

## ***Pesaq and the Modern Orthodox Community: A Review of Equality Lost by Yehudah Herzl Henkin***

Dov Linzer

**Biography:** Rabbi Dov Linzer is Rosh Ha-Yeshiva and Head of Academics, Yeshivat Chovevei Torah - The Open Orthodox Rabbinical School.

**Abstract:** This review focuses on the halakhic material in *Equality Lost*, by Rav Yehuda Herzl Henkin, arguing that R. Henkin incorporates historical and contemporary sociological realities into his halakhic methodology that assumes certain areas of *halakhah* can be legitimately contextualized. The *poseq* recognizes the evolving nature of halakhah and maintains the distinction between formal *halakhah* and public policy. Lastly, the review argues that while Rav Henkin does not embrace feminism, when he rules on contemporary issues such as women saying *Kaddish*, women's prayer groups and *tsni'ut*, he is guided by a pragmatic inclusiveness within the bounds of halakhic parameters.



# ***Pesaq and the Modern Orthodox Community: A Review of Equality Lost by Yehudah Herzl Henkin\****

**Dov Linzer**

Rav Yehuda Herzl Henkin is an important modern *poseq* who has been issuing rulings and responsa for over twenty years. American-born and residing in Israel, R. Henkin writes almost exclusively in Hebrew. He has collected his responsa in *Sh.u-t. Benei Banim* (hereafter, SBB), currently in three volumes, published, respectively, in 1981, 1992, and 1998. R. Henkin's *bona fides* as a significant *poseq* cannot be questioned, as he utilizes a mastery of talmudic and rabbinic sources, powerful analytic reasoning and creative thought to address a wide range of halakhic questions covering all four sections of *Shulhan Arukh*. Combining his intellectual prowess with a practical sensibility and a respect for societal differences, he assesses the sources honestly, ruling leniently when the sources and circumstances warrant and stringently when they do not. He rules on issues of contemporary significance, including women's issues, with an openness and sensitivity that are rare in many halakhic works.

Unfortunately, R. Henkin and his responsa have been largely unknown outside of Israel. His English book, *Equality Lost* (Jerusalem: Urim, 1999) will, it may be hoped, serve as a remedy to this situation. R. Henkin's writings in English are more terse than his lucid Hebrew writings, and at times are polemical rather than expository. As a result, readers may find this book somewhat difficult to read. This obstacle aside, *Equality Lost* is a book of importance for the Modern Orthodox community, opening a window into the thought and rulings of this

serious, sensitive *poseq*.<sup>1</sup>

*Equality Lost* is divided into four sections: Torah Commentary, *Halakhah*, Jewish Thought, and a biography of the author's grandfather, Rabbi Yosef Eliyahu Henkin, *z.ts.l.* The book is a collection of articles, some of them translations or paraphrases of R. Henkin's earlier writings, some written for submission to journals, and some written specifically for this volume. This review will focus on the *halakhah* section together with the book's first essay, "Equality Lost."

Before treating the halakhic material, the following may be said regarding the other sections. The Torah Commentary section, while containing some novel interpretations and readings, as well as a short essay attempting to delineate more precisely *peshat* from *derash*, is worthwhile reading, but the insights are primarily of a local nature. The biography of Rav Yosef Eliyahu Henkin, *z.ts.l.*, focuses more on this *gadol's* activities and the events on his life than on his personality or methodology of *pesaq*. Most American Jews of this generation are ignorant of the existence of this *poseq*, who was the premier *poseq* in America prior to Rav Moshe Feinstein, *z.ts.l.*, and this biography goes a long way toward filling a woeful gap in our knowledge of one of the *gedolim* of the last generation.

In his essays on Jewish thought, R. Henkin proves him-

\* I would like to Devorah Zlochower and David Shatz for their insightful comments and suggestions.

<sup>1</sup>It is welcome news that this winter KTAV will be publishing R. Henkin's *Responsa on Contemporary Jewish Women's Issues*, a translation of 25 of his responsa on women's issues.

self to be more than just a *poseq*. He understands that the role of a rabbi requires not only rendering narrow halakhic decisions, but also taking responsibility for the issues of the day. This is borne out by his choice of topics. He does not deal with abstract, theological issues, but addresses the problems of incompetent rabbinic leadership and national disunity ("Why Was the Second Temple Destroyed"), the failure of rabbis to openly confront violent Jewish extremists ("Killing Captured Terrorists"), religious apathy toward the State of Israel ("The Strength to Repent..."), and misdirected religiosity, either through a focus on punctilious care in the details of *mitsvot* with disregard for their values ("It May be *Glatt*..."), or through an embracing of upbeat prayer melodies which undercut the meaning and appropriate experience of the prayers ("Who Will Live or Die, *tra la la*...").

