

Feldman, in contrast, recognizes that two quite different approaches to abortion might be found within the tradition, and both might be equally valid. Like a contemporary scholar of U.S. law, he sifts through the sources not so much to find "Judaism's view on abortion" (presuming there is only one) but also to discern different legal philosophies and tendencies among earlier authorities. Within his analysis, minority views are no less viable than majority ones, for all have been preserved in the various layers of rabbinic literature. Hence, rather than trying to decide among various positions, Feldman carefully delineates the options and affirms the pluralism that he finds. His conclusions about abortion are less conservative precisely because he not only sees but also affirms the range of positions within the tradition.

Lubarsky, finally, approaches the very same texts with an eye to exposing and evaluating the unstated assumptions that animate the entire debate. Because she is not essentially a halakhist, she is concerned less with the fine distinctions to be drawn among different cases and rulings than with the broad principles and values that she sees at work within even the majority position. Also because she is not committed to discerning, much less abiding by, a single "traditional view," she is open to going where no traditional authority has gone before. For her, an authentic Jewish view on abortion is one that is consistent with the truest values and perspectives on human life whether these have been expressed in earlier rulings on abortion or not.

It is clear, therefore, that there are many ways of reading the traditional sources on a given moral issue and that this is true in more than one sense. Certainly many texts lend themselves to more than one interpretation: Maimonides' invocation of the law of the pursuer with respect to abortion is one salient example. Because that text plays a significant role in subsequent authorities' discussions (which are, themselves, subject to multiple interpretations), reaching different conclusions about the meaning of a whole line of traditional precedents is legitimate. Perhaps more significant, Bleich, Feldman, and Lubarsky clearly bring different assumptions to the whole enterprise of reading these textual sources, especially different ideas about the role that those sources play in the effort to discern a "Jewish view" of abortion. Does the tradition necessarily point in a single direction? What is the status of distinctly minority views within the tradition? Is it possible to reinterpret or even ignore sources if they are based on beliefs that seem to be mistaken or even at odds with other traditional beliefs? The way in which these basic methodological questions are answered will largely determine the conclusions an interpreter draws from this complex tradition of texts that spans many centuries and gives voice to many views.

Finally, it should be noted that the personal views of an author may color his or her reading of a text. Contemporary Jewish ethicists rarely, if ever, concede that they come to the sources with a preexisting position, on abortion, for example, and are drawn to read the sources in a way that tends to confirm what they already believed. Even if they do not admit this, however, given what we know about human nature, it would be naïve to suppose that they had no view at all on the ethics of abortion before they began their studies of the texts. The more important point, though, is that being predisposed to a particular position does not invalidate an ethicist's

reading of the tradition. A person can see only with the eyes she has, and she can read and interpret the texts of a tradition only as a fully embodied person with experiences and values of her own. Whether consciously or unconsciously, these personal perspectives will probably inform a person's understanding of a moral tradition, of the words he reads, and of the way he responds both to the conflicting voices found there and to the values that found expression in the words of generations past.

At the same time, no contemporary Jewish ethicist would pretend that his or her view is "authentically Jewish" just because he or she subscribes to it. All understand that any position on a moral issue must be shown to be grounded in the tradition in some way. The classical sources may not speak for themselves, but contemporary Jewish ethicists speak only with the aid of those sources, which inspire, inform, and guide them in the process of developing a moral position.

WAR

Warfare has existed since the beginnings of recorded human history. Societies in all times and places have used violence for many purposes: to usurp the property of others, expand their territorial range, increase their economic prosperity, enhance their power and prestige, control alien populations, and defend themselves from the aggression (actual or intended) of others. During many periods in history, war has engaged the greater part of a society's energies, affected (directly or indirectly) the majority of its population, and preoccupied its greatest thinkers and strategists. As our technologies have advanced, especially in the areas of aeronautics, nuclear physics, and communications, the impact (both real and potential) of war has increased exponentially. Both because of its prevalence and the sometimes cataclysmic changes that it brings in its wake, warfare has unquestionably influenced the history of life on this planet as profoundly as any other single social activity.

