMATE CHANGE 702 (2021).

In 2000, Congress passed the Religious Land Use and Institutionalized Persons Act (“RLUIPA”), specifically targeting zoning laws that pointedly and unjustly prohibit religious institutions from seeking out space to gather.<sup>135</sup> RLUIPA was passed to the satisfaction of Muslim and Jewish communities who felt that far too often neighbors veiled latent anti-semitism and Islamophobia behind prohibitive zoning and property ordinances.<sup>136</sup> But, unfortunately, these sentiments have not dissipated since passing RLUIPA.<sup>137</sup> As of 2020, 23% of the RLUIPA land-use disputes opened by the Department of Justice still involved Muslim groups and 10% still involved Jewish groups.<sup>138</sup> Suffice to say, the two faiths continue the fight against attempts to undermine their ability to gather as a community—offering yet another fertile area for joint-work.

Muslims and Jews have invoked the RLUIPA in other contexts, as well. Consider, for instance, the protection of religious rights from within the prison system. For years, and across the nation, cases have arisen where inmates of faith have been denied Halal and Kosher food by Departments of Correction.<sup>139</sup> In 2013, and 2016, respectively, Muslim and Jewish prisoners in Michigan brought suit, and won, against the Department of Corrections for just such a denial.<sup>140</sup> In 2019, the 7th Circuit ruled in favor of a Muslim inmate who was being forced to pay a burdensome cost associated with receiving his required meal.<sup>141</sup> Out of a need to preserve tradition, as well as honor religious law, Muslims and Jews are fighting similar fights in this, albeit unlikely, legal frontier.

And lastly, back within the ambit of local community concerns, since Muslims and Jews advocate for spaces of prayer and gathering, the two faiths also share an interest in ensuring accessible religious education. One important area where Muslims and Jews are

<sup>135</sup> 42 U.S.C. § 2000(c)(c).

<sup>136</sup> See Emma Green, *The Quiet Religious-Freedom Fight That Is Remaking America*, THE ATLANTIC, (Nov. 5, 2017), <https://www.theatlantic.com/politics/archive/2017/11/rluipa/543504/>.

<sup>137</sup> DEP’T OF JUST., REPORT ON THE TWENTIETH ANNIVERSARY OF THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT 12 (Sept. 22, 2020), <https://www.justice.gov/crt/case-document/file/1319186/download>.

<sup>138</sup> *Id.*

<sup>139</sup> *Religious Prisoners Denied of Halal and Kosher Food*, ACLU MICHIGAN, <https://www.aclumich.org/en/cases/religious-prisoners-deprived-halal-and-kosher-food> (last visited Aug. 8, 2022).

<sup>140</sup> *Id.*

<sup>141</sup> *Jones v. Carter*, 915 F.3d 1147 (7th Cir. 2019).

partnering, or at least share common aims, is in the ongoing conversation surrounding the availability of public funding for religious schools. In *Espinoza v. Montana Department of Revenue*,<sup>142</sup> the Supreme Court held that, where students were already offered funding to attend secular private schools, the state was responsible for offering that same funding to students seeking to attend religious schools.<sup>143</sup> This decision was lauded by faith communities as a triumph for equality of treatment. The Court, indeed, issued a bold statement *against state religious discrimination*, opening up opportunities for students to seek out what is often a costly niche education.<sup>144</sup>

As it happens, this same question was again before the Court in *Carson v. Makin*.<sup>145</sup> Both the Council of Islamic Schools in North America and the Union of Orthodox Congregations in America contributed to an amicus brief on this matter, writing:

Schools in [our network] all integrate their respective faith traditions with secular academic content. For these organizations, integration of faith into all aspects of schooling is an indispensable element of what it means to be a religious school. To discriminate against these religious schools on the basis of use is to discriminate against them on the basis of their religious status—and should thus trigger strict scrutiny . . . [the lower court’s decisions] require “those with a deep faith” like *amici* to “face the greatest disabilities.”<sup>146</sup>

To be sure, *Carson*, and what are certain to be others in the *Espinoza* line of cases, present an opportunity for Muslims and Jews to join their voices in support of their beliefs and community needs. The Center can, accordingly, be a source of erudition for these activists, a place of collectivization, and a rallying space for developing more pointed arguments for these important causes and representations of a Muslim-Jewish common opinion in the development of law and policy.

---

<sup>142</sup> *Espinoza v. Montana Dep’t of Revenue*, 140 S. Ct. 2246 (2020).

<sup>143</sup> *Id.*

<sup>144</sup> *Id.*

<sup>145</sup> *Carson v. Makin*, 142 S. Ct. 1987 (2022).

<sup>146</sup> Brief for Petitioner at 6, *Carson v. Makin*, 142 S. Ct. 1987 (2022) (No. 20-1088), (2021 WL 9219016).



#### IV. CONCLUSION

*Integrity* in engagement, as a philosophy, at once represents an acknowledgement of the limitations of dialogue, the intentional nature of *what* the faith communities ought to discuss, and directedness towards a newer future built on common-ground and understanding. Together with pluralism and toleration, integrity-rooted interfaith dialogue promises a fruitful way for going about the arduous project of Jewish-Muslim conversations. And, indeed, the field is ripe and ready for innovation. The Center, we believe, in embodying this philosophy, is an initiative that promises to take the landscape of interfaith relations to a new level; to develop the academic and intellectual bedrock upon which Jewish-Muslim relations can flourish. Through this piece, together with its progenitor, we endeavor to build awareness of the foundational principles upon which a flourishing Center for Jewish and Muslim Engagement might be built, and the many different projects that can be furthered by its efforts. But, to be sure, there is so much more work that can and will be done towards reconciliation.