In both his choice and treatment of topics, R. Henkin inclines to the pragmatic over the metaphysical. He understands many of the problems that Israel faces today to be the result of our own failed leadership and religious infighting, and not divine retribution for sin. The course of action that this interpretation suggests is not repenting to God, but directly and practically addressing the roots of the problem. R. Henkin's innovative reading of texts in support of his positions can be seen in how he interprets the famous Talmudic passage that identifies *sin'at hinnam*, baseless hatred, as the reason for the destruction of the Second Temple. R. Henkin argues that this does not refer to a sin, but to the historical reality that sectarianism and infighting led to our own destruction. Given the religious predilection for identifying theological causes for historical events, such an interpretation is noteworthy for its practical, pragmatic orientation. It is an orientation that is noticeably present in R. Henkin's halakhic writings as well.

### **Historical and Sociological Realities**

Turning to the *halakhah* section of the book, the reader is first struck by the degree to which a historical and socio-

logical sensitivity pervades R. Henkin's halakhic writings. R. Henkin is inclined to understand earlier rulings in their historical context, and thus limit their applicability. In the early eighteenth century, *Havot Ya'ir* prohibited women from saying *Kaddish*. This responsum is regularly quoted by those who prohibit women from saying *Kaddish* today. In response, R. Henkin demonstrates that at that time, and indeed until the mid-nineteenth century, only one person would say *Kaddish* for the entire congregation. Under today's practices, where all mourners say *Kaddish* in unison, a woman would be permitted to say *Kaddish* together with male mourners ("Women and *Kaddish*," pp. 44-46). In the same article, R. Henkin also limits earlier rulings on the basis of their sociological and cultural context. Thus, the rulings of some Sephardi *poseqim* that prohibit women from saying *Kaddish* are similarly deemed irrelevant, inasmuch as their conception of the propriety of a woman saying such prayers is at odds with the Ashkenazi one (pp. 46-47).

Recognizing historical and cultural differences is important not only for contextualizing rulings of other *poseqim*, but for understanding the scope and applicability of Talmudic rulings as well. In his article "*Hirhur* and Community Norms" (pp. 76-86), R. Henkin defends the Modern Orthodox lifestyle that allows for intermingling of the sexes. Talmudic passages voice concern that such intermingling may lead to illicit sexual thoughts. He argues that as a result of habituation, such neutral intermingling is now nonsexual and thus permitted.

R. Henkin is quick to point out that the vast majority of Talmudic edicts are categorical and not open to contextualization. However, some areas can be legitimately contextualized, and it is critical to identify what they are. In the case of prohibited provocative behavior, some *rishonim* and *ahronim* already state that this is to be determined on the basis of individual or societal circumstances. Other cases may be found in the Tosafists' discussions of the rabbinic requirement for *mayim ahronim* and the prohibition against clapping hands on *Shabbat*, which find

these laws limited to a set of specific circumstances no longer applicable (*Berakhot* 53b, s.v. *Vi-Hiyitem*, *Beitsah* 30a, s.v. *Tenan*). The challenge for the *poseq* is to know when such arguments can and should be made. It requires a courageous *poseq* to apply this approach when it is warranted, rather than to reject it out of hand because of the threat it represents.

R. Henkin also argues for recognition of the evolving nature of *halakhah*. He states that an honest assessment of the evidence demonstrates that rulings are rarely closed, and even the *Shulhan Arukh* is not treated by *poseqim* as absolutely definitive. Decisions are always open for review, and different *halakhah* may prevail in different communities. *Halakhah* is an ongoing process, not some static monolith. ("Women, Kaddish, and the Halachic Process").

For R. Henkin, then, *halakhah* is not unchanging. Quite the contrary, current *halakhah* is a stage in an ongoing process, different for different communities, and always subject to review and revision. While *halakhah* as a whole must not be historicized, it is critical to realize that in specific cases, some of its norms are contingent on certain historical and sociological realities.