As old and persistent as war itself is the effort to explore the ethics of warfare. Apart from pacifists, who oppose war at all times and in all forms, most thinkers in most religious traditions have considered at least some wars justified and have sought to define the moral parameters of war.⁵⁶ In what circumstances is waging war morally justified? What limits does morality place on the conduct of war, especially with respect to noncombatants? Are there categories of citizens who are exempt from the requirement of military service in time of war? Within the Roman Catholic tradition, the "just war" tradition has offered a set of principles designed to steer a middle course between pacifism and the indiscriminate sanctioning of war in all forms. Judaism has similarly sought to legitimize war within certain circumstances and for specific ends, although, as the following discussion indicates, the tradition's guidance on war is not always as clear as it appears at first glance.

In this section, I depart somewhat from the format of the preceding sections on sexual ethics and abortion. I review two presentations of the Jewish ethics of war and peace by Elliot Dorff⁵⁷ and Bradley Shavit Artson,⁵⁸ simultaneously. Elliot Dorff is one of the leading thinkers and ethicists in the Conservative movement. He is the

author or editor of ten books and more than one hundred and fifty articles on Jewish law, theology, and ethics, and is a leading figure on the Law Committee of the Rabbinical Assembly (the organization of Conservative rabbis). Bradley Artson is the dean of the Ziegler School of Rabbinic Studies at the University of Judaism and the author of three books and many articles on contemporary Jewish life and values. The positions of these two thinkers are not strikingly different, but their analyses do raise somewhat different questions about the application of the classical sources to contemporary issues involving war.

Dorff and Artson both underscore the overriding value that Judaism places on peace and, accordingly, on the sanctity of human life. This is reflected in every genre of Jewish literature and in every stratum of the tradition. The ancient priestly blessing (Numbers 6:26) concludes with the words, "May the Lord bestow His favor upon you and grant you peace," and the concluding words of the *kaddish* prayer, which figures prominently in all worship services, are, "May the One who creates peace in the heavens grant peace to us and to all Israel." The biblical prophets envisioned the culmination of human history as a messianic time when nations will "beat their swords into plowshares and their spears into pruning hooks; nation shall not take up sword against nation; they shall never again know war" (Isaiah 2:4). Hillel, the first century C.E. sage, admonished his followers to "be among the disciples of Aaron, seeking peace and pursuing peace, loving God's creatures and drawing them close to Torah."⁵⁹ Indeed, the rabbis comment that of all the commandments in Scripture, creating peace is unique in that Jews must actively pursue opportunities to fulfill this obligation rather than observing the commandment only when conditions present themselves. Peace is taken to be an attribute of God, who, in the words of the liturgy, "makes peace and creates everything." Living according to the Torah will lead one to a life of peacefulness, for "her ways are pleasant ways, and all her paths, peaceful" (Proverbs 3:17). As the Bahya ben Asher wrote in the thirteenth century, "Peace is the foundation and principle of the entire Torah and the essential element in the creation of the world."⁶⁰ Indeed, one looks in vain for rabbinic statements glorifying war or praising the warrior.

Both Dorff and Artson acknowledge, however, that classical Judaism is not entirely pacifist despite this marked emphasis on the value of peace. Reviewing the classical sources, they find that the rabbis delineate three categories of war with varying degrees of legitimacy. Commenting on Deuteronomy 20:7, which specifies that a man is exempt from military service for the first year following his marriage, Mishnah Sotah 8:7 comments:

To what does that apply? To discretionary wars, but in wars commanded by the Torah (*milhamot mitzvah*) all go forth, even a bridegroom from his chamber and a bride from her canopy. Rabbi Judah says: To what do these verses apply? To wars commanded by the Torah (*milhamot mitzvah*), but in obligatory wars (*milhamot ho'evh*) all go forth, even a bridegroom from his chamber and a bride from her canopy.⁶¹

The problem is that the critical terms in this mishnaic dispute—"discretionary," "commanded by the Torah," or "obligatory"—are not defined here. Rabbi Judah's

opinion is especially perplexing because any war "commanded by the Torah" would seem to be "obligatory." Later rabbinic authorities suggest that the dispute concerns a category of wars that is neither specifically commanded by the Torah (e.g., the wars conducted by Joshua to conquer the Land of Israel), nor entirely discretionary (e.g., the wars of King David to expand the territory of the ancient Israelite empire). The disagreement is about "preemptive" strikes against other nations "to diminish the heathens so that they shall not march against them [Israel]." The general view is that such wars are discretionary, insofar as the Torah does not specifically command them, while Rabbi Judah holds that they are "commanded by the Torah" indirectly insofar as they are a matter of legitimate self-defense.

