Fostering Modern Torah Leadership

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Rabbi Klapper is Founder and Director of the Center for Modern Torah Leadership, based in Boston. Author of articles in the area of Jewish law, his essay on end-of-life issues appears in the Articles section of our website, jewishideas.org. This article on Modern Torah Leadership appears in issue 3 of our journal, Conversations.

What should I do when my best and most honest reading of halakhic texts contradicts my deepest sense of right and wrong? Can I relate with reverence to talmudic rhetoric that, if used by a contemporary, would fill me with disgust or outrage? What should I think when I am intellectually convinced by historical or philosophic positions that seem to contradict significant elements of Jewish tradition?

Torah is the standard by which values must be judged, yet a person without values cannot properly interpret Torah. If Torah cannot anchor us against the winds and tides of moral fads, what use is Torah? And yet—how can we know that "Do not murder" is the norm, and "Erase the memory of Amalek" the problematic exception, unless we approach Torah with a prior unshakeable commitment to the value of all human life?

I have struggled with these questions since high school and emerged with an enhanced but clear-eyed commitment to and appreciation for halakha and rabbinic tradition. In that process nothing challenged my faith more than finding teachers who were afraid of difficult religious questions or whose character made it hard to believe that Torah improved the world. Nothing strengthened my

faith more than friends and teachers who faced religious challenges without flinching, and whose character embodied Torah at its best—but they were all too rare.

The Center for Modern Torah Leadership (CMTL) was founded twelve years ago to make sure that my children and students would have a community of friends and teachers who would model commitment to Torah through intellectual, religious, and personal courage. More than that—it was created to make such friends and teachers the norm in the Orthodox community.

CMTL fosters a vision of fully committed halakhic Judaism that embraces the intellectual and moral challenges of modernity as spiritual opportunities and takes the ultimate significance of all human beings as *tselem Elokim* (created in the image of God) as a norm by which all Torah interpretations should be evaluated. We recognize that ideas and rhetoric have consequences, and we understand that Torah is mediated by the character of Torah leaders.

CMTL nurtures and develops Jewish leaders who conceive of themselves as producers of Torah. We believe that the Jewish people is responsible for the face that our Divine Torah presents in this world, and that we are obligated to produce Torah that represents the best in ourselves and constitutes a sanctification of God's Name.

We further believe that the Modern Orthodox community could and should be the lead contributor to that project, but is not fulfilling its potential. I want to offer here a diagnosis of why that is so, and explain how CMTL's work will enable Modern Orthodoxy to fulfill its mission.

Modern Orthodoxy at its best combines passionate and punctilious halakhic observance with commitment to core concepts such as recognizing the *tselem Elokim* in every human being, regardless of gender or ethnicity, and affirming the intrinsic importance of knowledge, regardless of its source. In a healthy law-based culture, values and law continually interpenetrate, and jurists, legislators, and laity alike see themselves as engaged in the common task of aligning law and cultural values and practices with one another. Many

of the best and brightest of Modern Orthodoxy's laity, by contrast, seek at best to reconcile themselves to halakha as it is, and Modern Orthodox rabbis often feel compelled to choose between intellectual and moral integrity when deciding halakhic issues.

For example: Many Modern Orthodox Jews believe that all human beings are created
equal, but that halakha requires breaking Shabbat to save Jewish lives and bans breaking Shabbat to save non-Jewish lives. Many Modern Orthodox Jews believe that men and women are equal partners in marriage, but that halakha gives husbands the power to financially blackmail wives in case of divorce. Many Modern Orthodox Jews find spiritual inspiration and deep meaning in Shakespeare and Milton, but believe that halakha forbids reading all Christian religious works or works with erotic components. This cannot continue if Modern Orthodoxy is to thrive.

Let me dramatize the effects of this in the following way. Imagine for a moment two
Orthodox Jewish communities. In the first, rabbis are given the narrowest of talmudic educations and censured if they seek any kind of breadth of knowledge. Rabbis are expected to remain ignorant of economics, history, jurisprudence, biology, and the liberal arts except insofar as they can be derived from traditional talmudic study.

In the second, rabbis are expected to obtain broad and deep general knowledge and competence. Rabbis are
expected to have a good grasp of economics, history, jurisprudence, biology, as well as the liberal arts, and to have graduate competence in at least one field other than traditional talmudic study.

