

## ***“I am in the Middle”: Rav Aharon Lichtenstein’s Vision of Centrist Orthodoxy***

By: ALAN JOTKOWITZ

### **Introduction**

Numerous times in his conversations with Rav Haim Sabatto (which were subsequently published in the book entitled *In Quest of Your Presence*), Rabbi Aharon Lichtenstein, זצ”ל (May 23, 1933 – April 20, 2015) (RAL) responded to Rabbi Sabatto’s enquiries, “I am in the middle.” This notion of being in the “middle” is a recurrent theme in RAL’s life and thought. Rambam, following Aristotle, also famously advocated the benefits of being in the middle regarding certain character traits.

The proper path is the median measure in each trait; that is, the way that is equidistant from the two extremes. Accordingly, the early Sages directed that a person always aim for the middle way in order to attain perfection.<sup>1</sup>

But it is not Rambam’s Golden Mean to which RAL is referring. As opposed to his mentor and father-in-law Rabbi Joseph B. Soloveitchik, who did not focus on the issues in his writings, RAL passionately and explicitly defended the values of the Centrist Orthodoxy community, both in Israel and America, in which he was the acknowledged leader. For RAL, Centrist Orthodoxy is a committed Orthodox community with specific ideological responses to the theological challenges raised by living and interacting with the modern world. But I would argue that Centrism also reflects a certain mindset that can be seen in RAL’s thinking and writings. Many times, being in the center reflects an ability to see both sides of a complex issue and identify with the values that underlie the opposing positions. RAL comments, “I think that a Jewish, tradi-

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<sup>1</sup> Rambam, *Hilchot Deos* 1:2.

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tional and Torah perspective is one that has the ability to recognize partial truths.”<sup>2</sup> All of RAL’s writings on major theological and contemporary issues are distinguished by his ability to think dialectically and analyze thoughtfully the competing viewpoints. One can certainly argue that this reflects his mastery of the Brisker methodology for approaching a Talmudic *sugya* sharpened by his academic training. Rav Soloveitchik explains this further:

Not only Halakhic teleology but also positive Halakhic thinking is dialectical. The latter follows the rules of an N-valued logic rather than those of a two-valued logic. Positive Halakhah has never honored the sacrosanct classical principle of the excluded middle or that of contradiction. Quite often it has predicated of x that it is neither a nor b or that it is both a and b at the same time.<sup>3</sup>

One thing centrism is not, in the thought of RAL, is an excuse for passionless Judaism paralyzed by uncertainty and spiritual mediocrity. As Rav Ezra Bik, a student of RAL’s for more than fifty years, noted in his eulogy, perhaps RAL’s defining characteristic was his fulfillment of all of the commandments “*be kol kocho*,” with all of his strength. This was obvious to anyone who watched him *daven*, perform a *shiva* visit or teach a shiur. This follows naturally from RAL’s insistence that the best approximation of the relationship between a human being and God is one of servant to master. This perspective is less emphasized in certain circles of contemporary Orthodox where the man-God relationship is modeled on the child-parent or bride-groom model. The theological and practical implications of RAL’s approach are obvious and relate to man’s role as a being called to serve which is a lynchpin of RAL’s thought. In explaining the relationship between a Jew and God, he writes:

Primarily, however, he encounters Him as a commander. Jewish sensibility is pervasively normative. The Jew is, first and foremost, a summoned being, charged with a mission, on the one hand, and directed by rules, on the other. The message addressed to him ranges from the comprehensive to the minute, but whatever its scope, it is normative in character.<sup>4</sup>

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<sup>2</sup> Chaim Sabbato, *In Quest of Your Presence—Conversations with Rabbi Aharon Lichtenstein* (Tel-Aviv: Yedioth Ahronoth and Chemed Book, 2011), p. 151.

<sup>3</sup> Joseph B. Soloveitchik, *The Lonely Man of Faith* (Jerusalem: Maggid Books, Revised Edition 2012), p. 57.

<sup>4</sup> Aharon Lichtenstein, “Why learn Gemara?” *Leaves of Faith: The World of Jewish Learning*, vol. I (Jersey City, NJ: Ktav, 2003), 3.

His personal biography is also illustrative of someone who is comfortable in different worlds. Rabbi Lichtenstein was born in France in 1933; after the war he immigrated to the United States with his family and studied with mostly European-trained rabbis. He eventually graduated from Yeshiva University and studied with the universally acknowledged intellectual leader of modern orthodoxy, Rabbi Soloveitchik. After receiving his ordination, he attained a PhD in English Literature from Harvard University, and at the invitation of Rabbi Yehuda Amital, founder of Yeshivat Har Etzion, joined him as co-Rosh-Yeshiva and made *aliya* with his family in 1971.

