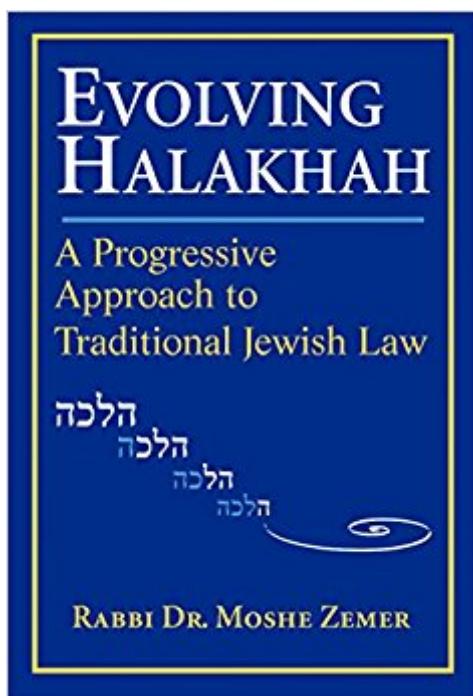


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# Evolving Halakhah: A Progressive Approach To Traditional Jewish Law



## Synopsis

An essential reference work for any thinking student of religion. Innovative and provocative, Evolving Halakhah affirms the system of traditional Jewish law, Halakhah, as a developing and moral structure, flexible enough to accommodate the changing realities of each generation. In this accessible analysis of Halakhah, Moshe Zemer issues a clarion call to follow the ancient and modern principles of evolving Halakhah, which demands ethical deeds, the discovery of holiness in the Commandments, a critical approach to the Tradition, and responsibility of the entire Community of Israel. These principles are viewed as the framework in which the other commandments are applied. To Jews who sometimes see no choices but those of fundamentalist rigidity on the one hand, or total rejection of tradition on the other, Zemer argues instead for awareness of the inherent flexibility of the halakhic system. Halakhah, he argues, has had many voices, and has changed to meet every generation's needs. Equipped with this view, liberal Jews can reclaim their tradition from a conservative rabbinic establishment that all too oftenâ •especially in Israelâ •has seen the voice of strictness as more authentic than the voice of lovingkindness. The product of Zemerâ ™s thirty-five years of work in the Israel Movement of Progressive Judaism, Evolving Halakhah includes chapters on matters ranging from personal status, especially marriage and conversion, through the "political" Halakhah of a response to the intifada. It shows that the traditional framework for understanding the Torahâ ™s commandments can be the living heart of Jewish life for all Jewsâ •including Reform, Reconstructionist, Conservative and Modern Orthodox.

## Book Information

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## Customer Reviews

In this provocative new edition of a work originally published in Hebrew, Zemer, founding director of the Freehof Institute of Progressive Halakhah in Tel Aviv, presents his view of Halakhah, or traditional Jewish law, as an evolving system founded on the core ethical values of Judaism rather than on a rigid reading of custom and tradition. By internalizing the Commandments, he takes a critical approach to Halakhah and calls for the individual conscience to explore the laws and traditions behind such issues as marriage and divorce, conversion, the role of gentiles in the land of Israel, Halakhah and the Infigada, "Halakhic" justification for murder, the status of women, the ultra-Orthodox, medicine, euthanasia, death, and burial. Sure to be controversial among traditional Jews, this book will help all Jews understand why they believeAor don't believe. Highly recommended for collections of Judaica. AMarcia Welsh, Guilford Free Lib., CTCopyright 1999 Reed Business Information, Inc. --This text refers to the Hardcover edition.

"For those of us who have argued that the traditional Halakhah [Jewish law] is far more open, pluralistic and compassionate than it has been made to be, Dr. Zemer now provides a detailed documentation of that position ... an indispensable resource for understanding the core of Jewish tradition." •Dr. Neil Gillman, professor of Jewish philosophy, The Jewish Theological Seminary of America •In its own right, an important link in the chain of liberal Halakhah ... deserving of assessment and respect as a collection of responsa. •Rabbi David Ellenson, PhD, president, Hebrew Union College •Jewish Institute of Religion •Through this scholarly yet accessible book, Zemer challenges those who have allowed Halakhah to become rigid and callous. Zemer brilliantly demonstrates that justice and compassion provide the basis for authentic halakhic decisions and demands acceptance for his progressive approach. •Rabbi David Teutsch, president, Reconstructionist Rabbinical College •Grounded in the tradition of adaptation and renewal, Zemer's voice is vital to our survival today. •Rabbi Naamah Kelman, coordinator, Beit Midrash, a Liberal Yeshiva, Jerusalem •Finally, a text for liberal Jews enabling us to encounter Halakhah as a significant and meaningful structure in our lives. •Rabbi Sheldon Zimmerman, vice president, Jewish Renaissance and Renewal, United Jewish Communities •An extraordinary achievement, for it both projects deep respect for Halakhah and contributes to its development. Rabbi Zemer searches for traditional precedents that allow for flexibility and reflects a Halakhah that walks in the footsteps of Hillel rather than of Shammai. •Rabbi W. Gunther Plaut, editor, The Torah: A Modern Commentary

I am reading this book with a group as part of a class at my Synagogue (Reform). We are reading

slowly and discussing each page. Reading it with a knowledgeable group has added a great deal of meaning to the content. I think I would be missing much of the meaning and back story if reading this on my own. Our instructor is a Reform rabbi. Of course, I think if you are not a Reform Jew, you might find some of the arguments too liberal. Although I am not a Reform Jew by birth (raised "Conservadox"), I agree with the premise of the book that laws have to evolve and suit the times in which we live. Anything that does not grow with the times will become obsolete and out of step with humanity. Interesting arguments among the religious scholars in each age.