Now imagine further two Orthodox Jewish communities. In the first, rabbis are given broad
authority over areas of religious life that impinge on economics, history, jurisprudence, biology, and the liberal arts. In the second, rabbis are given authority solely over issues of technical halakha.

It should be evident that Modern Orthodoxy is the community that expects great breadth of knowledge in its rabbis while greatly narrowing their authority. The reason for this is that the community does not believe that its rabbis live integrated religious lives, that their breadth of knowledge is effectively translated into Torah and halakha. And the community is certainly not entirely

mistaken in this regard. The gaps between values and law, and between intellectual commitments and creeds, are significant.

I do not wish to suggest that this problem emerges entirely from clear misunderstandings of Torah, whereas the Torah properly interpreted would be in perfect consonance with Modern Orthodox commitments. This would be facile; "The Torah is not in Heaven," and so halakha, for example, is what the halakhically observant community and its halakhic authorities see as halakhically justifiable. That category today—we need to acknowledge this openly—includes positions that many of us in the Modern Orthodox community would exclude, and excludes positions that many of us would include. For example: It seems to me halakhically justifiable today to assert that non-Jewish doctors may not perform abortions even to save the life of a mother, and not halakhically justifiable to say that women have the same obligation to study Torah that men do, although I would be more comfortable with the reverse situation.

Nor do I wish to suggest that Modern Orthodoxy should create a sectarian, separatist halakha on the basis of its values, paying no practical or intellectual attention to those who disagree with or delegitimate its conclusions. First of all, I think that in all but the most extreme cases this would itself be a violation of *lo titgodedu*, the halakhic prohibition against forming factions. Second, a major premise of the Torah and rabbinic tradition is that the Jews are a political community bound by religious law. As Abraham Lincoln noted, no legal community can survive as such if everyone reserves the right to secede when a legal decision goes against them. I think the attempt to create a sectarian Modern Orthodox halakha would most likely produce not a new halakhic community but rather yet another non-halakhic community.

What I suggest instead is that Modern Orthodoxy needs to follow the strategy of Bet Hillel. We need to remain in dialogue with and cite those with whom we disagree, while at the same time seeking to change the contours of the overall halakhic community's understanding of Torah. This does not mean that we need to convince every observant Jew that our interpretations are correct, although we should strive to convince as many as possible. It does mean that we need to develop a community that models complete devotion to Torah and halakha and

believes with complete intellectual and spiritual integrity that our core values emerge from and are rooted in Torah, and in language and texts that speak to the entire observant community.

There is a vicious cycle here. The felt gap between values and the halakhic community's understanding of Torah can prevent commitment to halakha, yet Torah will not expand to include values that are not endorsed by those committed to halakha. But I believe that we can imbue our students, our colleagues, and our friends with the conviction that the Jewish people is responsible *for* Torah as well as *to* Torah.

Here are some illustrations of how CMTL accomplishes the tasks outlined above:

The Rabbis and Educators Professional Community

CMTL brings a select group of Jewish scholars and teachers together to discuss challenging issues in an environment of intense listening and complete commitment. This is, to my knowledge, the only Orthodox leadership setting that explicitly sets out to have women and rabbis work as equals in the task of producing Torah, measured by their scholarship, talent, commitment, and character—without regard for titles. Our first conference addressed the prima facie conflict between the central modern value of autonomy and the phenomenon of "asking a *sh'elah*," of asking a halakhic decisor for a binding decision. Among the issues discussed was whether students should be taught to see that act as a valorous symbolic submission to the Divine Will, or, on the contrary, as a recognition of personal inadequacy, which they should strive to overcome through greater education. We've now run a highly successful second conference and have over one hundred rabbis and educators interested in forming an ongoing professional community.

The Summer Bet Midrash

For the past twelve summers, we have brought a group of college and *semikha* students with excellent textual skills together for a full-time, six-week seminar centered on a practical halakhic topic. Summer Bet Midrash Fellows learn to take responsibility for Torah by writing a practical halakhic responsum to a case that tests their knowledge, skills, commitment, and character. They are challenged to confront areas of discomfort and use them *l'hagdil Torah u'leha'adirah,* to expand and strengthen Torah. Summer Bet Midrash Fellows discover, for example, that finding ways to free *agunot* and finding mandates for treating non-Jews as beings created *b'tselem Elokim* is a matter of obligation to Torah as well as to human beings. They discover that Torah is shaped by those who teach and implement it. Finally, they discover that Torah is affected by the character of scholars as well as their ideas, and particularly the necessity of courage and integrity for healthy *pesak halakha* (halakhic decision-making).