Leaving aside for now the status of preemptive wars, the broader distinction between obligatory and discretionary wars requires some clarification. In introducing these categories, the rabbis were apparently trying to make sense of those Scriptural passages in which God commands the Israelites to conduct wars (and in a rather unsparring, even brutal, way) against the Canaanites while acknowledging that others wars from later Israelite history were not specifically commanded by God. In the rabbis' classification, the "obligatory war" was limited to the one historical instance in which God commanded the Israelites to conquer the Land of Israel. By contrast, discretionary wars could be initiated, according to the rabbis, only by the king with the approval of the Sanhedrin (ancient council of Israelite elders) and with the confirming evidence of the breastplate (*urim v'tumim*) worn by the ancient high priest and used as a kind of oracle. The point, apparently, is that discretionary wars were justifiable only under very stringent conditions. The rabbis also distinguished these two categories of war in terms of the permissibility of violating the Sabbath: an obligatory war may be waged on the Sabbath, but a discretionary war may not be.

Artson raises important considerations that would render both sorts of war entirely impermissible in modern times. Because there is no longer a king, Sanhedrin or a priestly breastplate to consult, there is simply no mechanism any longer for declaring a discretionary war. In Artson's words,

None of the agencies necessary for the initiation of *milhemet reshut* [discretionary war] exists, and none of them can be restored through human action [since the restoration of the monarchy, the Sanhedrin and the priesthood await the advent of the Messiah]. Without these three, there can be no lawful *milhemet reshut*.⁶²

As for commanded wars, Artson argues that the ancient wars of conquest cannot be a model of legitimate war in our generation on several grounds. First, he notes a tendency within rabbinic tradition to limit this category to the wars of the distant past. In his view, the rabbis emphasized the theological rather than the military meaning of these battles. They are to teach us about God's special relationship with Israel and to underscore God's battle with idolatry, which the biblical text cites as the reason the indigenous Canaanites had to be expelled from the land. In no way does the tradition look to these wars as a model of legitimate military strategy. Moreover, Artson suggests that these wars were *sui generis*, a one-time event, sanctioned by divine decree. He writes, "Because the war was initiated by special permission,

could occur only once. It was dependent on a revelation which would never be repeated within human history.⁶³ The ancient rabbis could not excise these passages from the Torah, but they could limit their applicability. Following their lead, Jews today should do the same. Artson writes,

Any attempts to justify wholesale slaughters of civilians must be condemned as unethical and inhuman . . . any attempt to resurrect the crusading spirit would violate a clearly discernible trend which prominent Jewish sages have been encouraging since the Torah itself. While we cannot deny the past, we can insist on decrying its more brutal aspects.⁶⁴

Dorff's much briefer treatment of this material does not categorically deny the contemporary relevance of the obligatory and discretionary war, but it does suggest several considerations—both historical and ethical—that mitigate against any Jewish endorsement of war. First, he notes that Jews have historically been the victims of war more often than its perpetrators. "As a result, waging war is not a significant part of the long-term Jewish historical memory and did not become an ideal filled with honor and glory, as it did in other cultures."⁶⁵ Second, Judaism has developed a healthy respect for governmental authority and so naturally tends not to support military intervention to change or overthrow governments. Third, as noted later, the Torah specifies important humanitarian limits on Israel's conduct in war, reflecting a deep-seated concern to minimize the inherently dehumanizing effects of warfare. Fourth, Judaism has always placed preeminent importance on the value of peace, both between individuals and among nations.⁶⁶ Finally, even when war was regarded as morally permissible, the rabbis insisted that it could be waged only if there was reasonable assurance of victory, for otherwise doing so was tantamount to suicide, which was forbidden.⁶⁷ For all these reasons, Jews historically have been reticent to engage in war even when they regarded it as morally permissible, and Judaism has been reluctant to sanction war except when it seemed there was no alternative.

The status of preemptive strikes has been a source of significant controversy within the tradition. Dorff notes that Maimonides' summary of halakha is strikingly silent on the whole question and that subsequent sages have taken a wide range of positions. The most restrictive view would limit preemptive wars to circumstances in which the enemy has been engaged in taking Jewish lives, the most permissive view would sanction such wars "even when there is only a suspicion that they may attack us."⁶⁸ Moreover, some halakhic authorities considered preemptive wars as "commanded" while others deemed them "discretionary," a dispute which appears never to have been definitively resolved. At stake, as noted, are the legitimacy of engaging in such wars on the Sabbath and the applicability of the exemptions from military service for certain groups of people. Notwithstanding these differences, all traditional authorities appear to have agreed that preemptive attacks must be defensive in purpose, not aggressive or retributive.