His primary mentors were Rav Hutner with whom he studied as a teenager at Yeshivat Chaim Berlin, Rav Aharon Soloveitchik and of course his great master, the Rav. But he was also able to gain spiritual insights from men outside of the Jewish community as RAL describes in the following anecdote:

There were times at which the balance between *talmud Torah* and other areas of life needed to be worked out. I remember on one occasion in graduate school I felt that my Torah learning was flagging a bit, and, among all people, I discussed it with my thesis advisor, a non-Jew, Prof. Douglas Bush. He was a wonderful person and a great scholar – probably the top person in English literature when I was at Harvard. I felt a little in distress, perhaps my emphases were being somewhat skewed, and I went to talk to him. I told him, “I think that I know what I am doing and why I am doing it, but I would like to hear it from the master.” I was at Harvard for four years: the first two years, courses; then generals; then dissertation. This was the first semester of my second year, my third semester at Harvard. I said to him, “I think I understand the value of English literature, but I would like to hear it formulated more fully.” I was taking a course in sonnets, and he said, “You know, I ask myself about the legitimacy of investing so much time and effort in literature; I must know some of Dryden’s sonnets better than some of the psalms!” He was a religious person, and he could understand my tension very deeply; that is where we connected. We went on to discuss the need to understand the human spirit, to realize human potential, through the study of the humanities in particular. I thought that experience was extremely valuable, and it helped me overcome my brief crisis.<sup>5</sup>

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<sup>5</sup> Available at <http://etzion.org.il/en/my-education-and-aspirations-autobiographical-reflections-rav-aharon-lichtenstein-ztl>, accessed Dec. 28, 2015.

This is a remarkable passage for a number of reasons. I know of no other Rosh Yeshiva who discussed his lack of time commitment to Talmud Torah with a Professor of English Literature and was candid enough to talk about it in public. It also demonstrates RAL's lifelong commitment to the notion that there is wisdom to be attained from non-Jewish sources and demonstrates at a relatively young age his struggle with the challenge of balancing priorities in life. The purpose of this essay is to elucidate RAL's vision of Centrist Orthodoxy and its theological opponents.

### **Torah Me-Sinai**

In certain elements of modern Orthodoxy, questions and even doubts have been raised about the veracity of Rambam's eighth principle of faith, which states that the Torah is from heaven and the Torah we have today is the Torah that God gave to Moses at Sinai. These views are expressed in academic articles, in books and on different Internet forums. Acceptance of some of the tenets of biblical criticism, historical factors and philosophical difficulties with revelation are some of the reasons for their objections to Rambam's formulation. Right-wing Orthodoxy has forcefully rejected these positions and maintains that anyone who holds them cannot be considered Orthodox. RAL too would have no truck with movements or individuals who deny this fundamental principle of Torah Judaism. In his own words:

The Torah constitutes divine revelation in three distinct senses. It was revealed *by* God, it reveals something *about* Him, and it reveals Him. First, the Torah comprises a specific narrative or normative *datum*, an objective "given" invested with definite form and content, which was addressed by God to Israel as a whole or to its leader and representative, Moses. This datum consists of two elements:

- a. The *revelatum*, to use the Thomistic term, whose truths inherently lie beyond the range of human reason and which therefore had to be revealed if they were to be known at all; and
- b. the *revelabile*, whose truths—be they historical facts or the norms of morality or natural religion—could have been discovered by man in any event, and whose transcendental status therefore derives from the relatively extrinsic fact of their having been divinely expressed. The present character of both as revelation, however, is crucial. After the fact, both constitute God's living message to Israel.

Secondly, the Torah reveals something about God, and this in two ways: it presents direct statements about divine attributes; and, inasmuch as it is not merely a document delivered (*salve reverentia*) by God but composed by Him, it constitutes in its normative essence an expression of His will... But the revealed character of Torah does not exhaust itself in propositions imparted by God or concerning Him. It is realized, thirdly, as a revelation of the divine presence proper. Revelation is not only an objective *datum* or the process of its transmission, important as these may be. It is the occasion, exalting and humbling both, for a dialectical encounter with the living God. Revelation is not only a fixed text but, in relation to man, an electrifying I-and-Thou experience. Moreover, this experience is not confined to the initial moment of divine giving and human taking of a specific message. It is repeated recurrently through genuine response to God's message which ushers us into His presence. The rapture and the awe, the joy and the tremor of Sinai were not of a moment. They are of all time, engaging the Jew who truly opens himself to the divine message and God's call.<sup>6</sup>

