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# **RABBINIC AUTHORITY AND PERSONAL AUTONOMY IN EARLY RABBINIC LAW: THREE CASE STUDIES**

**WITH DR. AYELET HOFFMANN LIBSON**

**Recorded February 18th, 2021**

**Session 3 of 3**

# Rabbinic Authority

**Menachem Marc Kellner**



## **Rabbinic Authority:**

**Rabbinic Authority** Michael S. Berger, 1998 In this book Michael S Berger analyzes the notion of Rabbinic authority from a philosophical standpoint He sets out a typology of theories that can be used to understand the authority of these Sages showing the coherence of each its strengths and weaknesses and what aspects of the Rabbinic enterprise it covers His careful and thorough analysis reveals that owing to the multifaceted character of the Rabbinic enterprise no single theory is adequate to fully ground Rabbinic authority as traditionally understood Students of Judaism and philosophers of religion in general will be intrigued by this philosophical examination of a central issue of Judaism *Rabbinic Authority* Michael S. Berger, 1998-10-15 The Rabbis of the first five centuries of the Common Era loom large in the Jewish tradition Until the modern period Jews viewed the Rabbinic traditions as the authoritative contents of their covenant with God and scholars debated the meanings of these ancient Sages words Even after the eighteenth century when varied denominations emerged within Judaism each with its own approach to the tradition the literary legacy of the talmudic Sages continued to be consulted In this book Michael S Berger analyzes the notion of Rabbinic authority from a philosophical standpoint He sets out a typology of theories that can be used to understand the authority of these Sages showing the coherence of each its strengths and weaknesses and what aspects of the Rabbinic enterprise it covers His careful and thorough analysis reveals that owing to the multifaceted character of the Rabbinic enterprise no single theory is adequate to fully ground Rabbinic authority as traditionally understood The final section of the book argues that the notion of Rabbinic authority may indeed have been transformed over time even as it retained the original name Drawing on the debates about legal hermeneutics between Ronald Dworkin and Stanley Fish Berger introduces the idea that Rabbinic authority is not a strict consequence of a preexisting theory but rather is embedded in a form of life that includes text interpretation and practices Rabbinic authority is shown to be a nuanced concept unique to Judaism in that it is taken to justify those sorts of activities which in turn actually deepen the authority itself Students of Judaism and philosophers of religion in general will be intrigued by this philosophical examination of a central issue of Judaism conducted with unprecedented rigor and refreshing creative insight *Rabbinic Authority* Elliot Stevens, 1982 Prominent rabbis from both the pulpit and academia examine how the rabbinate is affected by halacha personal charisma semichah Reform minhag and the rabbi s own religious views **Rabbinic Authority** A. Yehuda Warburg, 2016-03-20 In this second volume of his groundbreaking series on rabbinic authority in English Rabbi Warburg continues his in depth discussion of rabbinical court arbitration decisions He is the first rabbinic arbitrator to publish piskei din on cases in Jewish civil law It is important that those who interact with the institution of a beit din know the inner dynamics and reasoning of those who issue rulings This volume focuses on a number of topics such as the halakhic identity of an investment broker the propriety of a civil will contemporary issues relating to domestic violence and the role of a rabbinical advocate in the beit din process These topics and more are closely examined in *Rabbinic Authority* volume 2 Book