This leaves the one category of war discussed by the sages that both Dorff and Artson believe has ongoing relevance to modern Jews, the defensive war. Maimonides, based on a talmudic discussion,⁶⁹ writes:

If foreigners besieged Israelite towns, if they came for monetary reasons, it is not permitted to desecrate the Sabbath [to break the siege] nor do we make war against them [on the Sabbath] . . . if they came with the intention of taking lives, or if they established the lines for war, or if they simply besieged us [for no apparent reason], it is permitted to go forth against them with weapons and desecrate the Sabbath because of them. It is a commandment incumbent on all Israelites who can go out to come to the aid of their fellow Jews caught in a siege and to save them from the hand of foreigners on the Sabbath, and it is forbidden to wait until the Sabbath is over.⁷⁰

Defending oneself against attack is plainly permissible; indeed, it is required. The principle in place here may be that society as a whole must defend itself when its life is in danger, just as Exodus 22:1 presupposes an individual's right to defend his household and family against hostile intruders. The alternative would entail a suicidal passivity in the face of blatant aggression. Such defensive wars, which Artson understands to be in the category of *milchemet mitzvah*, "wars commanded by the Torah," are based on this principle:

that there are certain circumstances in which a people must fight; that life entails certain obligations, such as establishing families and communities, without which life itself is not fully life, without which peace is a euphemism for servitude. In such cases, being advocates of life demands a willingness to fight for life.⁷¹

As both Dorff and Artson read the tradition, defensive wars are not only permissible but morally required.

Apart from the question of distinguishing the types of conflicts and the respective legitimacy of each, Judaism provides a fairly extensive set of rules regarding the conduct of war, beginning with the provisions in Deuteronomy 20. Among the most striking features of this earliest code of warfare is that "when you approach a town to attack it, you shall offer it terms of peace" (Deuteronomy 20:10). If these terms are not accepted, the Israelites are to lay siege to the town but only subject to certain restrictions, principally that the fruit trees surrounding the city were not to be destroyed (Deuteronomy 20:19–20). This implies, for Artson, that even in the midst of a permitted war, Jews are not to pursue a "scorched-earth" policy. Later rabbinic commentary added the extraordinary requirement that a siege must not be total; one side of the city must be left unprotected to enable those civilians who wished to escape.⁷² Thus, anyone who remained in the city was tacitly agreeing to join the combatants and so was a legitimate target of military action. This, as Artson notes, renders the siege all but useless as a military tactic, which may have been precisely the rabbis' intent. Here, again, humanitarian considerations figure prominently in the way that traditional authorities conceived the morality of war, even those limited forms of war that were legitimate in the first place.

This same concern to restrict the circumstances under which war could be waged is evident in the biblical rules that exempt from military service those who have built a house but not yet dedicated it, those who are engaged but not yet married, and even the bridegroom in the first year of his marriage (Deuteronomy 20:5–7; 24:5). Those in the midst of an especially joyous and promising time in their

lives should not be subjected to the brutality of war, or made to risk losing their lives altogether. Even the faint-hearted are to be exempt from military service lest they weaken the resolve of their comrades (Deuteronomy 20:8). Although later tradition restricted these exemptions to the case of discretionary war (while requiring all to serve in the case of obligatory, i.e., defensive, war), it also expanded the category of exemptions to include those who were afraid, not of being killed in battle, but of taking the lives of others. In all, Artson concludes, these rules reinforce Judaism's emphasis on the value of life, its reticence to endorse war (except in the most limited circumstances), even its readiness to make war virtually impossible to wage effectively.

Consideration of the ethics of war in Judaism as it emerges from these two contemporary presentations, raises a number of methodological issues. First, a somewhat utopian approach to war is reflected in the classical sources. This may reflect the historical fact that, as Dorff puts it,

It is only in three relatively short periods of Jewish history, though, that Jews also held political and military autonomy. . . . It is only in these periods that Jews directly confronted the realities of power and the agonizing decisions of determining when to use it.⁷³

The rabbinic sources, in particular, derive from a time when Jews had no political autonomy, and so no direct experience with the exercise of military power. Moreover, the rabbis knew that the Romans had suppressed military action by a group of nationalist zealots in the second century C.E., leading to untold suffering among Jews in Palestine. Certainly, this experience colored their view of the ethics of war and probably contributed to their overall reticence to endorse military action, as well as the impractical restrictions that they placed on the conduct of warfare. Recognition of the historical context within which these views took shape still leaves this question: How should Jews apply these perspectives on war to the very different circumstances in which they live today, especially in the State of Israel?