However, in what now seems self-evident with the explosion of the use of literary methodology to study Tanach, RAL was one of the first to tout that a sophisticated knowledge of literary theory can enhance one's understanding of the Torah and its protagonists. RAL proposed this new understanding in a lecture he delivered at Stern College in 1962, but for whatever reason did not publish it until 2012.<sup>7</sup> Professor Moshe Bernstein, a teacher of Tanach at Yeshiva University, expands on these ideas:

It can show the too-frequently unsophisticated Orthodox Jewish reader of Bible that there is a side to the appreciation and understanding of *devar Hashem* which can best be comprehended when our investigation is aided by sources which, although composed outside the pale of our tradition, are not hostile to that tradition.<sup>8</sup>

This is a remarkable statement by Dr. Bernstein in claiming that to best understand *devar Hashem* we need to look to the work of secular scholars and would be summarily rejected by the chardei world.

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<sup>6</sup> Available at <https://www.commentarymagazine.com/articles/the-state-of-jewish-belief/>, accessed Dec. 28, 2015

<sup>7</sup> Aharon Lichtenstein, *Criticism and Kitvei Ha-kodesh in Rav Shalom Banayik*, ed. Hayyim Angel and Yitzchak Blau (Jersey City, NJ: KTAV Publishing House, 2012).

<sup>8</sup> Moshe J. Bernstein "Review Essay: The Bible as Literature," *Tradition* 31, 2 (1997), 75-76 [67-82].

Dr. Bernstein rejects the argument of those Orthodox Jewish biblical scholars who attempt to justify the new methodology by maintaining that similar approaches were taken by medieval or modern rabbinic authorities as unnecessary. In his own words, “is novelty forbidden in biblical interpretation? It is my strongly-held opinion that it is the intrinsic value of any approach, whether it can illuminate *devar Hashem* for us, which must govern our willingness to employ it.”<sup>9</sup>

In Charadi thought the patriarchs and matriarchs serve as models of spiritual perfection, and an analysis of their behavior through the eyes of midrashic interpretation can serve as a guidepost on how to attain this perfection. In this worldview, these biblical figures are incapable of sinning and are more like human angels, which mere mortals should strive to emulate. RAL has consistently been opposed to this mindset and maintains that traditional medieval Jewish commentators, in particular the Ramban, never approached the study of Tanach in this manner. The center in the Orthodox world of the new literary approach to the study of Tanach is the yeshiva that RAL headed for over forty years, Yeshivat Har Etzion. In the modern study of Tanach, RAL characteristically charts a middle course for Orthodoxy. He totally rejects any scholarship or movement that questions the divine origin of the Torah but is open to new methodologies that can enhance our understanding of the sacred text.

### **Torah Umadda**

For more than fifty years RAL has been a passionate and consistent defender of Torah Umadda and in addition, has his own unique perspective on its value and importance. Rabbi Norman Lamm, Former President of Yeshiva University and Rosh Yeshiva of RIETS, has discussed different models of Torah Umadda. Among them are Rambam's contention that philosophy and science are needed in order to better understand God and the world He created, the cultural model of Rabbi Samson Raphael Hirsh which “aspired to bring about a harmony between the two traditions and outlooks. He tried to formulate a Jewish humanism, demonstrating that the humanism so popular in the Europe of his day had Jewish roots,” and finally what he calls the instrumentalist, where knowledge of secular wisdom helps one better understand Torah. Knowledge of math can help one better understand halakhic areas in which advanced mathematical calculations are necessary, for example

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<sup>9</sup> Ibid., 76.

assessing when it is the first of the month by the lunar calendar or to take a more modern example, knowledge of medicine can help a decisor resolve complicated bioethical dilemmas.<sup>10</sup>

RAL takes a different approach which I call the *musar* approach to Torah Umadda<sup>11</sup> in which the purpose of secular study, particularly of the humanities, is to enhance one's spiritual and moral sensitivity or in the immortal words of Keats that RAL frequently quotes, "some say the world is a vale of tears, I say it is a place of soul-making." He has been a consistent and firm defender of the importance of secular wisdom for a religious Jew. As early as 1961 he wrote, "Secular studies possess immense intrinsic value insofar as they generally help to develop our spiritual personality ... the humanities deepen our understanding of man — of his nature, functions, and duties."<sup>12</sup> And as late as 2011 he stated, "From literature one can learn about the spiritual side of man, his connection to his Creator and his purpose in the world."<sup>13</sup> This commitment and knowledge of the humanities can easily be demonstrated by simply looking at the index to the book he wrote with Rav Sabato, where RAL alludes to the work of Augustine, Otto, Plato, Aquinas, Aristotle, Arnold, Erasmus, Bart, Buber and Boenheifer, etc.