It is worth noting that to our knowledge the Summer Bet Midrash is the only Orthodox program that explicitly seeks to give women the experience of deciding halakha.

The Campus Program

CMTL brings Orthodox college students from across the Boston area together for shiurim and discussions of religious issues that have immediate relevance to their experiences. Our goal is for these students to see themselves as the vanguard of Orthodoxy, as those who have the first opportunity to see how and whether contemporary ideas and values can contribute to the expansion and strengthening of Torah. Students from Harvard, MIT, Brandeis, Wellesley, Lesley, and Boston University participate, and we look forward to making our reach broader through an East Coast Shabbaton next semester. CMTL also sponsors lectures on many campuses.

The *tsad ha-shaveh*, the unifying theme, of all these programs is that they help participants develop a

vision of Torah that fosters a holistic religious life. They enable participants to affirm their experience of being deeply moral and religiously inspirational Jews; their love of great art, music, and literature; their commitment to improving the ethics of every society they feel part of; their belief in the ontological equality of men and women—and all in the context of a community that supports their questions and is willing to profoundly challenge their answers.

CMTL already has a significant effect on our community. Summer Bet Midrash alumni, for example, have served or are serving as Jewish Learning Initiative Fellows at Princeton, University of Pennsylvania, Brandeis, and University of Maryland. But our current programs are only a kernel that we anticipate will grow into the intellectual engine of our community, including a semester-long full-time fellowship integrating Israelis and Americans, a program for Orthodox investigative journalism, and major curriculum development initiatives.

I want to close with a d'var Torah that in some ways encapsulates everything I've tried to say here.

Mishnah Tractate Avot (often translated "Ethics of Our Fathers," but better translated as "Chapters of Principles") begins by reciting the chain of transmission of the Oral Torah. "Moshe received the Torah from Sinai and transmitted it to Joshua, and Joshua to the Elders, the Elders to the Prophets, and the Prophets transmitted it to the Men of the Great Assembly." Two questions about the wording are apparent:

1. Why does the chain begin with Moses as receiver, rather than with God as transmitter?

2. Why are the transfers from Moses to Joshua, and from the Prophets to the Men of the Great Assembly, distinguished as "transmissions," as opposed to those from Joshua to the Elders and from the Elders to the Prophets?

The answer to the first question is that our tradition wishes to emphasize that authority in Judaism can never be based on a claim of direct Revelation. All Jewish claims of authority must go through Moses' revelation and be accountable to the text and traditions that record it. This makes Judaism profoundly anti-charismatic, as appeals to Divine

authority have no standing. But the price of eliminating such appeals is that we cannot count on God to correct our errors.

However, this picture is oversimplified. How can I claim that Judaism is anti-charismatic when prophecy continued for many years after the death of Moses? We need to qualify that claim as follows: While Moses was alive, he turned to God for the answers to both his halakhic and his less formal, more value-oriented questions. Before Moses died, he *transmitted* Torah to Joshua, that is to say that a qualitative change occurred, and it was no longer legitimate for halakhic questions to be resolved by unmediated Divine Revelation. Prophets could still claim that the Mosaic revelation intended particular values, but their charismatic authority was subject to the intellectual processes of the legal tradition. On the other hand, the outcomes of the formal processes of halakha could be critiqued on the basis of prophetic value statements.

Prophecy ended by the time of the Men of the Great Assembly, at which point Torah underwent yet another qualitative change—to an era of complete human responsibility for Torah, in which we have no tool other than the text of the original Revelation to correct our errors. Only our own study of Torah can correct us if our halakha ignores the cries of the weak, or if our rhetoric denies the humanity of those we see as Other.

The Center for Modern Torah Leadership makes it possible for our community to fulfill that responsibility.
It creates the contexts and content that let us hold a mirror up to our community and ask whether the Torah we learn and live by is everything it should be. If you're interested in learning more of our Torah, or about our program—or if you are interested in helping us take responsibility for Torah—please visit us at www.Torahleadership.org.