

CONTENTS

FOREWORD BY JOSEPH ISAAC LIFSHITZ	IX
INTRODUCTION	XIX
1. THE NATURE AND FUNCTION OF JEWISH LAW	3
Common Sense	4
The Wisdom of the Feasible	11
The Priority of the Ethical	28
The Example of Marriage and Divorce Law	49
2. THE NATURE OF HALACHIC AUTHORITY	70
“Not in Heaven”	70
“These as Well as Those Are Words of the Living God”	75
“Only What the Judge’s Eyes See”	80

“Uprooting” Biblical Commandments?	86
“It Is Time to Act for God”	97
3. WHAT IS HALACHA?	107
4. HALACHA IN OUR TIME	128
Halacha in Exile	128
From an Agenda for Halacha	151
5. HALACHA IN A DEMOCRATIC SOCIETY	171
NOTES	180
INDEX	191