

A Personal Introduction to Integral Halachah
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THE INTEGRAL HALACHAH INSTITUTE

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THE INTEGRAL HALACHAH INSTITUTE
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I. THE HALACHIC CONFERENCE TABLE

In 2007, Reb Zalman and I published *Integral Halachah*, the last in a series of his foundational works. The preface to this series is *Jewish with Feeling*, which he wrote together with Joel Segel to serve as an introduction to his world view and teachings. Together, he and I published *Credo of a Modern Kabbalist*, *The Kabbalah of Tikkun Olam*, *Renewal is Judaism Now!*, and then *Integral Halachah*. It is in the last two of these books that Reb Zalman spells out the essential role that teleology plays in Judaism and the ways in which the halachic process can be updated in order to express that teleology in practice.

In an important series of three lectures on the theme of core issues in halachah, Rabbi Ethan Tucker of *Mechon Hadar* describes the contraction of the halachic process in 19th century Germany.² This occurred in the context of a movement on the part of smaller branches of the protestant churches petitioning government to split church funding based on the actual percentages that each individual denomination had of the total. So if, for example, the Baptists had 30% of the membership of the Lutheran branch, they wanted to secede from the larger denomination and take that share of the funding with them. There was a parallel discussion in the Jewish community among the Orthodox rabbis about whether to do the same. Some wanted to stay in contact with the reformers who were the dominant force within the Jewish community and others wanted to separate. In the end, the separatists carried the day and the Orthodox community withdrew from the larger German Jewish community. In an image which is mine, it is as though they took the leaves out of the halachic table, stacked the chairs that no longer could fit at the table in the corner, leaving room only for a smaller and more homogeneous group to sit at the table.

Rabbi Tucker began his lecture by citing *Resh Lakish*: “Even the emptiest among you are full of *mitzvot* as a pomegranate is full of seeds.”³ This principle, that even those who appear to be the emptiest are still people who are fully committed and practicing, was one that formed an important foundational underpinning of the way halachists approached the customs of ordinary Jews, even when those customs challenged conventional rulings. For example, there are cases where women created customs which could not be anchored in previous practice or scripture and yet the rabbis of their day, assuming the piety and God-centredness of Jewish women, sought ways of absorbing these customs into mainstream practice.

This changes as we enter the modern period and the contraction of the halachic table. We begin to hear rabbis, when faced with their versions of this same tendency, telling the rabbinic leadership of local communities to put a stop to these practices which are now seen as conscious rebellions against accepted precedents. Further, even contemporary *poskim* have

¹ At its annual gathering in January 2013, OHALAH instituted a panel on Issues in Integral Halachah. This essay is an edited version of the three introductory talks I gave at each of the first three of these panels. They all took place in January, 2013-2015.

² These lectures are available from the [Mechon Hadar website](#).

³ *Erwin* 19a.

been known to respond to questions by admitting that they don't really understand where the question originates, but they will do what they can to respond. In other words, these rabbis are no longer applying the halachic process to the many areas of modern life to which they do not have a personal connection due to the insularity and homogeneity of their own Orthodox communities. The part of the Jewish people which considers itself "Torah true" has moved from applying the halachic process to all of life to becoming an enclave, applying an understanding of the parameters of halachic discussion within a limited community.

I was educated in that world. If I came to school in the morning after the *shacharit* minyan, I had to roll up my sleeve and show that I had *tefillin* marks. They would check to see if we were wearing a *tallit kattan*, *tzitzit*, under our shirts. I was embarrassed one day when I happened not be wearing a *tallit kattan* and had to admit that in front of the class. Further, my teachers challenged the religiosity of my home when they singled me out for being seen bare-headed in public. So, like many of us, I grew to hate halachah. It seemed to be a set of behavioural requirements forcing me to choose between loyalty to God and tradition as defined by this authoritative list and my own deepest sense of what the Judaism I truly loved wanted of me.

[These words were spoken at the first panel on Issues in Integral Halachah at the OHALAH conference in January of 2013. It was two weeks before my father's yahrzeit and I dedicated them to him as well as to my father-in-law, who passed away exactly a year later. Both these men, each in his unique way, modelled a Judaism which reminded me that there is more than one way to be a sincere and deeply practicing Jew. Therefore, I never could fully accept the two choices which my schooling presented (i.e. the shul that I don't go to should be Orthodox) and, even when I couldn't articulate it, I knew that there was a third option.

My father-in-law, Julien Sacks, taught me the value of keeping my feet on the ground, learning how to respect the financial and to be practical.

My dad, David Siegel, never wore a hat in public. He got up every morning, put on a yarmulke and one of those little talleisim, took out his little siddur, stood by a window, and davened. What he did, what he said, I have no idea. I never asked him; he never thought to tell me. But I watched him. And when he would sit down at the table for a meal we would put on a yarmulke, say hamotzi, take his yarmulka off, eat the rest of his meal, then put his yarmulka on and bentch. At every meal.

From them I knew there was something else beyond what my teachers told me had to be, because my dad was a good father, a good person, and a good man in this world.

This tension, particularly that between the Judaism of the books and that of family tradition, is something that has been well documented by scholars committed to Orthodox lives. I especially recommend a short essay called "The Lost Kiddush Cup: Changes in Ashkenazic Haredi Culture – A Tradition in Crisis"⁴ as well as a much longer and carefully documented piece by Haym Soloveitchik called "Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy."⁵]

In the summers of 1962 and 1963, when I was a camper at Camp Ramah in Connecticut, Reb Zalman was a visiting scholar with the title of "Religious Environmentalist." At that time, I was still a student in an Orthodox Jewish high school and didn't respond well to his efforts to make Jewish practice more easily accessible to my peers. However, the way he sang the first blessing of the *Birkat HaMazon* (Grace after Meals) stayed with me and, after again experiencing the way he could transform the meaning of a prayer by which melody he chose,⁶

4 Jack Wertheimer, ed. *The Uses of Tradition: Jewish Continuity in the Modern Era*. New York: Jewish Theological Seminary of America, 1992. xxi, 510 pp.