In the Orthodox community there is strong resistance to this approach, and the fear of its potential abuse is intensified by the Conservative movement's frequent use of the historical method in its halakhic process. It should thus come as no surprise that when R. Henkin used this mode of analysis in an article in *Tradition* to justify the intermingling of sexes in Modern Orthodox communities ("The Significant Role of Habituation in Halakha," *Tradition* 34:3 (2000)), it earned him the ire of *Tradition's* former editor, Emanuel Feldman:

Who is this all-knowing "*posek*" who determines which acts produce or do not produce erotic thoughts? ...

Could not R. Henkin's theory be applied to annul the laws of *yihud* (seclusion with a forbidden woman), since their intent is to restrain a possible rush of sexual ardor that might lead to sin? Could not one argue that in our "inured" society there is no need to be concerned with this?

R. Henkin's application of his theory ignores the well-known principle that Torah laws are made for all times.

("Habituation: An Halakhic Void With Risky Implications," *Tradition* 34:3 (2000): pp.50-51.

Although in his article R. Henkin had anticipated these challenges, and emphasized that habituation is only relevant to specifically defined areas of *halakhah*, his statements apparently fell on deaf ears. The fact that a *poseq* of impeccable credentials such as R. Henkin is subject to such derision, particularly in regard to a point which he had already explicitly addressed, is further comment on the depth of the resistance to this approach and the courage required to apply it when it is justified.

Beyond an awareness of historical and sociological realities, R. Henkin's pragmatic orientation often brings about a significant shifting of the locus of a halakhic problem. For example, some *poseqim* discourage women from attending a women-only *megillah* reading because of the absence of a *minyan* of ten men and questions as to the proper blessing to be made. Against such formalistic halakhic considerations, R. Henkin posits the very real concern that women are often unable to hear or even attend the regular *megillah* reading, making the smaller women's reading the halakhically preferable one ("Women and Megillah Reading," pp. 59-60). Similarly, in a short responsum (SBB I:5), he addresses the phenomenon of mothers who bring their small children to the synagogue, thereby disturbing the services. The questioner wished to require that such women stay at home with their children. R. Henkin responds that the solution is not

to exclude mothers from the synagogue, but for the synagogue to provide child care. Such an obvious, practical point is often lost even on the most progressive synagogue rabbis and presidents.

### **What Is and What Is Not Halakhah**

R. Henkin is careful to distinguish what is and what is not included within *halakhah*. For example, most Orthodox Jews believe that *tsni`ut* is primarily the obligation of women. A clear look at the sources, however, reveals that in many circumstances it is the man's obligation not to look lustfully at women rather than the woman's obligation to distance herself from the gaze of men. This, R. Henkin states, is indeed what the *halakhah* is, community assumptions notwithstanding ("*Hirhur* and Community Norms," p. 76 and SBB III:26). Such distinctions can have profound practical implications, and it is worth speculating how the religious roles of men and women might shift and the status and self-perception of women might be transformed if this halakhic point were internalized.

R. Henkin also completely rejects the masking of public policy opinions as *halakhah* ("*Women and Kaddish*," p. 42). He believes it appropriate for a rabbi to make a public policy argument and perhaps even to forbid certain behavior on public policy grounds, but when doing so, he must be careful not to cloak his position in halakhic language. Moreover, a rabbi's policy decisions are not binding *ex cathedra* and he must be prepared to argue for and defend his decision on public policy grounds, weighing all the various pros and cons of the issue.

Public policy tends to be used selectively, depending on the issue being discussed. In the case of organ donation and brain death, for example, it is usually the more modern *poseqim* who invoke public policy considerations. On the other hand, it is often these same *poseqim* who limit themselves to discussions of technical *halakhah* and do not address the public policy issues in the case of

women's prayer groups. Public policy considerations are very real, and they need to be addressed honestly, not merely employed as a tool to achieve a desired end result. In the case of women's prayer groups, such a discussion would seek to honestly evaluate and balance such issues as traditional gender roles, *kevod ha-beri'ot*, and inclusiveness. R. Henkin's call for a separation of *halakhah* from public policy is most welcome, as an open and honest debate of public policy considerations on their own merits can only benefit the Jewish community.

