

### A Program for the Conservative Movement

Rabbi Danny Gordis is correct in his assessment that the Conservative movement has lost its focus. R. Gordis suggests that our energy has been directed excessively to historicity and not to cultivating a sense of reverence for the halakhic process. Furthermore, our concern with the history of the Jewish people has "placed the laity at the helm of our halakhic odyssey." In other words, concern with what has happened leads us to look to the people to determine what shape observant Judaism will take in the near future instead of heightening the awareness of rabbis to take responsibility as leaders to work ceaselessly to shape the congregations with which they work. One might say that 'the tail is wagging the dog.' I believe that R. Gordis has correctly identified part of our problem, yet he needs to state his case stronger and more clearly. Perhaps there are other areas of difficulty which he has not explicitly identified which require further elucidation. I believe that the fundamental problem facing the leadership of the Conservative movement is its own frightful ignorance of the traditional Jewish masoret and its unwillingness to study the Torah in its entirety, appreciating that what we confront is our understanding of God's commands since the beginning of our history.

The Jewish Theological Seminary is an institution in which we first year rabbinical students struggle to learn ten folio pages of Gemara in order to qualify for admissions. Upon arrival, we build upon our knowledge with two weekly classes, and this taste is not nearly enough to build us into learned Jews. The Gemara is a terribly difficult book to study and even more difficult to learn to love. While the Seminary has the option of building us into disciplined *matmidim*, it chooses instead to follow its own priorities, which include large doses of history and critical method. We subject Gemara to critical method and do not study for *halakha*. The critical approach seeks to appreciate the text at a *peshat* level, but *peshat* is not necessarily the determining factor in the halakhic process. *Peshat* receives examination

and even re-evaluation before it re-appears as *pesak din* by a competent authority. This is the approach the Seminary must take before it can reclaim its legitimacy as an innovative school of Jewish thought; legal and otherwise.

When I make this claim, that the Seminary must depart from the critical method and again study the basic skills, I do not mean to say that we should abandon the methods of teachers like Dr. Saul Lieberman and Dr. H.L. Ginsberg completely, yet we should save their methodologies for later in our careers. Perhaps such courses could be required at the advanced levels or encouraged on the elective level. I do not mean to imply that they have nothing to offer, but I strongly consider the importance of critical study secondary at best. We need to learn how to understand a *sugya* the way a modern posek studies - text and Rishonim - before we can begin to appreciate how these details of law guide one's relationship not to Judaism or the history of its people, but to the ways in which we relate to God. Critical method is unconcerned with the shape our relationship to God will take, but focuses instead upon how a page came to look as it did. Though in a sense, critical method can be said to carry an even higher level of *lishma* than traditional study as it comes to no practical conclusions, we are a people who crave interaction with God and express our understanding through action. At least one master (I believe it was Rav Israel Salanter) once said, Torah *lishma* is Torah learned for *halakha*, and not merely to appreciate the text.

Rabbi Gordis argues that history is relativizing and that through our fascination with the historical, we necessarily defer to the laity in setting our agenda, citing the recent "Schorsh - Schulweis" debate as an example of how the laity controls the attention of the Conservative leadership. Even after meeting him in our seminar, this argument puzzles me. Perhaps Rabbi Gordis argues as he does because he feels that historicity leads one to conclude that because the rabbis are not the only people whose voices are heard in communal life and how *halakha* as practiced may represent a less than ideal state-of-affairs, future leaders should simply accept the *b'de'avad* and not cling to outdated norms. Perhaps he believes that evidence of disagreement in Jewish history will lead rabbis to affirm the "equality" of all views

and fail to strongly advance their own. I feel that none of these conclusions are necessary. This legal "relativism" which Rabbi Gordis fears is spawned by ignorance of tradition and lack of ability to decide what course of action to take rather than a side effect of expanding one's education. History is not the cause of our failure, but our institutional choices as to what to teach and how to do so may inhibit our ability to develop into the *talmidei hakham* to whom American Jews must be exposed.