5 *Tradition* 28:4 (1994), pp. 64ff.; Rabbinical Council of America.

6 You can hear me singing these melodies on my website at: <http://rabbidanielsiegel.com/my-heart-opened-first-encounters-with-reb-zalman/>

I sought him out in 1972 to see if he could help me find meaning in a Yiddishkeit which was so much of both who I was and what I rejected. The first books he gave me to study were the *Messilat Y'sharim* and the *Tanya*,⁷ both of which pointed to a higher purpose for which the practice of *mitzvot* were the means. This awareness allowed me to ignore the halachic process and to make all decisions about practice personal, choosing which *mitzvot* I thought served that higher purpose for me.

In the spring of 1985 I went to study at the Hartman Institute. At that time, they were organized around a theme for each set of sessions, which was *giyyur* for the weeks between *Pesach* and *Shavu'ot*. Each week, one or two of the senior fellows organized the week's learning. They would give us texts to read and we would learn in *chevrutah* for four hours a day Sunday through Tuesday and for two hours on Wednesday. The organizers then presented a *shi'ur* based on the readings for that week during the second two hours on Wednesday, following which there would be an unbelievably chaotic discussion. It was exciting to listen (I could never get a word in) and I learned that halachah is itself a conversation; not a set of decisions but a conversation. There were many positions possible and these could co-exist. Halachah is not about how to find the definitive answer in one of the codes such as the *Shulchan Aruch*, but how to participate in the process of which the *Shulchan Aruch* is one particular digest. And so I went out and bought myself the smallest complete editions I could of the *Vilna Shas*, the *Rambam*, and the *Tur*, and took those books home and started to learn from them.⁸

The first principle I learned is that there is no such thing as “The Halachah,” or “Halachah says.” Rather, it is halachists who speak, usually in response to questions asked of them by other rabbis regarding issues that have come up in their local settings whose resolution is unclear to them. The local rabbi would say something like, “My rabbi, my teacher, something has come up in my community and, while I think I know what the answer is, could you please review my thinking and let me know what your response is?”

Many years ago, I made Reb Zalman a promise. To relieve a concern he had that our rabbis might not truly understand the way the current paradigm shift radically challenged the halachic process, no one would leave our rabbinic program without an understanding of why Integral Halachah is necessary in order to renew the halachic process. This renewal would allow it to continue to be relevant and helpful in our efforts to remain true to the world view and mission of the Jewish people. The way in which I have tried to fulfill that promise is by giving a required course for all senior rabbinical students called “Issues in Integral Halachah” where we explore the halachic process, read *t'shuvot* / responsa written by rabbis struggling with the issues of their, and in many cases our, world. Then, I ask each student to write a *t'shuvah* in response to a question of contemporary relevance to them and the people they serve.

In developing this course, I've learned the second principle which guides me: The halachic

⁷ *Messilat Y'sharim / Path of the Upright* by R. Moshe Chaim Luzzato and the *Tanya / Likkutei Amarim* of R. Schneur Zalman of Liadi, founder of Chabad Chassidut.

⁸ The *Vilna Shas* is the printing of the Talmud which began the page numbering system in use in all editions of the printed Talmud since then. The Rambam wrote the first code of Jewish practice organized as a set of volumes independent of the Talmudic sequence of tractates, called either the *Mishneh Torah* or the *Yad HaChazakah*. The word *yad* / hand has the numerical value of 14, the number of volumes in the *Mishneh Torah*. R. Jacob ben Asher is known as the Tur after his code, called the *Arba'ah Turim* / the Four Pillars, after the number of rows of gems in the breastplate of the high priest. His ordering was followed by R. Joseph Karo in his famous *Shulchan Aruch* and is the most common way of organizing halachic works even today, such as Reb Zalman's Integral Halachah.

process is much better represented by the much larger corpus of responsa rather than through the codes and their commentaries.

Looked at from this perspective, the halachic process is very different from that which is code based. Even rabbis whose reputation for being strict or lenient, whose answers you think are predictable, will surprise you when you see how they respond to one particular question or need. One important example is the *Chatam Sofer*⁹ who, in his opposition to the emerging Reform movement said that anything new is prohibited by the Torah itself.¹⁰ Each and every part of halachah, of Jewish practice, sits on a level playing field with all the rest and therefore no innovations or adjustments to modern life are permitted. Nevertheless, when he was asked whether a Jewish doctor who was being transported in a cart driven by a non-Jew to visit patients both Jewish and non-Jewish on Shabbat should be prohibited from continuing this practice, gave a response that caught me off guard. I would have predicted, knowing what little I knew about the *Chatam Sofer*, that he would absolutely agree that the doctor should be told that he was breaking Shabbat and should cease this practice. Surprisingly, at least for me, he figures out there there are three possible *aveirot* that he might be violating, and proceeds to demonstrate that the doctor can avoid committing these and, because current realities are different from Talmudic and immediately post-Talmudic times, that he should continue to visit his patients, even non-Jews.¹¹

The way such a *t'shuvah* is worded limits its application and so doesn't get in the way of asking the question again. In this way, the halachic process remains open-ended and fluid in a way which exclusive reliance on codes does not.

Let me give another example which relates to a halachic ruling that is so old that it is beyond controversial. We all know that a potential initiate¹² to Judaism is to be turned away at least twice before being accepted on the third try. We all know that a person without an ulterior motive is a superior candidate for initiation than, say, someone who is planning to marry a Jew. It's partially to change the ulterior motive into something "better" that we now insist on a year-long process of study and practice prior to bringing someone to the *mikveh*. Rabbis, of whatever denomination, who abbreviate this process are seen to be "light," to say the least.

