Modern Orthodoxy in the 21st Century: Lecture VI: Moderation, Ethics & Honesty as Halachic Norms

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Selected Bibligraophy

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- *Facing the Truths of History*, Rabbi Dr. J. J. Schacter, Torah Umadah Journal volume 8
- *Some Comments on Centrist Orthodoxy*, Rabbi Dr. Norman Lamm, Tradition 22(3), 1986
- *Rupture & Reconstruction: The Transformation of Modern Orthodoxy*, Prof. Haym Soloveitchik, Tradition 28(4), 1994
- *Rav Joseph B. Soloveitchik: As Posek of Post-Modern Orthodoxy*, Rabbi Dr. Walter Wurzburger, Tradition, vol 29, 1994.

I. MODERATION

Some Comments on Centrist Orthodoxy, Rabbi Dr. Norman Lamm, Tradition 22(3), 1986

with the first *mitsvah* as recorded in Exodus.)

The second important principle that distinguishes Centrist Orthodoxy is that of *moderation.* Of course, this should by no means be considered a "change" or "innovation"; moderation is, if anything, more mainstream than extremism. But in today's environment, true moderation appears as an aberration or, worse, a manifestation of spinelessness, a lack of commitment. And that is precisely what moderation is not. It is the result neither of guile nor of indifference nor of prudence; it is a matter of sacred principle. Moderation must not be understood as the mindless application of an arithmetic average or mean to any and all problems. It is the expression of an earnest, sober, and intelligent assessment of each situation, bearing in mind two things: the need to consider the realities of any particular situation as well as general abstract theories or principles; and the awareness of the complexities of life, the "stubborn and irreducible" facts of existence, as William James called them, which refuse to yield to simplistic or single-minded solutions. Moderation issues from a broad *Weltanschauung* or world view rather than from tunnel vision.

Our times are marked by a painful absence of moderation. Extremism is rampant, especially in our religious life. Of course, there are reasons—unhappily, too often they are very good reasons—for the new expressions of zealotry. There is so very much in contemporary life that is reprehensible and ugly, that it is hard to fault those who reject all of it with unconcealed and indiscriminate contempt. Moreover, extremism is psychologically more satisfying and intellectually easier to handle. It requires fewer fine distinctions, it imposes no burden of selection and evaluation, and substitutes passion for subtlety. Simplicism and extremism go hand in hand. Yet one must always bear in mind what Murray Nicholas Butler once said: The extremes are more logical and more consistent—but they are absurd.

II. ETHICS

ויקרא פרק יט	דברים פרק ו פסוק יח
(ב) דַּבֵּר אֶל כָּל עֲדַת בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם קְדֹשִׁים תִּהְיוּ כִּי קָדוֹשׁ אֲנִי ה' אֱ_לֹהֵיכֶם:	וְעָשִׂיתָ הַיָּשָׁר וְהַטּוֹב בְּעֵינֵי ה' לְמַעַן יִיטַב לָךְ וּבָאתָ וְיָרַשְׁתָּ אֶת הָאָרֶץ הַטֹּבָה אֲשֶׁר נִשְׁבַּע ה' לַאֲבֹתֶיךָ:

Nachmonides, Vayikra 19:2 (קדושים תהיו)

And this is the Torah's mode: to detail and [then] to generalize in a similar vein. For after the admonition about the details of civil law and all interpersonal dealings… it says generally, "And thou shalt do the right and the good," as it includes under this positive command justice and accommodation and all *lifnim mi-shurat ha-din* in order to oblige one's fellow.

Nachmonides, Deut 6:18 (ועשית הישר והטוב)

And our rabbis have a fine interpretation of this. They said: "This refers to compromise and *lifnim mi-shurat ha-din.*" The intent of this statement is that, initially, He had said that you should observe the laws and statutes which He had commanded you. Now He says that, with respect to what He has not commanded, you should likewise take heed to do the good and the right in His eyes, for He loves the good and the right. And this is a great matter. For it is impossible to mention in the Torah all of a person's actions toward his neighbors and acquaintances, all of his commercial activities, and all social and political institutions. So after He had mentioned many of them, such as "thou shalt not go about as a tale-bearer," "thou shalt not take vengeance or bear a grudge," "thou shalt not stand idly by the blood of thy fellow," "thou shalt not curse the deaf," "thou shalt rise up before age," and the like, He resumes to say generally that one should do the good and the right in all matters, to the point that there are included in this compromise, *lifnim mi-shurat ha-din,* and [matters] similar to that which they [i.e., the rabbis] mentioned concerning the law of the abutter, even that which they said, "whose youth had been unblemished," or "he converses with people gently," so that he is regarded as perfect and right in all matters.