His position on Torah Umadda has been critiqued from a number of perspectives. For example, Kolbrener argues that authors whom RAL values and admires such as T.S. Elliot, C.S. Lewis and Mathew Arnold rarely have a place in the undergraduate curriculum, and if they are taught it is from the perspective of their assumptions about race, gender and class. "In the postmodern academy, the very attitude—call it that of the secular humanist or that of the classicist—has been deemed outmoded and replaced."<sup>14</sup> In addition, there is an ongoing debate in academia over whether exposure to the humanities can really make one a better and more moral person. This position on the value of a humanities education certainly does not speak to the charadi mainstream and is even in retreat in many segments of the modern orthodox world. Many Roshei Yeshiva in the American bastion of modern Orthodoxy, Yeshiva

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<sup>10</sup> Norman Lamm, *Torah Umada: the encounter of religious learning and worldly knowledge in the Jewish tradition* (Northvale, NJ: Jason Aronson, 1990).

<sup>11</sup> Alan Jotkowitz, "Rabbi Aharon Lichtenstein: Torah Umadda Man," *Modern Judaism* (2015) 35 (3): 262–280.

<sup>12</sup> Aharon Lichtenstein, "A Consideration of General Studies from a Torah Point of View," *Commentator*, April 27, 1961.

<sup>13</sup> Sabato, *In Quest of Your Presence*.

<sup>14</sup> William Kolbrener. "Torah Umadda: A Voice from the Academy," *Jewish Action*, Spring (5764/2004).

University, do not ascribe to this world view as do most elements of the Chardal world in Israel. On this issue RAL stands almost alone between the secular and orthodox worlds. In concluding his main essay on the topic he writes:

I find myself almost inexorably drawn to two complementary and yet possibly contradictory conclusions. My sense of the need for Torah u-Madda has sharpened, particularly in light of public events throughout the Jewish world. So, however, has my awareness of the difficulties of realizing it; of the very considerable spiritual and educational cost—regrettably far in excess of what is inexorably necessary—which the proponents of Torah u-Madda often pay for their choice... the rancor, mutual recrimination, verbal aggression, and delegitimization which have marred much of the controversy have no place in the serious discussion of an age-old Torah crux.<sup>15</sup>

### Hesder

While not started by RAL, the institution of Hesder is consistent with his centrist ideology and leanings. In advocating for Hesder, RAL was probably the first gadol to develop an argument for *Hesder Lebatchila* and writes:

The typical graduate of an Israeli yeshiva high school is confronted by one of three options. He can, like most of his peers, enter the army for a three-year stint. Alternatively, he can exempt himself from military service on the grounds that *torato umnoto* “Torah is his vocation” while he attends a yeshiva whose students receive the Israeli equivalent of an American 4-D exemption. Finally, he can enroll in a Yeshivat Hesder, in which case, over roughly the next five years, he will pursue a combined program of traditional Torah study with service in the army....most important, however, hesder provides a convenient framework for discharging two different and to some extent conflicting obligations. It enables the student, morally and psychologically, to salve both his religious and his national conscience by sharing in the collective defense burden without cutting himself off from the matrix of Torah...Hesder at its finest seeks to attract and develop *bnei Torah* who are profoundly motivated by the desire to become serious *talmidei hakhamim* but who

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<sup>15</sup> Aharon Lichtenstein, *Torah and General Culture: Confluence and Conflict in Judaism's Encounter with other Cultures: Rejection or Integration*, ed. Jacob J. Schacter (Northvale, NJ: Jason Aronson, 1997) 291 [215–92].



concurrently feel morally and religiously bound to help defend their people and their country.<sup>16</sup>

In RAL's thought, Torah learning and sharing in the collective defense burden are both religious obligations with spiritual and moral importance. At the time the essay was written, the main intellectual challenge to the concept of Hesder was from those arguing that a serious *ben Torah* and aspiring *talmid chacham* should be learning Torah full time, not to mention the potential spiritual pitfalls of army service. The main purpose of the essay was to counteract that argument, and historically Hesder has been successful in creating *talmedai chachamin* and *roshei yeshiva*. In today's religious Zionist world, the main challenge Hesder faces is the best graduates of the yeshiva high schools asking: Why shouldn't I serve three years like my secular peers? Does my being religious give me the moral right to serve my country less? This challenge has been taken up by the religious *mechinot*, which expect their students after a year or two of yeshiva learning to do full army service and encourage enrollment in elite army units which necessitates extra service. It has not been easy for current Hesder *Roshei Yeshiva* to explain this difference to the idealistic youth. Attempts have been made to explain to these students the importance of creating serious *talmedi chachamin* in the religious Zionist world, something Hesder facilitates, and the possibility of making up the time by doing extra reserve duty when they are older. RAL anticipated this development and at the end of his essay writes:

I realize that some of the arguments I have raised against full exemption might be pressed by others against the abbreviation of service; and just as I would vindicate the latter on the basis of spiritual need, so may others justify the former for the same reason.<sup>17</sup>

Hesder, which attempts to balance serious Torah learning with service to the Jewish People and recognizes the importance of both values, is another reflection of RAL's centrist tendencies and ideology.