We lived in Vancouver, British Columbia for ten years. I served as the Hillel director and, with R. Hanna Tiferet, co-founded an alternative, spiritually based congregation.¹³ We were, therefore, blessed by attracting people who deeply wanted to recover Judaism's spiritual connection with the Divine, including some who had not been born Jews. I remember once talking to the Conservative rabbi about one such person who came to me. He asked me, "Is this person marrying someone Jewish?" And I said, "No, this person is coming simply with a whole heart. Isn't that wonderful?" He said, "Well I would prefer that he was marrying somebody." When I asked why, he said that then he would have a place to go for Shabbat dinner. So I told him that our minyan is like a family and we davven and eat together, so he said okay.¹⁴

9 R. Moses Schreiber or Moshe Sofer, 1762-1839.

10 חדש אסור מן התורה. This despite the fact that the "Chatam" in the title of his major book is an acronym for *chidushei torat moshe* / the innovations or new interpretation of Moshe.

11 Granted, he permits the doctor to continue within strict limits since there is no doubt that there is an issue of violating the spirit of Shabbat. Nevertheless, he still permits it. שו"ת חתם סופר חלק – השמטות סימן קצד

12 I prefer to use the word/concept of "initiate" instead of convert.

13 In those days (1977-87), the term "Jewish Renewal" didn't yet exist. We called our shul "Or Shalom," and described ourselves as "traditional, egalitarian, and creative."

14 Because of my precarious status in the rabbinic community at that time (I was the only person with a "private" ordination and that it was Reb Zalman's added additional concerns), it was my policy never to bring an initiate to the *mikveh* without at least the senior Conservative rabbi's approval and participation.

Again, the codes are clear. A person with an ulterior motive, and marrying someone Jewish is one of the examples always cited as an ulterior motive, is not acceptable as a potential initiate.¹⁵ The codes require a process of investigation whose modern parallel would be the classes we all offer in order to provide an opportunity for the initiate to transcend the original motivation. This strictness is what we see in the famous story of the non-Jew who came to Shammai and asked to become Jewish so that he could be a high priest.¹⁶ Shammai applies the correct principle and drives the person away. He then comes to Hillel, who accepts him. The reason was that Hillel knew that the moment the initiate began to study the laws pertaining to the high priest, he would learn that not only he, but even a king, could never become a high priest and that, after learning this, he would still want to become a Jew. In other words, Hillel could see, in advance, that even though he wanted to become Jewish for an ulterior motive, he would transcend that motive on further study.¹⁷ Nevertheless, this use of a kind of spiritual intuition does not become accepted as normative.¹⁸ But what the *Tosafot* add is that there needs to remain some flexibility in applying the rules to allow for individual cases in which a leniency is just as necessary.

In the words of Rabbi Eliezer Berkovits: “Halachah is the bridge over which the Torah moves from the written word into the living deed. Normally, there is a confrontation between the text, which is set, and life, which is forever in motion....But since there is no such thing as life in general, since it is always a certain form of life at a specific time of history, in a specific situation, Torah application means application to a specific time in a specific situation. The result of this process I call Halakhic Judaism.”¹⁹

Third, our concern for and involvement in the halachic process is a *tikkun* on the situation which Ethan Tucker described so well. We are, through Integral Halachah, insisting that the leaves be put back and the table expanded and the seats returned. This is because we are not a heresy,²⁰ nor are we starting something new. What we are doing is learning the classical material in a new way so that we can bring our tradition and higher purpose into this moment in a way which keeps us connected to our past even as we adapt to our present. This is what Reb Zalman means by “backwards compatibility.” This is not always an easy task and there are some issues where this might not be possible. Nevertheless, we insist on sitting at the table and adding the issues which actually affect our lives to the halachic discussion, issues which revolve around the questions of how to maintain our integrity as a Jewish people and a spiritual practice in a world which is so much more open and in which we clearly participate in the broader range of human problems. Hence my somewhat lighthearted observation that there are halachic issues around which cups we use for our coffee in the dining room.²¹

15 See Rambam, *Hilchot Issurei Bi'ah* 13:14; *Shulchan Aruch, Yoreh De'ah* 268:12.

16 *Talmud Bavli Shabbat* 31a.

17 The acceptability of Hillel's use of this kind of intuition is affirmed by the *Tosafot, Y'vamos* 24b and 109b. This latter citation is especially significant, since it is written to counter the argument that accepting converts is bad for the Jews. The *Tosafot* cite *midrashim* and the Hillel story as evidence that refusing initiates on the grounds of ulterior motives can be equally dangerous.

18 “It should be noted that in practice, people like the ones Hillel converted are not accepted as converts because the *halakhah* insists that a convert accept upon himself the entire Torah without intention to accrue personal benefit. However, Hillel apparently relied on the fact that these converts could eventually accept Judaism in its entirety at a later time.” (<http://steinsaltz.org/learning.php?pg=Daf%20Yomi&articleId=2898>)

19 *Not in Heaven*, pp. 1-2.

20 Interestingly, the booklet of Reb Zalman's titled “Renewal is Judaism NOW!” was originally called “Renewal is not Heresy.” It is available in the [ALEPH Canada store](#).