Rav Aaron Lichtenstein, Ethic Independent of Halakha?

Finally, the halakhic connection is relevant at a third level, when we are concerned with an ethic neither as decisor of specific actions nor as determinant of a field of values but as the polestar of life in its totality. Halakhic commitment orients a Jew's whole being around his relation to God. It is not content with the realization of a number of specific goals but demands personal dedication – and not only dedication, but consecration. To the achievement of this end, supralegal conduct is indispensable. Integration of the whole self within a halakhic framework becomes substantive rather than semantic insofar as it is reflected in the full range of personal activity. Reciprocally, however, that conduct is itself stimulated by fundamental halakhic commitment.

Rabbi Walter Wurzburger, *Rav Soloveitchik As Posek of Post-Modern Orthodoxy*, Tradition, 1994.

Notwithstanding these fundamental disagreements concerning the very essence of Judaism, R. Soloveitchik adopted Cohen's thesis that the Rambam's ethical views reflected a Platonic rather than an Aristotelian approach. According to Aristotle, human beings became most God-like through intellectual perfection. Plato, however, maintained that ethical conduct and attainment of virtue constituted *imitatio dei.* This accounts for the centrality of ethics in the Rav's religious philosophy. Throughout his writings he repeatedly makes the point that the Torah is not a metaphysical treatise but the source of normative guidance.

What matters for us is that, basing himself on the Rambam, the Rav unequivocally declared that striving for ever higher rungs of moral perfection is the pre-eminent approach to *imitatio dei.*

Since the Rav maintains that the entire ethical domain is founded upon *imitatio dei,* he was **extremely sensitive to ethical demands**. Out of ethical principles, he **refused to grant a *shetar mekhira*** to one of the most important benefactors of his Day School in Boston, who wanted to be able to operate his plants on Shabbat. When questioned why another renowned halakhic authority had no difficulty in arranging a *shetar mekhira* for the same plants, the Rav explained that his refusal was motivated by his concern that **enabling industrialists to operate their business on Shabbat by transferring ownership to a non-Jew would make it much more difficult for *shomrei Shabbat* to obtain employment in firms owned by Orthodox Jews.**

Even more revealing of the Rav's emphasis upon ethical values is his conviction that in a democratic society which grants equal rights and opportunities to Jews, some of the halakhic provisions regarding *messira* do not apply. He therefore unequivocally stated that **governmental employees must apply the law to Jew and non-Jew alike.**

His sense of **gratitude** to America for according Jews full equality also comes to the fore in his **positive attitude towards the observance of Thanksgiving as a national holiday**.

The Rav's sensitivity to **ethical concerns also led him to sponsor research to find more humane methods than hoisting and shackling to prepare animals for *shechita*.** As a general rule, the Orthodox establishment was concerned only with blocking legislation affecting *shechita.* But the Rav felt that it was irresponsible to ignore the clamor for reducing the pain animals endured prior to *shechita.*

The Rav's sharp reaction to the tragic massacres in Lebanon, when large segments of the Jewish community wanted to sweep the problem under the rug, also attests to his extraordinary concern for ethical propriety. It was because of the threat that unless Mafdal pressed for the appointment of an independent investigation commission, he would publicly resign from membership in Mizrachi, that the leadership of Religious Zionism had no choice but to comply with his request.

His extraordinary ethical sensitivity engendered what at first blush strikes us as non-traditional attitudes towards women. **Although he never advocated egalitarianism** or questioned the halakhic stipulations governing the respective roles of the genders, **he emphasized that that these distinctions by no means implied an inferior status**. Significantly, he interpreted the verse that Eve was to function as Edam's *eizer kenegdo* in the sense that Eve was not simply to function as Adam's helpmeet, but that she was supposed to help him by being *kenegdo,* i.e., complementing Adam by offering opposing perspectives. In a similar vein, the Rav invoked the special dignity of women as an explanation for the halakhic rule disqualifying women from serving as witnesses. He compared their status to that of a king, who, according to Jewish law, is disqualified from serving as a witness because it is incompatible with royal dignity to be subjected to cross-examination…