### **A Balanced Poseq**

R. Henkin's non-static view of *halakhah*, his decoupling *halakhah* from public policy considerations, and his practical orientation all work together to allow for innovative solutions. It would be a mistake, however, to characterize R. Henkin as a *meqel*, a *poseq* who is regularly lenient. Rather, he rules according to his best understanding of the sources and the circumstances, which at times will call for forbidding certain activities. On the basis of a careful analysis of the primary sources, he rejects the position of those who limit the restriction of *kol isha* to cases of the recitation of the *Shema* ("*Kol Isha* Reviewed"). And again, on the basis of a close reading of the sources combined with policy considerations, he argues vehemently against those who would permit a *beit din* to convert children who are being raised in nonobservant homes ("*Converting Children in Non-Observant Families*"). As he himself puts it in another article:

We are halakhic Jews, and we should accept with faith and love even those disabilities and restrictions which Halakha may place on us.

("Hirhur and Community Norms," p. 77.)

In areas of public policy, R. Henkin similarly weighs each case on its own merits. In the case of women saying *Kaddish*, he is willing to pit his policy of inclusiveness against others' policy of limiting women to the private

realm (p. 47). In contrast, he rules that while women's *aliyyot* are technically permissible on the grounds that a congregation can waive its honor, this practice should be prohibited on public policy grounds because such a congregation would eventually lose its Orthodox affiliation and commitments (SBB II:11 and *The Edah Journal* 1:2). While others may legitimately argue with his conclusions, R. Henkin is a *poseq* of integrity who rules according to his best read of the sources and circumstances.

### **Inclusiveness and Feminism**

A *poseq's* value system will influence, at least subconsciously, how he reads and interprets his sources. At this point, then, it is appropriate to ask: What are some of the values that R. Henkin brings to his *pesaq halakhah*? Does he believe that Jews need to be fully integrated in society? Does he embrace feminism and egalitarianism? Here it seems, at least to judge from his writings, that his sympathies lie more with a pragmatic inclusiveness and tolerance for legitimate differences rather than with a total embracing of modern values. Thus, when writing to defend the intermingling of the sexes that occurs in the Modern Orthodox community, he states:

[T]here is no halakhic imperative to introduce mingling of the sexes where it does not already exist. What we have said here is a justification of community practices, not an agenda. It is much easier to legitimize existing practice than to justify new ones.

("Hirhur and Community Norms," pp. 82-83.)

And when arguing on policy grounds for allowing women to say *Kaddish*, he writes:

In this context my grandfather's words bear repeating:

It is known that were it not for kaddish, many

would refrain from teaching prayer to their sons and would not come to synagogue. When they come closer because of kaddish they also come a bit closer to Judaism the rest of the year, and for this reason itself one should not rebuff the *na'arot* (young women) either, since it fosters closeness to Judaism. ("Women and Kaddish," p. 47)

These statements and others like them make it clear that R. Henkin professes a value of pragmatic inclusiveness, not a philosophical egalitarianism. But there is more. We have already seen how he calls on synagogues to provide child-care for children rather than demanding that their mothers stay at home. For R. Henkin, a woman's desire for greater religious participation demands our respect, not our skepticism and derision, and this remains true even when this desire extends to areas of new ritual. Women who desire to pray in a women's prayer group, or to wear *tsitsit*, *tallit*, or *tefillin*, often find their motivations questioned and attacked. No less a figure than Rav Moshe Feinstein *z.t.s.l.* states that it would be totally forbidden for a woman to wear *tsitsit* if she were motivated by feminism, an ideology which R. Feinstein considers heretical (*Iggerot Mosheh, Orah Hayyim*, IV:49). Although R. Henkin does not actually defend feminism, he rules that a woman may wear *tsitsit*, and completely disregards the issue of her motivation (SBB II:3). Rejecting arguments to forbid women's prayer groups on the basis of the prohibition of *be-huqoteihem* (following the ways of non-Jews; here, following a feminist ideology), he states that the Torah only prohibits non-Jewish actions, not motivations or movements (SBB II:10). But while R. Henkin defends many<sup>2</sup> of the practices emerging from amidst Orthodox feminist women and refuses to question their motivation, he avoids any direct support of feminist ideology.