21 The choices were a smaller ceramic cup which would be washed and re-used versus a larger, single use paper cup.

I see the halachic process as the effort to link the revelation at Sinai and the redemptive process it set in motion with the details of everyday life. How do I live in this moment in a way which connects back to Sinai and forward to our ultimate purpose in helping to bring redemption to this world. So whether I ask an old question such as, “Is this chicken kosher” or a new version of that same question, “Under what conditions can chickens be raised in order for them to qualify for the possibility of being kosher,” I am in both cases really asking, “How do I connect my relationship with this chicken with the awareness that I am part of a people committed to being holy and working toward the day when the knowledge of God will fill the world like water fills the sea?” That everything is Torah, that every act and behaviour can be holy, is what is meant the stories you already know of the students who hid under their rabbis' beds to learn how they made love or followed them into the outhouse or went to see how the rabbi ties his or her shoelaces.

Further, since each discreet behaviour can be connected to holiness, the halachic process, in the words of Eliezer Berkovits, must serve the ethical. Thus it is the responsibility of rabbis to make sure that the halachic process rejoins the ethical when they diverge, as they inevitably do. To realize this, the operating principles of halachah include:

אלו ואלו דברי אלוהים חיים
דרכיה דרכי נועם
ומפני דרכי שלום.²²

I like to add another based on the following mishnah from Pirkei Avot (5:17):

Every argument that is [for the sake of] heaven's name, it is destined to endure.
But if it is not [for the sake of] heaven's name – it is not destined to endure. What [is an example of an argument for the sake of] heaven's name? The argument of Hillel and Shammai. What [is an example of an argument not for the sake of] heaven's name? The argument of Korach and all of his followers.²³

A bad *machloket* / controversy is one that has to be resolved because the opposing positions are incompatible, morally and ethically, with one another. A good *machloket* is one that can be left to work with for a long time. Korach and his followers were challenging the leadership of Moses and seeking to replace him on moral grounds. A *machloket* between Hillel and Shammai is a difference of opinion on how to serve God best in a particular situation and both options can co-exist. For example, it is equally possible to fulfill the *mitzvah* of publicizing the Hanukkah miracle either by lighting candles from one to eight or the other way around. The only reason to make a choice is that that the blessing can only be said once, which is not a choice between right and wrong.

In the same way, many if not most of the questions which we submit to the halachic process do not fall into the dichotomy of right and wrong and thus allow for more than one conclusion. Several different responses can be adopted simultaneously without damaging the fabric of Judaism.

The halachic process allows us to innovate while remaining consistent with our past and the trajectory of our future. At the same time, every so often, we come to a moment which is so different from the past that the only way to retain the integrity of the halachic process is to rethink its basic operating principles. This happened two thousand years ago and is happening now. At that time, the temple had been destroyed and Jews were scattering all over

22 “These and these are the words of the living God” (*Eruvin* 13b).

“Her ways are pleasant ways, And all her paths, peaceful” (Proverbs 3:17; *Gittin* 59b and others).

“For the sake of the ways of peace” (*Sanhedrin* 25a-b and others).

23 [Sefaria community translation](#).

the Roman Empire and beyond. It was no longer possible for the people to feel connected to one another based on common practice in a shared territory. In order to make Jewish practice portable and recognizable to communities in disparate locations, the anchor needed to move to the texts of the Torah. However, the principles of textual exegesis as expounded by Rabbi Yishma'el could not expand sufficiently to allow for this change and thus for the authority of rabbis which was necessary for a Judaism no longer anchored in land. Thus, Rabbi Akiva developed a new approach to the text of the Torah, arguing that God was not limited by Hebrew grammar and thus every word, individual letter, and even decorative mark must have been placed for a reason.²⁴

Such paradigm shifts are rare. The paradigm shift we are experiencing today is universal and not specifically Jewish. It calls forth a particularly Jewish response which we are calling Integral Halachah and which adds outcomes as a meaningful measure of the usefulness and efficacy of a given practice. This is a response to the greater amount of individual freedom of choice which is a new phenomenon in human development as well as the positive effects of the diversity of the societies in which we now live.²⁵

²⁴ *Menachot* 29b.

²⁵ See *Integral Halachah*.

II. WHY CONTINUE THE HALACHIC PROCESS?

In the previous section, I talked about expanding the halachic table to make room for us and others, why do we want to be at that table at all? Why don't we just say, "This is what's right and this is how it should be done" and leave it at that? Why try to respond to the questions of our time and world in this halachic language?

I recently looked at a *siddur* Hanna has and realized that I had not yet, nor likely would I ever, study this particular commentary. And then I thought about how many different editions there are just of the Ashkenazi *nusach* which I'll never even open, without even considering the numerous other *nuscha'ot* with their unique forms of familiar prayers and commentaries. The same goes for efforts to clarify and categorize kabbalistic concepts, once we recognize that beyond the literature based on the kabbalah of creation and the *sefirot* is another entire corpus focused on *ta'amei ha-mitzvot*; a corpus which is larger in volume than the sephirotic literature which we mostly study, and then only in small fragments.

And then I thought that this is also true of the halachic literature. The codes, to which we turn most easily, are probably smaller in volume than the *teshuvah* literature, the records of all the questions that local community rabbis asked their rabbis. This literature demonstrates that a rabbi has never been expected to be an expert in everything. This is why we have supported some rabbis to acquire greater familiarity with the texts or we turn to those who are older and retired from congregational work. These are the people to whom we can bring the questions asked by the members of our communities and ask that they review our thoughts and give us feedback. That's what this literature is.

An aspect of *t'shuvot* that makes it interesting for us as a model is the informality and personal detail they often reveal. The responding rabbi will write that he received the query while at the spa and so could not consult his full library, but here is the best he can do. Or he'll say I was a little sick and apologize for the delay. Once, the rabbi admitted that the original letter containing the question got lost in his inbox and he's only now found it and is hastening to respond, even if incompletely, in order not to add yet another delay. What these personal details signify is that the responding rabbi is hedging and reminding both the rabbi asking the question and the readers of the *t'shuvah* that this response should not be taken as exhaustive or authoritative, but hopefully as helpful. I know of one *t'shuvah* by a rabbi known to be pretty right wing which concludes by saying, "Yes, rabbi, I think you're right and we should prohibit in this case, but every rabbi will have to make his own decision in his own community." Which is to say I don't know whether this is something that belongs out there for everybody, but I think in your case I support what you did and here's why.