Interesting take on Jewish Laws.

WE ARE STUDYING THIS BOOK AT THE TEMPLE RIGHT NOW. IT IS EXACTLY WHAT I EXPECTED.

This book is about technical Jewish laws. It is NOT about current affairs in Israel, which I was told it was about. If you are interested in nitpicking do's and don'ts and need to see someone's proof of the downside of inflexible following of rules, this book may be for you. Otherwise, though well written, I would say it was a waste of time.

Rabbi Zemer's *Evolving Halakhah: A Progressive Approach to Traditional Jewish Law*, takes a novel and I think very fruitful method and applies it to Jewish law. Rabbi Zemer is a progressive Rabbi in Israel (as the branch of Reform is called there) and is well versed in the vast literature of Halakhah, or Jewish law. As such, he does not simply play the Reform card by saying "Halakhah is no longer valid" and endorse a spiritual, cultural, or ethnic Judaism. Rather, he takes Halakhah on its own terms, using its very rules and precedents to show that in the past lenient, more humane rulings were far more common than today. As an Israeli rabbi, much of Rabbi Zemer's book applies to Jews living in Israel, where such matters as marriage, divorce, and 'who is a Jew' are handled by an established religious body. In America, things are much more fractured. Issues such as these come up, but are treated quietly within the confines of particular American communities and denominations. In a way, American Judaism is far more like the kind of Judaism that Zemer espouses: pluralistic, open to disagreement, fluid. Perhaps the meta-conclusion that this book shows, but which Rabbi Zemer never quite spells out enough, is that more often than not Halakhah is decided based on political considerations. When all Jews were observant (and largely poor) rabbis tried to take a lenient approach for the sake of compassion. There was nothing riding on

allowing a couple to marry, for instance, rather than the pain or suffering caused by their inability to marry due to mamzer, or illegitimate issues. Today, strictness in Halakhah has become a way for the Orthodox to both differentiate themselves from secular Jews, and from other Orthodox groups. Strictness becomes a way to prove one's Orthodox credentials and in some instances have gone so far as to become mannerist in appearance. Rabbi Zemer offers a well-reasoned and detailed book on the rationale behind more liberal, humanistic halakhic decisions. As much as possible he tries to take the politics out of religious Jewish law, and place it on a more humane footing.

Moshe Zemer's *Evolving Halachah* is indeed a late 20th landmark in liberal Jewish thought, for it is the first time a comprehensive philosophy of Jewish law has been articulated in English. Zemer's position as Chairman of Israel's Reform Jewish Bet Din, or religious court, gives him the authority to speak on his subject. The book looks mostly at Halachah from the vantage point of Jewish issues in Israel, such as conversion, Sabbath observance, military service in the territories, women's rights in marriage, divorce and the synagogue; Jewish burial customs and issues; and many others. However, the problem this writer sees with the work, is the nature of the author is up against. Solomon Freehof, the pioneering American Reform Halachist, compiled a series of Reform Responsa or letters of commentary on Jewish legal issues over the nearly five decades he was active in this field, and so has his successor, Rabbi Walter Jacobs. However, Freehof's vast compendium of published work is not once alluded by Zemer, and only 2 of his responsa are noted in the entire book, while the volumes Jacobs compiled are nowhere noted. Further, the principle notion of Reform has always been accommodation to modernity, but the limits of that accommodation have never really been clearly articulated. From the earliest days of reform in Germany 200 years ago, convenience has played a large role in determining the Reform outlook, which is why for example the Reform movement has issued 4 major 'platform statements' on theology and Jewish Practice in the last 130 years. Zemer's biggest problem though is twofold: the ignorance of his Reform laity on the one hand, and the deeply embedded charisma of a clear, and charismatic Orthodox worldview on the other. Of his 11 proposed principles to govern halachic change, only one reminds the worshipper of God or would provide even the slightest incentive to practice, which is the inherent holiness of the mitzvoth. In the Orthodox realm, they have 13 principles of halachic change, first articulated in the Talmud 1500 years ago, and part of the daily prayer service every day to this day. This writer would say therefore, that while Zemer's book is an outstanding pioneering effort, it bites off more than it can chew, essentially arguing its principles without an adequate philosophic grounding. However, while the grounding of this work is weak, that

doesn't mean none exists; merely that it must come from another quarter. In "Jewish History and Divine Providence(available here on .com)," I supply the rationale missing from Zemer's text: namely an argument which examines the relationship between Jewish law, Jewish history and it's actual practice, shows how the mitzvoth have actual effect in the real world, and how Jewish practice or the lack of it has influenced modern Jewish history. With "Jewish History and Divine Providence" and "Evolving Halachah," the reader will have a complete praxis of liberal Judaism, one by which to live and practice, not avoid.

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