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<sup>16</sup> Aharon Lichtenstein, "The Ideology of Hesder," *Leaves of Faith: The World of Jewish Learning* (Jersey City, NJ: Ktav, 2003) 136-7 [135-158].

<sup>17</sup> *Ibid.*, 153-4.

### **The Role of Women in Judaism**

The Rabbinical Council of America, the largest group of Orthodox Rabbis in the United States, recently released a statement on the status of women in Judaism that made the following points:

1. The flowering of Torah study and teaching by God-fearing Orthodox women in recent decades stands as a significant achievement. The Rabbinical Council of America is gratified that our members have played a prominent role in facilitating these accomplishments.
2. We members of the Rabbinical Council of America see as our sacred and joyful duty the practice and transmission of Judaism in all of its extraordinary, multifaceted depth and richness - halakhah (Jewish law), hashkafah (Jewish thought), tradition and historical memory.
3. In light of the opportunity created by advanced women's learning, the Rabbinical Council of America encourages a diversity of halakhically and communally appropriate professional opportunities for learned, committed women, in the service of our collective mission to preserve and transmit our heritage. Due to our aforesaid commitment to sacred continuity, however, we cannot accept either the ordination of women or the recognition of women as members of the Orthodox rabbinate, regardless of the title.
4. Young Orthodox women are now being reared, educated, and inspired by mothers, teachers and mentors who are themselves beneficiaries of advanced women's Torah education. As members of the new generation rise to positions of influence and stature, we pray that they will contribute to an ever-broadening and ever-deepening wellspring of talmud Torah (Torah study), *yirat Shamayim* (fear of Heaven), and *dikduk b'mitzvot* (scrupulous observance of commandments).<sup>18</sup>

This statement of the RCA was made in response to the call for ordination of women among certain individuals and organizations associated with Orthodoxy, and the statement refers specifically to the ordination program at Yeshivat Maharat, which is affiliated with Yeshivat Chovevai Torah and identifies with Open Orthodoxy.

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<sup>18</sup> Available at <http://www.rabbis.org/news/article.cfm?id=105835>, accessed Dec. 28, 2015.

The International Rabbinic Fellowship, which represents many Rabbis affiliated with Open Orthodoxy, recently (November 2, 2015) reaffirmed their 2010 statement supporting women's spiritual leadership explicitly endorsing the program at Yeshivat Maharat:

Observant and committed Orthodox women who are learned, trained and competent should have every opportunity to fully serve the Jewish community:

1. As teachers of Torah, in all its breadth and depth – Shebikhtav, Shebe'al Peh and Practical Halakha – to both men and women.
2. As persons who can answer questions and provide guidance to both men and women in all areas of Jewish law in which they are well-versed.
3. As clergy who function as pastoral counselors – visiting the sick, helping couples work through relationship difficulties, taking care of the arrangements for burial, speaking at life-cycle events and giving counsel to individuals and families in distress.
4. As spiritual preachers and guides who teach classes and deliver divrei Torah and derashot, in the synagogue and out, both during the week and on Shabbatot and holidays.
5. As spiritual guides and mentors, helping arrange and manage life-cycle events such as weddings, bar- and bat-mitzvah celebrations and funerals, while refraining from engaging in those aspects of these events that Halakha does not allow for women to take part in.
6. As presidents and full members of the boards of synagogues and other Torah institutions.<sup>19</sup>

One of the Y.U. Roshei Yeshiva the RCA looks to for spiritual and religious guidance, Rabbi Mordechai Willig, recently wrote:

*Chazal* discouraged Torah being taught to women, especially Talmud (*Shulchan Aruch Yoreh Deah* 246:6). The *gedolim* of the twentieth century (e.g. *Chofetz Chaim* in *Likutei Halachos*, *Sotah* 21b) understood that directive of *Chazal* to not be a definitive ban on women's learning Torah but rather guidance on what approach to women's *chinuch* would best encourage their adherence to the *mesorah*. Those *gedolim*, guided by their *yiras Shomayim* as well as an absolute mastery of *kol haTorah kulah*, understood that in light of the weakened state of the *mesorah* from one generation to another in the

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<sup>19</sup> Available at <http://www.internationalrabbinicfellowship.org/irf-statement-womens-leadership-roles>, accessed Dec. 28, 2015.

twentieth century (ibid), *talmud* Torah for women was a necessity to, “implant pure faith in their hearts” (Rav Zalman Sorotzkin in *Moznayim L'mishpat siman* 42, etc.), and as such was entirely consistent with *Chazal's* mandate to provide the most productive *chinuch* for women.