jacket **Rabbinic Authority, Volume 1** A. Yehuda Warburg, 2014-10-01 Introducing English speaking readers to the parameters and scope of rabbinic authority in general and the workings of the institution of the beit din the Jewish court of law in particular this book presents 10 rulings in cases of Jewish civil law that the author handed down as a member of a beit din panel These decisions touch on matters pertaining to employment termination tenure rights and severance pay rabbinic contracts issues in the not for profit boardroom real estate brokerage commission drafting a halakhic will a revocable living trust agreement the division of marital assets upon divorce spousal abuse and a father's duty to support his estranged children Accompanying these presentations is an examination of the notion of rabbinic authority the business judgment rule and an agunah's ability to recover for the infliction of emotional stress **Rabbinic Authority, Volume 3** A. Yehuda Warburg, 2017-02-12 In this second volume of his groundbreaking series on rabbinic authority in English Rabbi Warburg continues his in depth discussion of rabbinical court arbitration decisions He is the first rabbinic arbitrator to publish piskei din on cases in Jewish civil law It is important that those who interact with the institution of a beit din know the inner dynamics and reasoning of those who issue rulings This volume focuses on a number of topics such as the halakhic identity of an investment broker the propriety of a civil will contemporary issues relating to domestic violence and the role of a rabbinical advocate in the beit din process These topics and more are closely examined in Rabbinic Authority volume 2 Book jacket **Rabbinic Authority, Volume 4** A. Yehuda Warburg, 2019-03-04 In this fourth volume of his groundbreaking series on rabbinic authority in English Rabbi Warburg discusses the ramifications of the family and the child's welfare as well as the case of the modern day agunah a wife who is unable to get divorced due to her husband's recalcitrance **Rabbinic Authority, Volume 5** A. Yehuda Warburg, 2024-07-08 In this fifth volume of his groundbreaking series on rabbinic authority Rabbi Warburg discusses the case of the modern day agunah a wife who is unable to obtain a divorce due to her husband's recalcitrance For the first time in English this monograph discusses utilizing the technique of the double halakhic doubt sefek sefeika de dina as a vehicle to void a marriage in order to address the plight of the agunah This volume is devoted primarily to demonstrate how a beit din or rabbinical authority can take care of this complicated issue especially for those decisors who reject the various other options to void a marriage **Rabbinic Authority, Volume 2** A. Yehuda Warburg, 2017-03-01 Volume 2 of the only English books on rabbinic authority In this second volume of Rabbinic Authority Rabbi Warburg presents new rabbinical court arbitration decisions in English He is the first rabbinic arbitrator to publish piskei din decisions on cases in Jewish civil law It is important that those who service the institution of a beit din a Jewish court know the inner dynamics and reasoning of those who issue rulings This volume focuses on a number of topics such as the halakhic identity of an investment broker the propriety of a civil will contemporary issues relating to domestic violence and the role of a rabbinical advocate in the beit din process *Rabbinic Authority, Volume 3* A. Yehuda Warburg, 2018-02-05 In the third volume of his groundbreaking series on rabbinic authority in English Rabbi Warburg discusses the ramifications

of a Jewish divorce In this well composed monograph Rabbi Warburg primarily focuses on the case of the modern day agunah a wife who is unable to get divorced due to her husband s recalcitrance He addresses the various techniques such as obligating the giving of a get Jewish divorce document finding relief for an agunah who signed an exploitative agreement and listing different avenues to void a marriage bitul kiddushin used by the rabbinical court This issue is of some controversy in the Jewish community and there is heated debate about it *Maimonides on the "Decline of the Generations" and the Nature of Rabbinic Authority* Menachem Marc Kellner,1996-01-01 Moses Maimonides medieval Judaism s leading legist and philosopher and a figure of central importance for contemporary Jewish self understanding held a view of Judaism which maintained the authority of the Talmudic rabbis in matters of Jewish law while allowing for free and open inquiry in matters of science and philosophy Maimonides affirmed not the superiority of the moderns the scholars of his and subsequent generations over the ancients the Tannaim and Amoraim the Rabbis of the Mishnah and Talmud but the inherent equality of the two The equality presented here is not equality of halakhic authority but equality of ability of essential human characteristics In order to substantiate these claims Kellner explores the related idea that Maimonides does not adopt the notion of the decline of the generations according to which each succeeding generation or each succeeding epoch is in some significant and religiously relevant sense inferior to preceding generations or epochs *Rabbinic Authority* A. Yehuda Warburg,2018 **Rabbinic Authority and Personal Autonomy** Moshe Sokol,Rabbi Isaac Elchanan Theological Seminary,1992-01-01 Does traditional Jewish life encourage or discourage personal autonomy To what extent are decisions of Jewish law influenced by subjective factors Does rabbinic authority extend to all areas of life or does it confine itself to a narrower field of influence What freedom does a rabbinic authority have to make innovations and are there grounds for pluralism within the system of Jewish law These questions cut to the core of Jewish life in the modern world With the advent of modernity great emphasis has been placed on the value of personal autonomy Yet traditional Judaism has historically emphasized the authority of the rabbinic decision maker The essays in this volume are concerned with exploring the tension between these two poles Experts from such diverse fields as history sociology philosophy and Jewish law explore the questions raised above Their analyses are informed not only by their academic expertise but by their deep understanding of the Jewish legal system and Jewish life and their abiding concern for what it means to live that life in the modern world The contributors to this volume were participants in the Orthodox Forum an annual gathering of scholars who meet to consider major issues of concern to the Jewish community *Rabbi Akiba's Messiah* Daniel Gruber,2013-04-12 It is not easy to overestimate the significance of the Bar Kokhba Revolt Because of its long term consequences it may well be considered the greatest tragedy in Jewish history It is the most defining It set the stage for what became an endless procession of Jewish suffering down to including and beyond the Holocaust The disaster was further compounded by the fact that Rabbi Akiba the father of rabbinic Judaism proclaimed Bar Kokhba the leader of the rebellion to be God s Anointed the Messiah In the

