

*TIJS Graduate Research & Travel Grants
Academic Year 2014-2015*

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Purpose: Present a paper at the Nootbaar Institute for Law, Religion and Ethics Conference on Wisdom, Law, and Lawyers at Pepperdine Law School evaluating the relative persuasive weight given to the theoretical wisdom of the scholar-jurist and the practical wisdom of the sitting judge resolving actual cases in Jewish and Islamic legal thought, contrasting the Jewish and Islamic approaches to this issue and highlighting a fundamental jurisprudential difference between each tradition's view on the nature of law and the objectives of the legal process.

I utilized the generous grant I received from TIJS for Spring 2015 to fund my travel to Los Angeles, California to attend and present a paper at Pepperdine Law School's annual Nootbaar Conference on February 27-28, 2015. The conference was scheduled to begin early Friday morning on February 27, and I therefore initially planned to fly out to Los Angeles from Atlanta the previous day. However, due to an anticipated snow and ice storm that Thursday, and in order to not risk having my flight cancelled and missing the conference entirely, I changed my ticket at the last minute, and arrived in California early Wednesday afternoon. I used this extra day and a half to schedule several networking meetings with faculty at both Pepperdine University and UCLA, which I believe were productive and set the groundwork for future professional relationships. The added time spent in Los Angeles also allowed me to take advantage of a special guided tour of the Getty Estate and Museum on the afternoon of Thursday, February 26, which had been arranged by the conference organizers and Pepperdine University.

The conference began on Friday morning with a panel discussion on the role of wisdom in law. Conveniently, one of the panelists spent considerable time working out some of the details of Aristotle's bifurcation between theoretical and practical wisdom, which set much of the groundwork for my own paper that I was scheduled to present that afternoon. Lunch on Pepperdine Law School's expansive veranda, which sits at the edge of a cliff overlooking the Pacific Ocean, was followed by a keynote lecture by Professor Russel G. Pearce of Fordham Law School. Professor Pearce was one of my own mentors when I attended Fordham from 2009-2012, and it was a great pleasure to reconnect with him in person – this time as a colleague, as well as a student. Over the course of the day, I had the opportunity to speak with Professor Pearce, as well as other faculty working in the area of Law and Religion, and gained valuable advice and guidance about my future career plans and some of my ongoing scholarly projects.

I presented my own paper, entitled "Between the Ivory Tower and the Street: Theoretical and Practical Wisdom in Jewish and Islamic Legal Decision Making," immediately following professor Pearce's keynote address. I discussed how there are two broad approaches to legal decision making that parallel Aristotle's distinction between theoretical and practical wisdom. Theoretical wisdom-focused judging seeks out legal truth, and attempts to actualize authentic legal norms in the real world through the judicial process. Practical wisdom judging, by contrast emphasizes practicality and workability as the hallmarks of good legal decision making; rulings should focus not on actualizing objective legal truth, but on using the law to achieve workable results in the real world. I noted that this distinction parallels a divide within American jurisprudence between judges like Justice Scalia, who seek to discover and implement authentic legal truth, and jurists like Justice Ginsberg, who embraces a more flexible vision that seeks to use the law to make society work well. I further noted that this distinction carries over in Jewish and Islamic jurisprudence; whereas (in theory at least) Islamic law is oriented towards theoretical wisdom, Jewish law emphasized practical wisdom. Next, I argued that we can better understand what American judges are really doing and why they are doing it by looking at several characteristics of theoretical and practical wisdom jurisprudence in the Jewish and Islamic traditions. For example, Islamic jurisprudence suggests that academics rather than practitioners are the best sources of legal scholarship; that codified doctrinal texts ought to carry more authority than judicial rulings in actual cases, and that precedent and authority is far more important than judicial independence and decisional creativity. By contrast, Jewish law usually locates legal authority in practitioners and

judges rather than academic scholars; treats case precedents with greater deference than codified doctrine, and lauds the creative independence of individual legal decision makers, encouraging them not to consider themselves formally bound by precedent.

My paper was well received, and elicited numerous questions and comments. Some listeners were impressed by the explanatory power my conceptual framework offered. They noted that this might be used to explain much of what conservative or liberal judges in American do, what sources and material they rely on in their decisions, and why they are doing so. Importantly, it elevates disagreements between such judges above the level of partisan politics to a far judicially acceptable dispute over the nature and purposes of law and legal decision making. One questioner pointed out that this framework could also be used to consider difference between Common Law and Civil Law jurisdictions, and the manner in which they approach law and the legal process. While I had briefly considered this angle prior to the conference, this question prompted me to further pursue that line of inquiry and incorporate it into a future piece.