This position also emerges from R. Henkin's writings on Jewish thought. The book's first essay, also entitled "Equality Lost," seems to promise by virtue of its title that it will articulate a vision of an ideal halakhic and reli-

<sup>2</sup>But not all. Among other things, in the same responsum where he allows a woman to wear *tsitsit*, he forbids her to wear *tallit* and *tefillin*. See below, **Some Anomalies**.

gious system where women and men are deemed equals. This promise, however, is only partly fulfilled. R. Henkin's vision of ideal Judaism affords women equal respect and dignity but at the same time affirms role differentiation and hierarchy of status. What we have lost is not gender equality of roles and status, but rather due regard for women's equal intelligence, potential, and dignity.

One searching for a fundamental value of equality would be naturally drawn to the first chapter of Genesis, where man and woman are created simultaneously and equally *be-tselem Elohim*, in the image of God, and are equally blessed and commanded by their Creator. The divisions of role and status that are found in the Torah occur only later: between man and woman, in Genesis 2, where Eve is created from Adam and for the purpose of helping and completing him; and between Jew and non-Jew, in the Noah-Abraham-Exodus narratives. These divisions can be understood, in this paradigm, as a true "lost equality," a necessary compromise between the ideal and the real, between human beings' ontological equality and the realities of society. This vision would see the *mitsvot* in which these hierarchical distinctions are embedded as necessary compromises with specific socio-historical realities, as Rambam argued in the case of sacrifices and as we implicitly assume in the case of slavery. The goal, according to this vision, would be to work within the halakhic system to restore the real – society and *halakhah* – to the ideal to the greatest extent possible.<sup>3</sup>

R. Henkin does in fact turn to the creation story, but he chooses to focus on the second chapter of Genesis rather than the first. In considering Chapter 2 of Genesis, R. Henkin has a different type of equality in mind. He states that woman was created as an *ezer ke-negdo* – a helper equal to him or, as he puts it, "God created woman equal to man *in order to assist him in fulfilling the commandment*" [emphasis mine] (p. 15). Man is the one fundamentally commanded and in relationship with God, but woman is

his *intellectual* equal who can help him fulfill his obligations. R. Henkin proceeds to describe that the cause of the first sin was man's *zilzul* – disrespect, belittlement and underestimation – of woman: he infantilized her and this brought them both down. The lesson is clear: men should treat women with full respect and dignity and see them as their intellectual equals. Nevertheless, "[t]his is not advocacy for radical egalitarianism. The Torah prescribes different roles for men and women" (p. 19).

This affirmation of role differentiation must be read alongside the essay "The Place of a Woman," which appears in SBB I, and was curiously not included in *Equality Lost*. In this essay, R. Henkin tackles the verse "All glorious is the King's daughter within the palace" (Ps. 45:14), which is used in the Talmud to suggest that, in the modern idiom, "a woman's place is in the home." R. Henkin asks two very simple questions: Is this verse prescriptive or descriptive? And if it is descriptive, is it descriptive of an essential character of women, or just of the most common role that they adopt? What is at stake is obvious: only by reading the verse, and the Talmudic passages that quote it, as descriptive of a non-essential trait of women can one argue for the legitimacy of women's public role. And this is exactly what R. Henkin does. It is at this point that he turns to Genesis 1, and, quoting the verses on the equal creation of man and woman and their equal mandate to subdue the earth, he argues that at least in the area of playing a public role, the Torah sees no essential differences between man and woman. A woman who chooses to play a public role and remains "God-fearing" is to be praised as the true *eishet hayil* of Proverbs.

It is not obvious how to reconcile these two essays. The denial of essential differences between man and woman comes close to suggesting that the different roles assigned to them by *halakhah* are some compromise with societal realities. The fact that the "Torah prescribes different roles for men and women" would remain true,

<sup>3</sup>For a fuller discussion of the tension between sociologically real and axiologically ideal halakhic values, as well as the concept of legitimate historical evolution of Torah values, see *The Way of Torah* by Nahum Eliezer Rabinovitch, in this edition [ed.].

though not the ideal. But nowhere in his writings or halakhic rulings does R. Henkin seem willing to advance an ideal of egalitarianism. It would appear, rather, that R. Henkin is denying only that women are essentially private beings and men are essentially public ones. That does not preclude the existence in his scheme of other essential differences, such as inherent capacities for nurturing and care giving. The role differentiations assigned by *halakhah* are, then, an ideal, and they would require women to play the roles of child-bearer and nurturer for which they are biologically adapted. This role and obligation would not, however, restrict women to the home. A woman would be entitled to play a public role alongside her private one if the circumstances of her private life permitted.

