Review of Rabbi Eugene Korn's book, "To Be a Holy People"

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Book Review:

Rabbi Dr. Eugene Korn, *To Be a Holy People: Jewish Tradition and Ethical Values*

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By Rabbi Hayyim Angel

That Jewish tradition holds ethical values at its very heart needs no demonstration. The giants of our tradition, including Rabbi Saadiah Gaon, Rabbi Judah Halevi, Rambam, and Ramban, identify morality as a central pillar of the Torah's value system. However, the interplay between ethical values and halakha requires careful examination and analysis.

Rabbi Dr. Eugene Korn has been writing on this interface for decades, and shares his many years of wisdom and scholarship in his recently published collection of essays, *To Be a Holy People*. An ordained rabbi who also holds a doctorate in moral philosophy, he is uniquely qualified to explore the relationship between halakha and ethics.

Overarching values such as the infinite worth of every human life created in God's Image, justice, compassion, and human dignity shape the system of Jewish law. The messianic vision of the prophets presents an ideal to which we must actively strive.

Rabbi Korn analogizes the Jewish ethical system to a tree: “Its branches are specific positivist laws, its trunk is formed by the overarching values, and its roots are the ultimate messianic dream that nurtures the entire living body” (19).

Halakha requires an external ethical system that informs its decisions. As Ramban observes (on Leviticus 19:2), it is possible to fully observe all laws, yet still be a disgusting, boorish person. Therefore, the Torah commands us to be holy, that is, to be upright, refined people through the Torah (see Ramban’s further comments on Deuteronomy 6:18). Halakha is not a value-neutral system in a vacuum, but must be informed by justice and compassion. If valid halakhic approaches exist, the proper course for rabbinic decisors is to adopt opinions more consistent with moral principles.

For example, the Rabbinical Council of America (RCA) published a study in 2010, adopting the position that it is prohibited to donate vital organs on the grounds that clinically certified brain stem death is an insufficient condition for halakhic death. Therefore, vital organ harvesting is murder, and is prohibited even to save another person’s life. However, the RCA also permitted receiving vital organs from others, even though those organs must of course be harvested from donors.

Rabbi Korn first demonstrates that halakha recognizes a morality outside of itself. Autonomous moral principles must inform halakhic decisions. Even if a technical analysis of halakhic sources potentially could yield the RCA’s conclusion, their decision violates the basic ethical principles of fairness, objectivity, and reciprocity.

Several prominent rabbinic decisors disagree with the RCA’s halakhic analysis and permit organ donation. The Halakhic Organ Donor Society (HODS) lists over 300 Orthodox rabbis, including members of the RCA (among them this writer), who accept brain stem death as halakhic death. The Israeli Chief Rabbinate also accepts brain stem death as halakhic death, and thereby also rejects the notion that it is permitted to receive organs but not to donate them.

The primary argument of Rabbi Korn, however, is not to advocate for the halakhic position that permits organ harvesting. Rather, he insists that rabbis on both sides of the debate must adopt morally consistent positions. Those rabbis who rule that organ harvesting from a clinically brain dead individual is murder also must insist that it is forbidden to receive vital organs.

Rabbi Korn also writes about other several vital areas of the interface between halakha and ethics, including warfare, liberty, the universal vision of Judaism, and religious fanaticism.

If many Jews perceive halakha to have lost its ethical moorings, it will devolve into a set of laws no more attractive than any other legal system. Those who insist on an insular Judaism that ignores ethics distort the Torah. “Only when

halakhah manifests a deep passion for justice and human sensitivity will it secure the allegiance of most Jews today" (73).

Rabbi Korn challenges us to reflect carefully on the moral imperatives for living a holy life. As Rambam emphasized (*Introduction to Mishna, Helek*, 2; *Guide of the Perplexed* III:31), God expects that all people who witness Jews properly observing the Torah will be impressed with the Torah's wisdom and justice:

> Observe them faithfully, for that will be proof of your wisdom and discernment to other peoples, who on hearing of all these laws will say, "Surely, that great nation is a wise and discerning people."…Or what great nation has laws and rules as perfect as all this Teaching that I set before you this day? (Deuteronomy 4:4-6).

May our community all adopt this vision of halakha and morality, and may all humanity draw inspiration from the messianic ideals of Tanakh.