

CMTL 2017 SNAPSHOTS

From: *Is Halakhah Always Law? Thoughts about Aggadic Aging, Morality, and Mortality*

What we need is a model of G-d-fearing that eagerly seeks intellectual and moral accountability to the tradition **and its past and present human interpreters** without surrendering responsibility.

From: *The Elor Azariah Case: A Halakhic Framework*

It is rarely good for justice when individual cases become symbols. For example, symbolic defendants often cannot be acquitted when there is strong evidence of guilt, even if reasonable doubt remains. Such cases are a good time for scholars to heed the Rabbinic injunction “Sages, be cautious with your words”, lest you mislead your students and they suffer the consequences.

From: *Women as Clergy*

The halakhic consensus among religious Zionists is that Golda Meir could legitimately become Prime Minister of Israel. At the least it must be acknowledged that many significant halakhic figures held this way. Any limitation on women’s roles based on a concept such as *serarah* must be tested for plausibility against a sentence such as “women can be Prime Minister of Israel but not President of a Young Israel”, which to me is self-evidently absurd.

From: *Moral and Other Sevarot*

Reason can be a source of halakhic truth. When this appears to make a verse of Revelation redundant, we may interpret that verse as limiting or countering the halakhic truth derived from reason. But this does not shake our underlying epistemological faith in reason, so we may limit that limit on the basis of reason. This cycle can and should be iterative.

From: *Some Kind of Blue? Tradition, Tekhelet, and the Rav*

I suggest that metatraditions by their nature as abstractions are always grounded in intellect rather than pure reception, and therefore can never have unchallenged authority. A claim of authority on the basis of tradition is therefore never self-sufficient. It can succeed only if there is a shared prior metatradition about the authority of tradition, and that metatradition will be accountable to the ordinary intellectual processes of Torah.

From: *Who Gets to Decide What’s “Shabbesdik”?*

Halakhic rulings with regard to such issues as oneg Shabbat, uvda d’chol, and other issues of “Shabbasdikness” should be made with great deference to mimesis and with a deep appreciation of subjectivity taking precedence over the desire for consistent rules.

From: *Valuing Dissent in a Time of Celebration*

There is something very striking about a convert who articulates positions that no one else is willing to say publicly. It takes courage to convert a person with courage, as one will likely be assigned some of the blame when they later take unpopular positions.

From: *The Rabbi and the Gabbai: A Horsetorical Bromance*

Halakhah teaches us how to act, but aggada teaches us how to be.

From: *Should the Sanhedrin be Elected?*

Recognizing the democratic foundation of rabbinic authority can have at least three salutary consequences.

1. It requires a halakhically committed population to compel all Jewish institutions to be publicly accountable, regardless of the piety or scholarship of its advisory board.
2. It prevents laypeople from disclaiming responsibility for the failures of their community’s rabbinic leadership.
3. It compels supporters of minority halakhic positions to acknowledge that their positions are losing not because the halakhic authorities are out of touch with the desires of the laity, but rather because they are very much in touch. Contentions about the existence of “silent majorities” are no more convincing in halakhah than anywhere else.

From: *In the Space Between Korach and Shammai: Dealing with Torah Arguments That Might or Might Not Be for the Sake of Heaven*

A Torah community needs to be able to tolerate and survive significant and even potentially dangerous errors, or else it will stifle the creativity that is essential to its intellectual and spiritual health.

From: *The Hard Work of Improving Our Community's Character*

Moral difficulties arise when societies are structured in ways that regularly generate problems of luxury for people who don't have the resources to solve them... I contend that both Modern and Charedi Orthodoxy are currently such societies.

From: *Authorized and Unauthorized Additions*

There is real and culpable inconsistency in celebrating creative leniencies while denigrating creative stringencies. At the same time, we should be hypersuspicious of any creativity that seems to draw strength from the number of victims it claims.

From: *The Spiritual Dangers of Ideological Camping*

Here are some such applications:

- 1) Camps naturally tend to self-justify and self-perpetuate. Once a group identity has developed – especially if that identity is largely defined by your exclusion or rejection of specified others – reintegrating with “outsiders” is extraordinarily difficult. Even if we maintain an overall shared identity, the other side will soon form their own war-camp in response to ours! So we should think twice or three times before developing exclusive self-definitions (even or especially if that self-definition is about being less exclusive than the group you are excluding.)
- 2) War-camps naturally tend toward diminishing the value and humanity of their enemies. A genuinely “these and those” outlook rarely survives in such circumstances; “pluralism” becomes a buzzword whose major purpose is to tar those outside one's camp as intolerant fanatic extremists.
- 3) The morality of language is often the first casualty of devolution into camps, the canary in the communal coal mine. When attack essayists are among the most prominent participants in public halakhic discourse, and crude insults become the stock in trade of serious talmidei chachamim, our spiritual atmosphere has clearly become toxic.

From: *Who Owns the Torah? Elitism and Democracy in Torah Perspective*

Concentrating authority in scholars does not successfully insulate Torah against the evils endemic to other political systems... The democratic ideal properly has consequences. The chief of these are that scholars must be accountable to their constituents, must constantly seek to spread rather than hoard knowledge and authority, and must recognize the autonomy of individual men and women as a core religious value.

From: *The Value of Lip Service*

The lip service – and chesed, and tzedakah, and other maasei mitzvot – of the Orthodox and Social Orthodox members of our community may be the truest recreation of Sinai, and attempts to ferret out ideological insincerity ultimately strike at our own legitimacy.

From: *Drinking Eyes and Kissing Ewes*

Fervor is no substitute for depth of understanding and sustained commitment.

From: *How to Teach Halakhah: From the Transcript of an Ongoing Podcast*

In every pedagogic context, teachers must decide whether their primary goal is empowerment or persuasion, validation or standardization. They must decide whether setting themselves up as a source of authority is a desideratum; and whether they seek to position the class as deepening the students' appreciation of their community, or rather as critiquing it. Sometimes these decisions can be made ad hoc; sometimes they require a sustained and consistent pedagogic approach. These choices often reflect the instructor's goals for his and her students throughout their lives.