eighteen hundred and fifty years since as students of History and various religious persuasions have studied the sparse and sometimes conflicting evidence one puzzling question always emerges As Franz Rosenzweig expressed it Why did even the wisest teacher of his age fall for the false messiah Bar Kochba in the time of Hadrian This book answers that question

**Rabbinic Authority** A. Yehuda Warburg, 2025-03-26 In this sixth volume of his groundbreaking series on rabbinic authority Rabbi Warburg continues to discuss issues related to the modern day Agunah such as who has the authority to void a marriage and criminal proceedings against a Jew in a non Jewish court for get refusal Accompanying his discussion of rabbinical domestic rulings which includes collaborative reproduction and the ownership and market of human tissue Rabbi Warburg continues to examine rabbinic civil law cases **Judaism in Society** Jacob Neusner, 2003-10-01 **Jewish**

**Philosophy in an Analytic Age** Samuel Lebens, Dani Rabinowitz, Aaron Segal, 2019-08-01 Since the classical period Jewish scholars have drawn on developments in philosophy to enrich our understanding of Judaism This methodology reached its pinnacle in the medieval period with figures like Maimonides and continued into the modern period with the likes of Rosenzweig The explosion of Anglo American analytic philosophy in the twentieth century means that there is now a host of material largely unexplored by Jewish philosophy with which to explore analyze and develop the Jewish tradition Jewish Philosophy in an Analytic Age features contributions from leading scholars in the field which investigate Jewish texts traditions and or thinkers in order to showcase what Jewish philosophy can be in an analytic age United by the new and engaging style of philosophy the collection explores rabbinic and Talmudic philosophy Maimonidean philosophy philosophical theology and ethics and value theory [American Rabbis, Second Edition](#) David J. Zucker, 2019-06-21 This book is a broad brush approach describing the realities of life in the American rabbinate Factual portrayals are supplemented by examples drawn from fiction primarily novels and short stories Chapters include Rabbinic Training Congregational Rabbis and Their Communities Congregants Views of Their Rabbis Women Rabbis also including examples from TV and Cinema Assimilation Intermarriage Patrilineality and Human Sexuality God Israel and Tradition This book draws upon sociological data including the recent Pew Research Center survey on Jewish life in America and presents a contemporary view of rabbis and their communities The realities of the American rabbinate are then compared contrasted with the ways fiction writers present their understanding of rabbinic life The book explores illustrations from two hundred novels short stories and TV cinema representing well over 135 authors From the first real life women rabbis in the early 1970s to today s statistics of close to 1 600 women rabbis worldwide major changes have taken place Women rabbis are transforming the face of Judaism For example this newly revised second edition of American Rabbis Facts and Fiction reflects a fivefold increase in terms of examples of fictional women rabbis from when the book was first published in 1998 There is new and expanded material on some of the challenges in the twenty first century women rabbis human sexuality LGBTQ matters trans post non denominational seminaries and community based rabbis **Rabbinic and Lay Communal Authority** Suzanne Last

Stone,2006      **Rabbinic Authority the Vision and the Reality** Yehuda A. Warburg,2018-05 In this fourth volume of his groundbreaking series on rabbinic authority in English Rabbi Warburg discussed the ramifications of the family and the child's welfare as well as the case of the modern day agunah a wife who is unable to get divorced due to her husband's recalcitrance

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