I've realized that this conversation of questions and responses is enormous and the point is that it hardly matters what the answer is. The question, "What's **the** *halachah*?" is almost tangential to the centrality of the process itself, which is "How do we evaluate the relationship between precedents and the principles inherited from the past in relation to this specific moment?" And then, every so often, someone comes along and says, "Let me see if I can pull things together and see if there is a consensus and what that consensus is. The *Shulchan Aruch* was actually composed that way. Karo took the decisions of several earlier *poskim* and chose the majority view and put that into the *Shulchan Aruch*."²⁶ However, this data driven approach risks disconnecting from the uniqueness of the situation from which this question emerges in favour of subsuming the particular in the general. I tend to agree with earlier rabbis who worried that codes become a quick way to find an answer and so avoid fully engaging in the

²⁶ "In his decisions Caro relied on *Isaac Alfasi*, *Maimonides*, and *Asher b. Jehiel*, generally following any two in cases of disagreement." (EJ)

process by which a question should be examined. The expression I tend to give is that the foundational question underlying all *halachic* conversation is, “How do I respond to this moment or perform this particular action in such a way that it is connected to the revelation of our purpose at Sinai and contributes to the process of our redemption in the future?” It is the ongoing effort to connect one particular moment or action to the revelation of our purpose to be a kingdom of priests and a holy nation, God’s partners in the effort to repair, heal and move the world ever closer to the ideal we call redemption. That’s what it means when we say that I went to the rebbe to see how he ties his shoelaces. Because when the rebbe ties his shoelaces, I see both Sinai and *mashi’ach*.

It is certainly true that halachic questions can reach into tiny details of our lives and appear to be so picky that they distance us from the process. For example, why should people care on which side they button their jackets? I think that, ultimately, these questions of detail are not just about being different from others for the sake of being different. Rather that question is part of a larger one of what I have to do as a Jew to clearly identify myself so that I stay conscious of who I am and, at the same time, to practice in such a way that I’m an accessible and desirable model to others. This is the intent of the verse, “Observe them [i.e. the *mitzvoth*] 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.’”²⁷ In the end, a Judaism which, while making sense internally, is incomprehensible to non-Jewish observers fails to fulfill this positive commandment.²⁸ I remember watching a news item from Brooklyn where African-American women thought hassidic men were racist because they wouldn’t shake their hands. Finding the balance between a desire to be modest and respectful of another’s person’s body with the equally important need for a sign of recognition which in our culture is often a handshake is an important halachic question.²⁹

Or, as Rabbi Hannah Dresner put it in her *t’shuvah* –

We are lovers, and our pillow talk, the language of our love, is our exchange of Torah. God speaks the Written word to us, and we return the flow of God’s love by listening and answering empathically, as any lover would. We offer *pilpul*, extrapolations of Jewish Law, what we call Oral Torah, as we try to construe how best to integrate what our lover is saying, how best to demonstrate our interest, building, in our response, on the sentiments our lover has shared.

I think that many of the *t’shuvot* being written by ALEPH students and rabbis are extraordinary pieces of contemporary *halachah*, using the principles of our time and the understanding that we are living through a paradigm shift, that we have to do for the halachic process what R. Akiva did for it many years ago. It was R. Akiva who said that in order for Judaism to remain relevant we needed a new way of sourcing our practice in the Torah, a way which allowed practices to be derived from every letter. That is how I understand that wonderful *midrash* when *Moshe Rabbenu* sits in the back of of R. Akiva’s yeshivah and can’t understand anything that’s being said, as R. Akiva interprets Torah using the new paradigm of his time. And now R. Zalman z"l has suggested another new way to continue the halachic process within our new paradigm. Whether we call it Psycho-Halachah as Reb Zalman first

27 Deuteronomy 4:6.

28 I am certain that this is not my idea, but I have been unable to locate the source which parallels my memory. The closest I could come so far is the following observation of the Ramban on this verse:

ואמר כי בחוקים ובמשפטים תועלות גדולות, שהם תפארת לעושיהם מן האדם, ואפילו שונאיהם ישבתו אותם בהם.

29 Nor is this really limited to Orthodox Jews and non-Jewish women. With women both more aware of and unhappy with men looking them over, our society as whole is struggling to find that balance. Thus, this is also a good example of how our concern with living our relationship with God in the small details of life can be of benefit to the larger society as well if we are prepared to share our process.

named it or Integral Halachah as we do now, we need this new concept in order to expand the halachic conversation, allowing it to be both backwards compatible and forward looking at the same time.

What binds us together as Jews is not the conclusions we come to, but the process of sharing our understandings of *halachah* and other sacred texts.

III. IF I'M NOT TRADITIONALLY OBSERVANT, HOW CAN I BE HALACHIC?

This section has two beginnings.