However, in the words of a “pioneer of the religious feminist wave... What is happening today is a direct continuation of the beginning of Talmud studies for religious women in the 1980's.” This candid admission must, for the genuinely Orthodox, call into question the wisdom of these studies. Although there are ample reliable sources that encourage individual women who have proper *yiras Shomayim* and whose motives are consistent with our *mesorah* to further their Torah study, the inclusion of Talmud in curricula for all women in Modern Orthodox schools needs to be reevaluated. While the *gedolim* of the twentieth century saw Torah study to be a way to keep women close to our *mesorah*, an egalitarian attitude has colored some women's study of Talmud and led them to embrace and advocate egalitarian ideas and practices which are unacceptable to those very *gedolim*.<sup>20</sup>

Considering the above controversies which have the potential to split Orthodoxy it is important to delineate where RAL stood on the proper role for women in Judaism. He advocated for full equality for women in the realm of Torah learning.

There are many women who I know with a real desire to serve God, to learn Torah in depth.... To our daughters, to our students, what should we give them if we don't give them Torah? Should they read magazines for women? This is not enough, this is not serious or desirable.<sup>21</sup>

And in contrast to the opinions of most religious authorities, even from the national-religious world, this includes teaching Talmud to women at the highest level, which he has done in the Women's Beit Midrash in Migdal Oz affiliated with Yeshivat Har Etzion. Migdal Oz with RAL's blessing and active support teaches Talmud using the same methodology as done in any men's yeshiva which teaches the Brisker derech. This attitude supporting advanced Talmudic study for women can be traced directly back to the positions of his great teacher Rabbi Soloveitchik. Central to the Rav's and RAL's religious experience is the

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<sup>20</sup> Available at [http://www.torahweb.org/torah/2015/parsha/rwil\\_ekav.html](http://www.torahweb.org/torah/2015/parsha/rwil_ekav.html), accessed Dec. 28, 2015.

<sup>21</sup> Sabato, *In Quest of Your Presence*.

learning of Torah, and it is simply inconceivable to them that women should be excluded from this encounter with the Almighty.

Regarding women's ordination RAL writes:

I do not know what the halakhic decisors will rule in another thirty years regarding the question of woman's ordination and other similar questions. I simply do not know. I cannot forecast the future. I am not convinced... that woman will ever receive formal ordination. The position of Rambam based on the Sifrei against the appointment of woman is well known but there are poskim who disagreed with this. What will be in the future I do not know. But what I certainly do know is that today it is important that women know Torah and that they cleave to Torah.<sup>22</sup>

This formulation is important because unlike the RCA he does not see the issue of women's ordination as an affront to the "sacred continuity" of the Jewish tradition. In another context, he has written:

As for myself, I presume that, with respect to both the women's issues, specifically, and the fear of the slippery slope, generally, I find myself somewhere in the middle—enthusiastically supportive of some changes, resistant to others, and ambivalent about many.<sup>23</sup>

### Relating to the nonreligious

In his conversations with RAL, Rav Sabbato developed two models for how Orthodoxy has related to the non-religious. Rav Kook spoke highly of the historical role of the non-religious in settling the land and birthing the Zionist movement and said that this will naturally develop into a national yearning for Torah and mitzvah observance. The *Chazon Ish's* perspective classified secular Jews as "children who were captured" and thus from an halakhic perspective they are not responsible for their actions. RAL "is not willing to accept either position." He felt that Rav Kook was too optimistic in his vision of the return to the land heralding a spiritual rebirth for the secular populations as expressed in *Orot*. In addition, he maintains, "I do not see a reason to denigrate a group whose values I do not agree with and view their purpose as simply a vessel for God's will."<sup>24</sup> But he had harsher words for the position ascribed to the *Chazon Ish*:

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<sup>22</sup> Ibid.

<sup>23</sup> Aharon Lichtenstein, "Formulating Responses in an Egalitarian Age: An Overview," *Varieties of Jewish Experience* (Ktav, 2011).

<sup>24</sup> Sabbato, *In Quest of Your Presence*.