Artson's response to this problem is clear:

It can be argued that the Jewish refusal to see this war [of Conquest] as a justification for other wars was based on Jewish powerlessness. That may, in fact, be true, although it seems also to be irrelevant. In trying to estimate the moral worth of an argument, the contents of the argument, more than its source, determine its value. In this case, even if the source of the Jewish revision against war did spring from powerlessness, the ideas themselves might still be helpful in our efforts to delineate a way to conduct war justly. . . . Understanding the historical background of an intellectual or, in this case, legal position doesn't alter the fact of the position itself.⁷⁴

This ahistorical view of Jewish ethics is not the only option. Strikingly, the Conservative movement, within which both Dorff and Artson are leading figures, has historically taken just the opposite view; that halakha is subject to change precisely when historical circumstances have changed. The rationale is that Jewish law reflects the time and place in which it developed and was meant to respond to the needs of

those communities to which it was addressed. Currently, a progressive, historically sensitive approach to halakha arguably requires that Jews likewise remain open to the possibility of altering the inherited law so that it can remain responsive to the situation of contemporary Jews. Dorff hints at this problem when he notes that the entire tradition of Jewish reflection about war and peace is based on very limited historical experience with exercising political and military power. Had the rabbis been responsible for overseeing the conduct of Jewish armies, it is at least questionable whether they would, for instance, have insisted that sieges leave a path of escape for one's enemies. In any case, it is hardly self-evident that the moral views that made sense to Jews in ancient times are applicable, without modification, to the very different circumstances in which Jews now live.

Of course, times have changed dramatically in another way since the rabbis devised their three categories for exploring the ethics of war. Warfare in the twenty-first century is a different affair than it was in Roman times, or several centuries earlier, when the author of Deuteronomy lived. People now possess weapons vastly more powerful and destructive than anything that existed in earlier generations. Armies no longer lay siege to walled cities, and nuclear war can now be waged by the push of a button without bringing soldiers into direct contact with one another at all. Under such circumstances, waging war is potentially very different than it was before the advent of nuclear, biological, and chemical weapons. At a minimum, many intervening centuries of experience have shaped the way humans think about the circumstances that warrant war and the proper way to conduct it.

Moreover, the conduct of any nation must now be considered in the context of a whole framework of international relations, agreements (such as the Geneva Convention) and organizations (such as the United Nations) that radically change both the ways in which international aggression can be justified and the implications (both political and economic) of waging war. Questions regarding the ethics of war are quite different from those examined previously with respect to sexual relations and abortion. Arguably, the acts of sexual intercourse and of aborting a fetus have changed very little since ancient times. By contrast, the very act of waging war, as well as the international context in which nations take up arms against one another, has changed dramatically. How, if at all, should these changes be addressed by contemporary Jewish ethicists considering the ethics of war?

Dorff is quite clear that caution is required in this regard. He writes,

Jews looking to Jewish sources for guidance in these matters should not expect clear, indubitable answers to all of their questions, for such answers are available only in much less complicated affairs. They can legitimately expect, however, a point of view emerging from the tradition that expresses its values and applies them in some concrete ways. That point of view may not determine a univocal answer to all situations, but it should enrich the moral thinking of Jews.⁷⁵

Dorff does offer some tentative Jewish moral responses to the exercise of military power by Israel in several of its wars with the surrounding Arab states as well as to U.S. military actions from the Vietnam War to the present. He openly acknowledges

that moving from theory to practice will always be open to debate among Jewish scholars drawing on the same body of traditional sources. Artson, for his part, offers strikingly little in the way of practical guidance, and nothing at all on the ethics of Israeli military action.⁷⁶

Finally, although the Jewish view of war as Dorff and Artson present it seems remarkably consistent, there are clearly conflicting positions within the tradition. The biblical sources on the conquest of Canaan, even if mitigated by subsequent authorities, are dramatically more enthusiastic about war than later prophetic and rabbinic views. Artson is openly uneasy about the notion that at least one scriptural tradition unhesitatingly endorsed the mass slaughter of civilians and presented this as directly commanded by God, who is sometimes called "warrior" (Exodus 15:3). Artson understandably seizes on the efforts of the sages to relegate this view to a historical anomaly and to emphasize the more pacifist elements within Judaism. In fact, he is quite explicit about his methods in this regard. He draws a distinction between the "heritage" of Judaism—that is, the entire body of Jewish teachings—and a "tradition," which is a subset of the heritage, chosen subjectively by each Jewish ethicist or community as it draws from the heritage those elements that it finds most meaningful and applicable.⁷⁷