A. In the tractate *Makkot* of the Babylonian Talmud, we find the following:

מכות דף כג ע"ב - כד ע"א

דַּרְשׁ רַבִּי שִׁמְלַאי: שֵׁשׁ מֵאוֹת וּשְׁלֹשׁ עֶשְׂרֵה מִצְוֹת נִאֲמָרוּ לוֹ לְמֹשֶׁה, שְׁלֹשׁ מֵאוֹת וּשְׁשִׁים וְחָמֵשׁ לְאוֹיֵן כְּמִנְיֵן יָמוֹת הַחֹמֶה, וּמֵאוֹתֵים וְאַרְבָּעִים וּשְׁמוֹנֶה עֶשֶׂה כְּנֶגֶד אֵיבָרָיו שֶׁל אָדָם. אָמַר רַב הַמְנוּנָא: מַאי קָרָא? "תּוֹרַה צְוָה לָנוּ מֹשֶׁה מוֹרְשָׁה..." (דברים ל"ג:ד), תּוֹרַה בְּגִימְטְרִיא שִׁית מֵאָה וְחָד סָרִי הוּי, "אֲנֹכִי" וְ"לֹא יִהְיֶה לְךָ" מִפִּי הַגְּבוּרָה שְׁמַעְנוּם. (סימן: דמשמ"ק ס"ק). בָּא דָּוִד וְהֵעֵמִידֵן עַל אַחַת עֶשְׂרֵה, דְּכָתִיב:

מִזְמוֹר לְדָוִד יְהוָה מִי־יִגוֹר בְּאַהֲלֵךְ מִי־יִשְׁפֹּן בְּהַר קֹדְשֶׁךָ:

א. הוֹלֵךְ תָּמִים

ב. וּפָעַל צָדִק

ג. וְדִבֵּר אֱמֶת בְּלִבָּבוֹ:

ד. לֹא־רָגַל | עַל־לִשְׁנוֹ

ה. לֹא־עָשָׂה לְרֵעֵהוּ רָעָה

ו. וְחָרְפָה לֹא־נָשָׂא עַל־קָרְבוֹ:

ז. נִבְזָה | בְּעֵינָיו נִמְאָס

ח. וְאֶת־יְרֵאֵי יְהוָה יִכְבֵּד

ט. נִשְׁבַּע לְהִרְעוֹ וְלֹא יָמַר:

י. כִּסְפוֹ | לֹא־נָתַן בְּנִשְׁפָּה

יא. וְשָׁחַד עַל־נַפְשׁוֹ לֹא־לָקַח

עָשָׂה אֱלֹה לֹא יָמוּט לְעוֹלָם....(תהלים טו:א-ו).

Rabbi Simlai taught: There were 613 *mitzvot* given to Moses, 365 negatives to correspond to the days of the solar year and 248 positives corresponding to the limbs of the human body. Rav Hamnuna said: What is the meaning of the verse, "Moses charged us with the Teaching, as the heritage [of the congregation of Jacob]" (Deut. 33:4)? The word "Torah" has the numerical value of 611. The first two *mitzvot*, "I am YHVH your God" and "You shall have no other Gods" the people heard directly from God.

Then David came and condensed them into eleven, as it is written:

A psalm of David.

God, who may sojourn in Your tent,
who may dwell on Your holy mountain?

1. One who lives without blame,
2. who does what is right,
3. and in his/her heart acknowledges the truth;
4. whose tongue is not given to evil;
5. who has never done harm to a fellow human being,
6. or borne reproach for [acts toward] a neighbour;

7. for whom a contemptible person is abhorrent,
 8. but who honours those who fear God;
 9. who stands by an oath even to his/her hurt;
 10. who has never lent money at interest,
 11. or accepted a bribe against the innocent.
- The person who acts thus shall never be shaken...(Psalm 15:1-6).

בָּא יִשְׁעֶיהוּ וְהֶעֱמִידוֹן עַל אִישׁ, דְּכָתִיב:
 א. הֵלֵךְ צְדָקוֹת
 ב. וְדִבֵּר מִיִּשְׁרָיִם
 ג. מֵאֵס בְּבָצַע
 ד. מֵעֲשָׂקוֹת נֹעַר כַּפְּיוֹ מִתְמַדָּה בְּשׂוֹחַד
 ה. אָטֵם אָזְנוֹ מִשְׁמַע דְּמַיִם
 ו. וְעֵצִים עֵינָיו מִרְאוֹת בְּרָע... (לג:טו)

Then Isaiah came and condensed them into six, as it is written:

1. S/He who walks in righteousness,
2. Speaks uprightly,
3. Spurns profit from fraudulent dealings,
4. Waves away a bribe instead of grasping it,
5. Stops his ears against listening to infamy,
6. Shuts her eyes against looking at evil. (33:15)

בָּא מִיכָה וְהֶעֱמִידוֹן עַל שְׁלֹשׁ, דְּכָתִיב:
 הַגִּיד לְךָ אָדָם מַה־טוֹב וּמַה־יְהוּהוּה דוֹרֵשׁ מִמֶּדָּה פִּי אָם־
 א. עֲשׂוֹת מִשְׁפָּט
 ב. וְאַהֲבַת חֶסֶד
 ג. וְהִצְנִיעַ לֶכֶת עִם־אֱלֹהֶיהָ: (ו:ח)

”עֲשׂוֹת מִשְׁפָּט” זֶה הַדִּין. ”אַהֲבַת חֶסֶד” זֶה גְּמִילוֹת חֲסָדִים. ”וְהִצְנִיעַ לֶכֶת” זֶה הוֹצֵאת הַמֵּת וְהַכְּנֵסֶת כְּלָה. וְהֵלֵא דְּבָרִים קָל וְחוֹמֶר: וּמַה דְּבָרִים שְׂאִין דְּרַכּוֹן לְעֲשׂוֹתוֹ בְּצַנְעָא אִמְרָה תוֹרָה: ”וְהִצְנִיעַ לֶכֶת”, דְּבָרִים שְׂדַרְכּוֹן לְעֲשׂוֹתוֹ בְּצַנְעָא – עַל אַחַת כַּמָּה וְכַמָּה.