To come and say they are children that were captured is to infantilize this group [secular Jews]. The expression “children who were captured” says: they have nothing but *nebach* we should not hold them responsible for this. I don’t doubt there are people like that but also in our camp there are people like that. There is a halakhic category of “children who are captured.” But the question arises: is that all we see in the secular population, just children who were captured? I remember someone who spoke in this manner about Camus who served in the French *résistance*. Camus is a child? You cannot agree with him or even argue with him but he certainly was not a child. He is an important person with values and depth...this attitude does not respect the “image of God” that every person and group possesses.<sup>25</sup>

RAL is willing to recognize that the secular population in Israel and the Diaspora has values and accomplishments that the Orthodox can learn from. I think this perspective translates into a willingness to work together and share a common vision. Religious Zionism as opposed to Charedi Judaism has the ability:

To work together with people and movements that I do not see eye to eye with, that do not walk the same path I walk or live in the same world that I do. This is a fundamental question, and I understand the charedi position but this differs than what was done in Europe. In Europe, they were willing to sit together in Vilna, they sat together. I understand the problem of working together. But to denigrate anything the secular do is a mistake. And I repeat some of the things that they do have moral, Torah and spiritual value. And also from a personal perspective, it would be difficult for me to separate totally from the rest of the Jewish People and to identify only with my community because after all we are all family.<sup>26</sup>

Again RAL is trying to stake out a middle position recognizing the importance of Jewish unity and the ability to work together even though “we do not share a common vision” with the secular community.

### **Halakhic decision making**

In some segments of the modern Orthodox (or Open Orthodox) community there has been a call for greater flexibility by halakhic decision makers particularly focused on the questions of *aguna* and certain ritual

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<sup>25</sup> Ibid.

<sup>26</sup> Ibid., For further discussion see Adam S. Ferziger, “On Fragmentary Judaism: The Jewish ‘Other’ and the worldview of R. Dr. Aharon Lichtenstein,” *Tradition* 47:4 2014 34-68.

matters (e.g., partnership minyan). There has even been a new institute endowed at Yeshivat Chovevei Torah headed by Rabbi Yissachar Katz whose mission statement states:

YCT believes that a vigorous engagement with *halakha* is essential for the religious well-being of our community. That is why we established the Lindenbaum Center for Halakhic Studies at YCT. The goal of the Center, founded through a generous grant from Belda *a"b* and Marcel Lindenbaum, is to enrich the community's Modern Orthodox *halakha* discourse and to teach and disseminate a sophisticated Modern Orthodox *halakha* that is relevant, honest, and comprehensive.<sup>27</sup>

Topics that have been dealt with by the Center include breastfeeding and showing affection in Shul, partnership minyanim, and whether a woman may lead *Selichot*.

The potential danger of this approach to *psak* is that the decision making becomes teleological in nature and the desired communal needs dictate the *psak* as opposed to letting the sources speak for themselves.

As opposed to this attitude, a formalistic charadi approach to *psak* is described by Professor Rami Reiner in discussing Rav Elyashiv's halachic decision making:

A halachic decisor who does not allow his tangible and ideological environment to influence his decisions will inexorably reach conclusions that make the lives of his followers more difficult, not to mention conclusions that are incompatible with the current zeitgeist. As we have seen, some of R' Elyashiv's rulings have severe and problematic ramifications for his own community while others have aroused opposition and rancor within the Israeli public at large. R' Elyashiv took neither of these into consideration; neither the pain and the hardship nor the predictable public response. He declared his conclusions loud and clear as the rule of Halacha.<sup>28</sup>

A possible middle ground between these approaches is offered by RAL who writes regarding abortion:

The question of abortion involves areas in which the halakhic details are not clearly fleshed out in the Talmud and Rishonim, and in addition the personal circumstances are often complex and perplexing. In such areas there is room and in my opinion an obligation for a measure of flexibility. A sensitive *posek* recognizes the

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<sup>27</sup> Available at <http://www.yctora.org/content/view/959/17/>, accessed Dec. 28, 2015.

<sup>28</sup> Avraham Reiner, "R' Yosef Shalom Elyashiv as a Halachic Decisor," *Modern Judaism* (2013) 33 (3): 260–300.

gravity of the personal situation and the seriousness of the halakhic factors ... He may reach for a different kind of equilibrium in assessing the views of his predecessors, sometimes allowing far-reaching positions to carry great weight and other times ignoring them completely. He might stretch the halakhic limits of leniency where serious domestic tragedy looms, or hold firm to the strict interpretation of the law, when as he reads the situation, the pressure for leniency stems from frivolous attitudes and reflects a debased moral compass.<sup>29</sup>

In this passage, R. Lichtenstein clearly states that the woman's "personal situation" plays a role in halakhic decision-making on abortion. When "serious domestic tragedy looms," the decisor has the freedom to stretch the limits of halakha. This position is illustrative of RAL's general approach and he explains:

