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Center for Modern Torah Leadership



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"Taking Responsibility for Torah"

DIALOGUE: SHOULD TORAH BE NONPARTISAN?

Rabbi Aryeh Klapper, Dean

Edited transcript of a conversation this week between the middle-aged Centrist Orthodox: politically moderate rabbi of a midsized shul and two wonderfully difficult congregants.

Aharon and Miriam: Rabbi, we're wondering if you plan to tell us which candidates or party to vote for in the coming election. We understand that politics are really tangled, so there's often a really good Torah basis for either side. But surely this year the choice is clear! Even though we disagree about which side to choose.

Rabbi: The task of a public scholar is to make Torah relevant, but not partisan.

Miriam: Why shouldn't Torah be partisan, if one side is closer to Torah than the other?

Rabbi: The Orthodox community is politically diverse. If we make Torah partisan, then some of our members will turn away from Torah, or else we will split the community.

Aharon: If Torah cannot tell people what to do about the major human issues of the day, what use is it? If Orthodox Jews will turn away from Torah rather than obey it, what sort of Fear of Heaven does our community have?

Rabbi: I'm very glad you asked that question. Certainly Torah can and should tell people what to do about specific issues. But a political party or candidate has positions about lots of issues. All I'm saying is that Torah doesn't tell people to support all the positions of Party A or Candidate B just because Torah supports some of their positions.

Miriam: That isn't a sufficient response. Part of the job of Torah is to tell us how to weigh and balance various values, isn't it? So if Candidate B is right about the more important issues, then you should tell us to vote for her. It sounds to me like you're using Torah to cover up for unwillingness to risk the shul's tax exemption.

Rabbi: I can't deny that the tax exemption has crossed my mind. But I'm less worried about losing it than about keeping it dishonestly.

Miriam: Then give it up voluntarily! Or make a clear division between when you're speaking as the rabbi of the shul and when you're speaking privately. For example, I want to make clear that I'm not asking you because of your position, but rather because of my profound respect for your Torah wisdom.

Aharon: Me too!

Miriam: And if you're worried about members leaving, I think you're being slippery. You know full well that taking a position on some issues will be understood as partisan no matter how much you insist that you aren't telling people how to vote.

Rabbi: I'm sure you're right about that.

Aharon: So are you going to avoid taking positions on those issues? Even if they're the most important issues?

Rabbi: Thank you for holding me accountable to my own ideals. I don't think I could live with myself if I was just being cowardly. But I still feel very uncomfortable attaching Torah to one political side or the other, and I'd like help figuring out why. You know how deeply I believe that halakhah is not meant to turn people into religious automatons who simply obey orders. They have to take responsibility for their own Torah choices. I also say all the time that Torah scholars have no special knowledge or authority over facts. It feels like telling people how to vote violates both those principles. I think my job is to explain to people what I see as the values and principles the Torah holds dear, and let them decide how those play out in the real world.

Yes, I pasken about kashering dishwashers, and about mechitzah height, and even life-and-death issues. But only where detailed halakhic knowledge is essential, or where the community needs a single standard, or in the rare case that I think a person has the right to defer responsibility.

Miriam: That sounds awfully noble, but I'm not convinced. But let's leave voting aside for the moment. I'm sure a lot of people have asked you how to balance the pikuach nefesh risks of the pandemic against the moral necessity to protest. Did you pasken for them?

Aharon: Also, even if you don't want to pasken, what are you doing, yourself, in public? It would be ridiculous to claim that leading by example deprives other people of their autonomy.

Rabbi: I understand that some people have a very hard time accepting that it could be permitted to attend a mass demonstration at the same time that we're saying that shuls have to stay closed, and permitting only small outside minyanim. Shuls are closed because a community like ours is very vulnerable to rapid spread, and many of us live with people in high-risk categories. Gathering together isn't just risking our lives, it risks the lives of other people. People who attend demonstrations that don't absolutely maintain social distancing should not be attending minyan at all. The same goes for anyone in their households.

But attending demonstrations is arguably a way of saving lives, and correcting radical injustice on the societal level, especially a society that one participates in, benefits from, and has responsibility for, legitimates assuming a certain amount of risk to oneself. So if people are convinced that the demonstrations can have such results (whether I agree or disagree), I tell them to minimize the risk to themselves and maximize results as best they can. But they must be extraordinarily careful not to expose others who have not voluntarily assumed any risk.

My household has high-risk people, so it's hard for me to justify attending any public gathering. I believe that otherwise, like many of my colleagues, I would be joining protests that observe social distancing.

But let me challenge you for a moment. Demonstrations are a physical risk, but they may be less of a social risk than taking stands within our community, especially when that puts us in conflict with people who generally share our political or religious views. As Dumbledore said, standing up to our friends often requires more courage than standing up to our enemies.

I am absolutely comfortable saying that Torah requires Democrats and Republicans to treat every human being with dignity. This is true in direct dealings and in how we speak about others when they are not present, and with regard to both individuals and groups. Can you tell me what you are doing to make this happen within our community, and within the Orthodox community?

Miriam: I've been sharing like mad on Facebook some amazingly powerful stories and statements from Jews of color who love our community but nonetheless have sometimes felt excluded or disparaged. Also divrei Torah emphasizing that support for equal civil rights is a religious obligation, and statements from politically conservative thought-leaders about how ongoing racism undermines our vision of American exceptionalism.

Aharon: I committed to not being silent when people in my community say or share things that, to me, violate the principle that all human beings are created *b'tzelem Elokim*. But it's really hard – I have a lot fewer “friends” than I did last week, and now I'm a little bit glad that I won't be going to an extended family party for a while. I know that some of my friends who made the same commitment are afraid they'll have to confront teachers they revere. What about you?

Rabbi: One of my teachers coined the term “sustainable hypocrisy” for the idea that people and communities should try to establish public images just a little better than they actually are, and then try to live up to them. This works if the image is just a little better, but not if the gap is large. I'm very happy that so many Orthodox organizations have made statements about committing to eliminating both gross and subtle racism within our ranks, but the gap is too large right now. I'm working to shrink it. Here are two concrete measures that I think can be implemented soon:

- 1) having every school and shul put accountable policies in place to ensure that no one is ever asked to prove their Jewishness because of how they look. I can't tell you how many upsetting stories I have heard about admission interviews or about shul guests. I want to stress the accountability – right now these stories often go nowhere because there's no safe address for complaints.
- 2) making clear at every level and in every context, from pre-school to kiddush club, that we view making racist comments as a violation of Halakhah. Statements by organizations or university presidents can too easily be dismissed as exercises in public relations. We need to translate them into consensus halakhic guidelines for shuls and schools with the imprimatur of major poskim. I resist formal sanctions for any but the most blatant or repeat offenders; but our positions and policies should be crystal clear.

Obviously there is much more to do. But if we can establish accountability and Torah rigor in core contexts, we'll be in much better shape to address the harder questions about both our present and our past, and to provide serious Torah resources for thinking about partisan issues.

Our time together is almost up. Does one of you have a relevant question or comment about this week's parshah?

Miriam: Well, Aharon and I were discussing, just before you came in, how this week's parshah is always a gut-check for me because of what happens to Miriam, and maybe – I know this isn't how most of the rishonim understand it – because she wasn't welcoming to someone who looked different, and came from a different culture. I wonder how Mosheh Rabbeinu's children were treated – maybe that's why they never became communal leaders.

Rabbi: Yeyasher kochekh. A sobering thought to leave on. I look forward to our next conversation.

This dialogue is a work of ideological fiction. Any resemblance to actual persons, living or dead, is coincidental but artistically encouraging.