R. Henkin is a *poseq* whose stated values are respect for differences, openness to new phenomena and new societal roles, and pragmatic inclusiveness. Whether R. Henkin actually subscribes to a feminist ideology that for the sake of his acceptance as a *poseq* he must suppress seems improbable. In his analysis of halakhic sources and his discussions of public policy, there is a complete absence of a feminist critique. When quoting a Talmudic passage where Rabbi Yohanan states: "to me, women are like white *geese*," R. Henkin voices no critique and passes over it silence (p. 77). The question of his personal ideology is in any case moot. As a *poseq*, he does not operate with a feminist ideology.

### **Some Anomalies**

Given the courage that R. Henkin regularly demonstrates, it is perplexing when he steps back from this stance. R. Henkin delivered his "*Hirhur* and Community Norms" essay as an address at the 1998 Jewish Orthodox Feminist Alliance (JOFA) Conference. He does not share this fact with his readers and refers to the forum as "a conference plenum of 2,000 women in February 1998" (p. 84, n. 1). We can only speculate why he did not identify JOFA openly. Perhaps he believed that this would label him a feminist and cause him to lose credibility or acceptance

within the Orthodox community. Whatever the cause may be, R. Henkin chooses at times to act with great caution.

A similar phenomenon is present in the way in which R. Henkin ends many of his responsa in SBB. Often, he will spend many pages demonstrating the permissibility of a certain practice only to forbid it in the last paragraph on what appears to be a questionable basis. Three examples will bear this point out.

In SBB III:27, he demonstrates the theoretical permissibility of women reciting *sheva berakhot* at the wedding meal, but refuses to apply his conclusions to practice, stating that "not just because we can make an argument should we act on it, particularly in a case which requires a *minyán*." In the same responsum, he refuses to even discuss the possibility of women reciting *sheva berakhot* under the *huppah*.

In an earlier responsum in the same volume (SBB III:21), R. Henkin argues that the biblical obligation of hair covering for women is limited to the majority of the woman's head, not the majority of her hair. The additional obligation of *dat yehudit*, the norms of Jewish women, is determined by the practice of Jewish women in one's community. Thus, one can defend the practice of women who expose a lot of hair outside their hats, if this is the practice of their community. Nevertheless, he states in the last paragraph, women should only allow a hand's-breadth of hair to be exposed, as is the prevailing custom among modest women, for "not just because we can make an argument should we act on it." Moreover, he states, the norms of *dat yehudit* are to be determined only by modest women, not by those who are immodest. But if by immodest women he means to include all those who expose a good deal of their hair, then he undermines his earlier definition of *dat yehudit*, since more lenient community norms can now be rejected on the basis that those who practice them are immodest.

Finally, in the same responsum in which he permits women to wear *tsitsit*, he forbids them to wear a *tallit* on the basis of a statement in the Targum attributed to Yonatan (SB II:3), a work generally not recognized as a halakhic source. It is hard to believe that this source is the actual basis for his ruling, and one wonders if other considerations played a role. Perhaps R. Henkin is concerned that his rulings will appear to be too radical for certain communities and cause him to lose standing as a *poseq*. We would still be faced with the anomaly that he permits a woman to wear *tsitsit* without any reservations, but voices reservations about a woman exposing more than a hand's-breadth of hair. Certainly, the former ruling is far more radical than the latter one.

These anomalies aside, R. Henkin is overall a courageous *poseq*. His willingness to critique incompetent rabbinic leadership, his considerable tolerance for religious diversity, and his general progressiveness all run counter to deeply entrenched right-wing religious sensibilities. It is a sad fact that, for all his prudence, R. Henkin still faces obstacles to his acceptance. In the book's forward, R.

Henkin states that he was unable to get a number of his articles published, even in such journals as *Tradition* and *Journal of Halacha and Contemporary Society* (p. 8). Considering that the latter journal often publishes articles of young rabbis in their 20s or 30s who do not approach the stature or competence of R. Henkin, this is a sad commentary, indeed.

As a *poseq* who has no overriding agenda, who deals with his sources with integrity, and who often rules strictly, R. Henkin establishes himself as an authority who can be relied upon unquestionably when he rules leniently. We need to be grateful that there is a courageous and progressive *poseq* like R. Henkin. It is because of him, and the few others like him, that important issues for the Modern Orthodox community are being addressed in a serious halakhic manner.