



MORE THAN MANAGING

THE RELENTLESS PURSUIT OF
EFFECTIVE
JEWISH LEADERSHIP

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For People of All Faiths, All Backgrounds

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and covered by a sleeve or tallit. This head strap is worn like a crown, with the box being the crown jewel that radiates to all the world the joy, commitment, and purpose of being a Jew. The head *t'fillah* is not parochial or inward focused; it directs the Jew to think of himself or herself as a walking sanctifier of God's name. Everyone is meant to see the head *t'fillah*, which is to appear beautiful.

How we serve God and God's world can be gleaned by seeing the laws of *t'fillin* as our model. We first put on the arm *t'fillah* to develop an inward-focused, intense, and personal relationship with God, for in the end, it is we ourselves, each of us actually, whose personal commitment is at stake. But this intensely personal relationship with God is not enough, for Torah demands that we work publicly in God's world, not just privately in our own hearts. So we put on the head *t'fillah* as well, to focus us outward and avoid selfish insularity. Strengthened by inner commitment from the arm *t'fillah*, we now direct our self-confidence, purpose, and passion outward onto the world at large, to determine how, as both a Jew and a human being, we can influence and even re-create the world around us.

We need both *t'fillin*, because we cherish both the inner world of our heart and the outer world toward which the logic of our head directs us to take action. The "heart" *t'fillah* (so to speak) nourishes our personal spirituality, our relationship internally with God. Our "head" *t'fillah* sends us proudly into the world with the certain sense that we have something to contribute, something that we alone have to give to humankind.

No surprise, then, that *t'fillin* appear in the Torah around the Exodus from Egypt—the experience that sets us free in this world to change it. And no surprise also that *t'fillin* occur in the third paragraph of the *Sh'ma* itself, the prayer affirming the unity of God. To wear *t'fillin* is to experience this critical feature of Jewish leadership: to be directed by one's inner and spiritual passion but to express that passion in the world for which we were created.



Look Out Above!

Keeping Values in Sight on Our Halachic Hike

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What is halachah (Jewish law)—an anchor to our ancient past, or a guide to a redemptive future? A system of crystallized rules, or a dynamic web of values? All of the above, but you wouldn't know it from the way that halachah is usually studied. Halachic investigation nowadays tends regularly but unduly to privilege the precedents of the past at the expense of the underlying values that we need for the future.

If I want to know whether an action is forbidden (*assur*) or permitted (*mutar*), demanded (*chovah*) or merely suggested (*r'shut*), then the appropriate first step is indeed to look for precedential guidance: the Bible, the Midrash, the Talmud; the great medieval codes of Jewish law and the vast corpus of halachic correspondence

known as *responsa*. This first level of exploration focuses on *what* our ancestors said and did, not *why* they said and did it. Its great value is authenticity—if you follow in the footsteps of earlier generations, you are an authentic representative of the past.

This first step is often sufficient, but some questions are unprecedented and require a second step as well. Is it permitted, for example, to edit the human genome, permanently removing some features and permanently adding others? If you search through the Bible and Talmud, you will find nature-defying miracle stories like Joshua's stopping the sun in its tracks (Joshua 10:12–14) or Rabbi Eliezer's making a stream run backward (Talmud, *Bava Metzia* 59b). But you will not find proof that it is permitted or forbidden to edit the human genome in a way that alters the nature of humanity.

Faced with unprecedented questions, and no evidently relevant precedent, the halachist has two choices. She can declare freedom to do whatever she wants, or she can look below the surface to identify Jewish values that are expressed or even assumed by Jewish tradition and then integrate them into her contemporary halachic calculus. The first approach is formalist—it sees value in the system as already laid down—the Talmuds, the codes, the *responsa*, and the commentaries—and does not assign any legal role to considerations of morality or justice. The second approach is broader in that precedents are assumed to have underlying values that infuse the halachic system and can be drawn on for current challenges. These underlying halachic values—such as human dignity, humility, and compassion—become essential to halachic interpretation generally, but especially when there is no clear precedent to fall back on. The new ruling may not have precise precedent in practice, but it may still be continuous with the values that suffuse halachic literature.

In 2015, I wrote a responsum (“Halachic Perspectives on Genetically Modified Organisms”) that illustrates what I mean, in that I considered both precedent and values to formulate a religious response to the altogether new issues regarding the humanly engineered redesign of life. On the formal level, I asked whether the Torah's ban on mixing species (*kilayim*, see Leviticus 19:19) applies to the transfer of DNA segments from one organism to another,

and I concluded that it does not. To arrive at the values, I posed certain moral and theological questions: Is the role of humanity to conserve God's creation or to perfect it? Doesn't our mandate to feed the hungry and to heal the sick require our using the remarkable tools of genetic engineering? Yet doesn't Judaism require humility in the face of the immense responsibility of reprogramming life? What is the line between “healing” and “enhancing” life, and what is the best strategy for preserving what is distinctive about human dignity? Jewish values were as important as legal precedents in my response to this novel question.

I have come to believe that values-based interpretation is equally important in areas of practice that are well preceded. Surely the purpose of praying, of observing Shabbat, or of keeping kosher is to make life holy—as the blessing states, *asher kid'shanu b'mitzvotav*, “God sanctifies us through the commandments.” Under normal circumstances, no issues arise, but what about times when precedents and values are in conflict?

Take, for example, the tension between the strict observance of kashrut and maintaining relationships with family and friends who do not keep kosher. Someone who keeps kosher may not eat forbidden foods or dishes that mix dairy and meat. But we are obligated to honor our parents, and indeed to love all people, regardless of their personal practice of kashrut. What then shall we do when a person whom we love invites us for a meal that is not kosher?

Such a scenario calls for a response that does justice to the complexity of the case. It cannot be purely technical. Yes, we can consider formal aspects of the kashrut laws that support leniency, such as the annulment of forbidden substances with less than one-sixtieth of total volume (*batel b'shishim*). But we must also consider such halachic values as the obligation to honor parents, the ban on embarrassing others, and the importance of sanctifying God's name by explaining and exemplifying our religious commitments. Practitioners of halachah may be entitled, even obligated, to insist upon respect for the integrity of their religious practice, but the recognition of conflicting values can help defuse a situation and recognize the dignity of other participants.

It is a fallacy to assume that consideration of halachic precedent leads always to stringency, while the consideration of halachic values leads always to leniency. Often the results run in the opposite direction: an action may be formally permitted but incompatible with religious integrity. We need to “look out above,” remembering our highest purposes in living a religious life: to show reverence for our Creator, to treasure our sacred tradition, to preserve our personal integrity, and to respect and love other people. When we do so, our halachic practice will guide us to walk upright with God, maintaining the covenant that is the anchor to our past and the key to our future.



The God Who Loves Pluralism

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The revelation at Sinai raised several core questions for Jewish thought, none of them more important than the twin issues of what the Torah means and who interprets it. Might there be more than one interpretation? How does God want us to study it?

These questions have been answered differently throughout time. Modern Jewish scholars as diverse as Abraham Joshua Heschel, David Hartman, and Judith Plaskow have noted that these questions are inherent in the ancient texts and Rabbinic interpretations