*Hora'ab* [halakhic decision making] is comprised of two elements: *psak* and *pesikah*, respectively. The former refers to codification, the formulation of the law pertinent to a given area; and it is most characteristically manifested in the adoption, on textual or logical grounds, of one position in preference to others. As such, it is, essentially, the concluding phase of the learning process proper, whether on a grand or a narrow scale, and its locus is the *bet midrash*. *Pesikah*, by contrast, denominates implementation. It bespeaks the application of what has already been forged in the crucible of the learning experience to a particular situation. It does not entail the definitive postulation of the law governing a delimited area or its detail, but, rather, the concurrent and coordinate meshing of all aspects, possibly drawn from widely divergent spheres, obtaining in a concrete situation. Its venue is, publicly, the *bet din*, or, privately, the meeting of the inquirer and respondent. It does not necessarily demand of the *posek* that he take a stand or break fresh ground. Its challenge lies in the need to harness knowledge and responsibility at the interface of reality and Halakhah.<sup>30</sup>

However, RAL also writes as follows:

These are immanent questions, to be honestly and conscientiously confronted; and surely we have no right to demand of a *posek*, almost as a matter of moral and personal right, the most comforting answer. The notion that "where there is a rabbinic will there is a

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<sup>29</sup> Lichtenstein, "Abortion: A Halakhic Perspective."

<sup>30</sup> Aharon Lichtenstein, "The Human and Social Factor in Halakha," *Leaves of Faith, I* (Jersey City, NJ: Ktav, 2004), 162–3.



halakhic way” both insults *gedolei Torah*, collectively, and, in its insouciant view of the totality of Halakhah, verges on the blasphemous. What we do expect of a *posek* is that he walk the extra mile – wherever, for him, it may be – harnessing knowledge and imagination, in an attempt to abide by his responsibility to both the Torah with which he has been entrusted and to his anguished fellow, whose pangs he has internalized. For insensitive *pesikah* is not only lamentable apathy or poor public policy. It is bad Halakhah.<sup>31</sup>

Regarding innovation in halakhic decision making, RAL writes, “I am in the middle regarding what I think is desirable and what I see is happening. I am not a fan of revolutionary movements in general and in particular regarding halakha.”<sup>32</sup>

### Public Policy Implications

How do these positions of RAL relate to formulating an Orthodox public policy in navigating the chiasm between right wing and left wing Orthodoxy. I think from RAL’s perspective there is no ability to compromise on the thirteen principles of faith as expressed by Rambam and accepted as normative by the majority of Orthodox decisors, particularly the more modern ones. There is no difference between RAL and Chardi authorities on such important issues as the divinity of the Torah, the belief in the coming of the Messiah and the resurrection of the dead, the historical accuracy of the Torah and the role of the Prophets as conduits of the divine message. On questions that do not relate to these fundamental principles of faith, we have seen that RAL is willing to accept that the modern condition can necessitate change in how an Orthodox Jew lives and practices his faith. A fully committed Jew can and should serve in the army and attend university, and a woman should be given the opportunity to live, learn and master the oral Torah. Notwithstanding the above sentiments, RAL was conservative by nature and remained skeptical of change that happens too quickly. But perhaps more importantly, RAL has taught us how this discourse with its far-ranging implications should take place. This is best summed up by the scholar of Orthodoxy Yoel Finkelman:

I think, however, that the ways in which R. Lichtenstein makes these arguments—his awareness of complexity, his relationship to a binding but internally contradictory cannon, and a respectful con-


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<sup>31</sup> Ibid.

<sup>32</sup> Sabbato, *In Quest of Your Presence*.

versation even with religious adversaries—are not mere window dressing. They are an aspect of R. Lichtenstein’s Torah: the substance cannot be separated from the form or style. For R. Lichtenstein, thinking complexly, living with the echoing voice of sacred texts that has in part been rejected, and speaking to and of others respectfully are themselves Torah values.<sup>33</sup>

There are areas, though, where RAL was not “centrist” in thought or practice, particularly relating to the learning of Torah, the observance of mitzvot and a personal yearning to living a life fully aware of the divine presence. In his own words:

One who understands the meaning of the uniqueness of God and one who believes with all his soul that the Torah that he learns is the word of God—and there are different ways to explain this—his contact with Torah is contact with the word of God and his learning of Torah creates a connection with God. Therefore, a connection with Torah is a singular experience that cannot be compared with any other experience.<sup>34</sup> 

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<sup>33</sup> Yoel Finkelman, “Canon and Complexity,” *Tradition* 47:4 2014 84 [69–85].

<sup>34</sup> Sabato, *In Quest of Your Presence*.