Then Micah came and condensed them into three, as it is written:

God has told you, O human, what is good,
 And what the YHVH requires of you:

1. Only to do justice
2. And to love goodness,
3. And to walk modestly with your God (6:8)

“Do justice” – this refers to maintaining justice (i.e. the rule of law);

“To love goodness” – this refers to acts of kindness;

“To walk modestly” – this refers to public behaviours such as accompanying the dead to their graves and brides to the *chuppah*.

There is a principle to be learned from this last example: If one is instructed to practice these public behaviours modestly, then how much the more so should those done privately also be done modestly (e.g. the giving of *tzedakah*).

תָּזַר יִשְׁעֵיהוּ וְהֶעֱמִידוֹן עַל שְׂתֵימָם, שְׁנֵאמַר:
כֹּה אָמַר יְהוָה
א. שְׁמְרוּ מִשְׁפָּט
ב. וַעֲשׂוּ צְדָקָה... (נ"ו:א)

Then again, Isaiah condensed them into two, as it is written:

Thus said YHVH:

1. Observe what is right and
2. Do what is just. (56:1)

בָּא עָמוֹס וְהֶעֱמִידוֹן עַל אַחַת שְׁנֵאמַר:
כִּי כֹה אָמַר יְהוָה לְבֵית יִשְׂרָאֵל
דְּרִשׁוּנִי וְחִיו. (ה:ד)
מִתְקִיף לָהּ רַב נַחֲמָן בַּר יִצְחָק, אֵימָא: “דְּרִשׁוּנִי” בְּכָל הַתּוֹרָה כּוּלָּהּ! אֵלָּא, בָּא חֲבִיקוּק וְהֶעֱמִידוֹן
עַל אַחַת שְׁנֵאמַר:
וְצַדִּיק בְּאֵמוּנָתוֹ יִחְיֶה. (ב:ד)

Then Amos came and condensed them into one, as it is written:

Thus said YHVH

To the House of Israel:

Seek Me, and you will live. (5:4)

Rav Nachman bar Yitzchak raised an objection: We could say that “seek me” means in the entire Torah! (*And so, we are back to 613.*) Thus, Chabakuk came and condensed them into one, as it is written:

The righteous person shall live by his/her faith. (2:4)³⁰

Unfortunately, rabbis began to take the number 613 literally and created lists of the 613 primary *mitzvot* supposedly found in the Torah. Then these [varying] 613³¹ became major categories with their own lists of derivative *mitzvot*. The existence of these lists, extensively codified in subsequent codes, contributed to the halachic **process** becoming **ha-halachah**, THE halachah, a more static entity, a closed system to which you can only add and only if you have demonstrated that you are already a master of all previous lists. Halachah becomes more like a construction where, in order to add a penthouse, you first have to become an expert in the construction of the foundation and all the lower levels and see that they are constantly attended to and maintained.

³⁰ “The righteous man is rewarded with life for his fidelity” is the literal translation found in the JPS Tanakh. However, it is clear that the Talmud is understanding this verse as written above and found in the Soncino.

³¹ The most famous of these, perhaps, is the *Sefer haMitzvot* of the Rambam. However, the Ramban challenges the first *mitzvah* on his list, the belief in God which he argues is foundational and therefore cannot be on the list at all, thus changing the entire sequence of the Rambam’s cataloguing.

Let's look again at that entire little *sugya*. When we do, we see that the numbers aren't meant to be taken literally. 613 is the bringing of the entire body and all of time into a single harmonious relationship through focus on God. 613 then can be reduced to 11 and then to 3 and then to one. 613 is really one, and one expands to 613. Simplicity embraces complexity and complexity reduces to simplicity, for it is one God, uniquely One, who is the Unifier.

The halachic process is, therefore, a dynamic, an aspiration rather than an attainment. It is the use of behaviours to augment and reinforce consciousness on the one hand and to manifest that consciousness in action on the other. So it is really beside the point to insist that without manifesting the entire 613 with all its derivatives and subsets one cannot really participate in the process. Nor is it correct to say that since I don't participate in that way, that the halachic process is irrelevant. What is correct is to say that I aspire to reinforce this consciousness through my behaviour, to manifest this consciousness in my actions in the world, and to ask how that might be accomplished at this moment in this place.³²

B. The Second Beginning:

The theme of the OHALAH conference in 2015 was "Integral Tikkun Olam." When the program committee first talked with me about choosing the *t'shuvot* for this session, I was asked that the choices reflect the theme. My response was: Every *t'shuvah* is about *tikkun olam* because that is what we all are – a *tikkun olam* project. Jewish Renewal is our advocacy by example of the *tikkun* we see as needed for the world into which we were born. In a paraphrase of Mordechai Kaplan's vocabulary, we are renewing Judaism both internally and in its sense of place in the world.

When I worked at Dartmouth College, I had a saying of Alan Watts on my office door which went something like this: Religion is like a finger pointing at the sun; what people do is suck on the finger for comfort. If Judaism is the finger we know best, then our work is to make sure of two things: First, to see to it that Judaism is internally vibrant and clear so that it is useful as the finger pointing to the sun. The second is to make sure that the sun at which this finger is pointing is also clear; that we always know that our practice is a means and not an end in itself.

Many years ago, I sat down to learn with the first Ramaz graduate ever to attend Dartmouth. We read the first chapter of the Ramchal's *M'ssilat Y'sharim*, probably the single most widely read manual of Jewish spiritual practice and *mussar*. In that chapter he writes:

Our Sages of blessed memory have taught us that man was created for the sole purpose of rejoicing in God and deriving pleasure from the splendour of His Presence; for this is true joy and the greatest pleasure that can be found....The means which lead a man to this goal are the *mitzvoth*.³³

For the Ramchal, the place where this joy is truly experienced is in the world to come. I will agree with him insofar as I translate *olam haba* literally: the world which is to come in the future, rather than after death.