Not every thought ever conceived by every Jewish thinker needs to be presented and synthesized into some later whole. Instead, if we build on what, by community consensus, appears to us to be the best of Jewish insights and the best of Jewish morality, insisting at the same time on utilizing the full range of tools and approaches of modern thought, we can hope to do for Judaism today what our ancestors did in their day—present to the world visions developed by communities seeking to embody and enact God's will for a human society which is just, life-affirming, and at peace.⁷⁸

Arguably, every Jewish ethicist who studies the complete heritage of Jewish reflection on any moral question must construct a "tradition" in Artson's sense, either explicitly or implicitly. The heritage of Jewish thought is simply too vast and encompasses too many divergent perspectives to be reduced to a single, internally consistent, view. All the pieces do not fit so neatly into a single jigsaw puzzle. As Artson realizes, constructing a Jewish view of war is possible only when the contemporary Jewish ethicist carefully selects, weighs, interprets and applies the many voices to be found within the Jewish heritage.

In all, then, this examination of the Jewish ethics of war highlights two important methodological issues—1) the extent to which contemporary ethicists should consider the historical circumstances that gave rise to various traditional views (as well as the historical circumstances that may define a current practice, such as war), and 2) the fact that every contemporary Jewish moral position is based on a "reading" of the sources, and that all such readings are necessarily selective. Moral judgments are not simply "there" in the sources, but are constructed by scholars whose interpretive skills and expert judgments must be brought to bear on the raw material that Judaism provides.

CONCLUSION

A review of this brief exploration of contemporary Jewish perspectives on selected moral issues, indicates just what is involved in generating a "Jewish view" of a moral problem. The preceding chapter noted that Jewish ethicists may be distinguished from one another by the way in which they view Torah, the type of instruction they find within it, and the way they relate to it. Having now delved into some of the ways that contemporary Jewish ethicists address concrete moral problems, you can now appreciate more fully the many dimensions of the relationship they strive to maintain with Torah.

The first and most notable fact about contemporary Jewish ethics is precisely that Torah remains the central and undisputed source of ethical insight. Notwithstanding their many differences, all of the Jewish ethicists examined here (I would argue, all Jewish ethicists worthy of the name) believe it is their task to mine the traditional religious and ethical writings of Judaism for the light that they can shed on the moral problems Jews face. Along the way, they may rely on modern historical scholarship, or draw from the work of secular thinkers, or include the insights of other religious traditions, but only Torah in the broadest sense remains sacred literature. Contemporary Jewish ethicists claim to speak for Torah, to bring its teachings to bear on the specific ethical challenges Jews face. For just this reason, they rightfully make a claim on the attention of contemporary Jews who share their commitment to seeing Jewish tradition as a repository of moral guidance.

That contemporary Jewish ethicists go about this task in such different ways should come as no surprise. Because modern Jews continue to struggle with the enormous theological and sociological changes that have transformed the Jewish community since the Enlightenment, they could hardly be expected to understand this tradition, or relate to it, in a single consistent way. What this chapter has indicated, instead, is that placing Torah at the center of the enterprise of "doing" contemporary Jewish ethics provides both an anchor and an essential link to the past while raising a number of pressing methodological problems.

First, as noted in the review of Jewish sexual ethics, the modern Jewish ethicist must mediate between the vision of a moral life contained in the classical tradition and that which is compelling to contemporary Jews. To what extent must Jews reconfigure their moral understanding of sexuality to conform with traditional rules and values? To what extent ought they find warrants within the tradition for sexual mores that feel consonant with their own moral perspectives? To what extent can they find a happy medium between these two? The answer to this important set of questions will depend, I suggest, on how Jews answer the deeper question about the authority of the tradition. Some ethicists will see in traditional moral guidelines the absolute standard against which all practices must be judged. Others will see in Torah a set of moral insights that must be interpreted in ways that speak to the situation of contemporary Jews.

Second, as the contemporary Jewish debate on abortion aptly illustrates, Jewish ethicists will approach these traditional sources with a whole range of different