³² And, of course, what happens when we factor in that we now know that there aren't 248 limbs in a body. Do we then change the magic number of positive commandments?

³³ An English translation is available at: http://www.israel613.com/books/MESILAT_YESHARIM.pdf

I rarely venture into the world of theology and the description of mystical experiences when there are many others who can do it so much better than I can. On the whole, I'm a pretty prosaic person, more comfortable speaking of the details than the vision. Nevertheless, I'm going to take a stab at it now.

A long time ago, just over 3,000 years ago, something so extraordinary happened that the only language we had for describing it was that of an intervention. We had been living in Egypt, a society that was governed by a predictable natural phenomenon, namely the overflowing by the Nile of its banks twice a year, allowing for a narrow band of agricultural land on either side of the river. This was a society in which surprise played a minor role. Change came slowly and projects requiring decades to complete were the hallmark of this culture.

Then the weather went wild and a series of surprise events began, seemingly one right after the other, at least as our story has it. A debate between the Pharaoh of the day and someone we call Moses began. Moses argued that the confluence of these events was significant and heralded a major challenge to the reigning world view and economics. Pharaoh argued the reverse, that these were a series of isolated incidents, regardless of how powerful or strange they were, and carried with them no deeper meaning and certainly not a call for Egyptian society to rethink itself. Because of this insistence on maintaining an ideology that ran counter to the data, the chaos in Egyptian society deepened and the Israelites took advantage of that chaos to remove themselves to the Sinai desert.

On their way, one more event took place, the most miraculous of them all. Just as they seemed to be boxed in between the water and the Egyptian pursuers, a hot wind dried out the marsh called the Sea of Reeds. The Israelites gambled it would stay dry and walked through. The wind died and the Egyptians got their wheels stuck in the mud and had to halt their pursuit. This escape from one state of being to another, something unheard of in Egypt, convinced us that there is more to the unfolding of life than cyclical repetition; that the cycles are moving in a direction, and that direction is from less to more freedom. And over time, as we incorporated subsequent experiences into this apprehension, we realized that we weren't safe until everyone was safe and free. We called the vision of that moment *olam haba* or *y'mot ha-machi'ach*, and 2,000 years ago we moved the central inspiration of that hope from the holy of holies in the temple to the holy of holies which is the four cubits of halachah, the spiritual force field that surrounds the person whose life is dedicated to the implementation of this vision and its furtherance.

Does this way of describing that moment in our past strike a familiar chord? Are we not engaged in a major discussion of the significance of the changes in climate which are taking place as we sit here? If Gaia is conscious, is she not speaking to us now as we envisioned the *kadosh baruch hu* speaking to us then? If what we experienced as we left Egypt remains true for us today, and if we still believe that we committed ourselves to be God's people in this world, then both ends of the halachic process take on deep and urgent meaning. On the one, we need to renew our spiritual practices so that they continue to reinforce our commitment to advance an ethical and moral vision of our future. On the other, we need examine our behaviours to be sure that they remain connected to our practices and the visions we espouse.

Remember, the halachic process is less about the answer and more about the process by which we arrive at what may be only our best effort to find a tentative response for this moment. The process we call *Halachah*, the going, is that which mediates between the inaugural experience of Divine Guidance and the fulfillment of the vision of release and redemption for all humankind. It is not law. It is not really about answers. For us, as much as God is in the transcendence, the absorption of the self in the infinite, God is also in the details. The halachist is charged with helping people figure out the best way to manifest God in the detail about which the question is being asked, examining that question in the lights of our core beliefs, precedent, our vision of a better future, and the best way for each of us to become a representative of a people for whom God is so close.

Our criteria are ethical and moral principles, resting on a foundation that life has meaning and purpose, that individual and communal needs can balance, that economics serves people and not the other way around.

If the halachic process is a spiritual approach to the material, then there is no dichotomy between daily life and spiritual practice. We cannot salvage Judaism by doing what many in the modern Orthodox world do, which is compartmentalize, not because that is intrinsically wrong but because it leaves our spiritual and religious life sheltered within the immediate needs of the Jewish people when what we must be doing today is making our internal Jewishness conscious of its place in the panorama of human and planetary unfoldment.

The student *t'shuvah* project is where people apply the halachic process to an issue of immediate concern to them and which has arisen due to the paradigmatic changes through which we are living. They use the principles of Integral Halachah so that they have new tools with which to evaluate new questions while still remaining backwards compatible. For the most part, their questions have been framed as coming from individuals relating to individual behaviours. But I would like to stress that this is not the only arena for Integral Halachah. For example, on the larger scale of OHALAH, the ALEPH Ordination Program, Kallah, Ruach haAretz and Semichah Week which serve to strengthen our relationships with each other, how do we balance our need and desire to spend time together with the carbon footprint of our travel and hotel stay? If the *mitzvah* of Hanukkah candles is, basically, to light one candle a night for eight nights and only light 44 candles if we can afford to, would it make sense to encourage people to return to that practice rather than burning so many candles made out of petroleum as a symbolic way of keeping us conscious of the precarious nature of our existence?

Increasingly, climate change is being viewed as a moral issue, something which Naomi Klein stresses again and again in her latest book and which Pope Francis also made clear in recent encyclical (which I encourage you to read in full). How then do we lead by example? And how do we, *klei kodesh*, guide our people to find the ways in which they can both reduce their personal carbon footprints in a way which is also collective, giving politicians the message that they can win elections by advocating national and international programs for the reducing of our carbon emissions?

Jewish Renewal has walked its talk for several decades and our halachic writings reinforce that truth. Now we need to look the next major issues squarely and be willing to do the same for the sake of the planet and the entire human race of which Judaism is a small, but hopefully vital, part.