Perhaps the changes we must make are even more basic than we realize. This is an age where many American Jews ask difficult questions requiring well thought answers which address their problems. For the past two thousand years, our tradition has managed to answer people's questions and to guide people to think themselves about difficult issues. I believe that revitalization involves much more than what we study during our years at JTS. As leaders, we can make a large impact, if only we know where to begin.

I propose that the Conservative movement take the leadership in areas it has left largely uncharted. First of all, we should stop talking about the "Conservative movement." All this talk is silliness. Do we really want to define ourselves so sharply as to set us apart from other Jews, regardless of their observance? Furthermore, we should stop talking about "the laity." We do not idealize the present situation of the rabbi who stands above the congregation and preserves this distinction. The Torah is for everyone to learn and we rabbis play no intermediate role between individuals and God. Though we may usually play the role of teacher, rabbis need to be students of congregants also. In a good relationship, this line is hazy and we should not take on any unintended *hubris* by referring to congregants as "laity." On a more active level, we should take the initiative to strengthen our institutions. Besides the normal goals such as learning, we should strive harder to build mikvaot, libraries, free loan societies, and get synagogues involved in the community, especially with college campuses. We need to produce more *mohalim*, *shochatim*, and *sotefim*. We should not feel afraid to assert that we are acting together to keep ourselves in touch with the Divine Presence because that is why we study Torah from the outset. Our main focus should be to mold our society so

that we can bring the Torah to life. Perhaps no such community has ever existed, but why should such a thought concern us?

I was raised as an egalitarian Jew. There was never a question, but those who opposed issues such as the ordination of women as rabbis, or the right/ability of a woman to participate fully in a service and count in a minyan were simply sexists to me. In college, I couldn't understand why women who decided to become more observant would often renounce this basic right and accept what I considered marginalization. Vehement as I was in embracing this stance, I've learned that my holding of such ideas was a result of my vast ignorance not only of how *halakha* works, but also of the dynamics within a traditional community. Over the past year and a half, I've renounced my stance on egalitarianism in fear that the American Jewish community has elected a cosmetic solution to a deep problem and has abandoned the *halakhic* process in search for such solutions.

I do not see myself as an anti-egalitarian as much as one who is in favor of operating according to Jewish Law. In other words, it's not that I oppose the formation of minyanim where men and women pray together because I feel that our men's territory is infringed upon, rather, there have been few serious attempts to work through the problem and our community remains frightfully ignorant as to how to mold a system in which we are mere novices. Concerning the issue of egalitarianism in prayer, we need to confront issues such as *hiyyuv*, dynamics of prayer (involving issues such as *tzniut* for both men and women), and also the issue of *kavod ha-tzibbur*. What makes up a *tzibbur* and who counts? Furthermore, what about the different issues existing within our service themselves, like the distinction between *kriat shema* and the *shemoneh esrei*?

On the other hand, we know also that the legal process works sometimes when the community takes matters into its own hands and changes a practice. The *posek* is then left to either oppose the community vigorously, which in most cases means

fighting a losing battle, or justify that which the community does. Sometimes, *posekim* are thrown into the most outrageous situations, such as when the Rosh found himself needing to permit the Sefardi community's killing of informers through *Bet Din*. Most of us would not find the issue of egalitarianism to be as extreme, but one could argue that what we have here is an active community which "votes with its feet." However, I again ask who makes our decision here? Is it really an active, observant community, or is this decision made by either a politicized congregation or by the rabbi him- or herself?

I've claimed that egalitarianism is a cosmetic solution to a real problem, which is that women are still not treated fairly in the Jewish world. I feel that those who are truly moving to solve this problem are those who open women's yeshivot where women are trained to study the issues themselves, educated in true *yirah* and *ahavah* and thus become qualified to make decisions which can truly be called *b'shem shamaim*. Without this basis, decisions are simply acts of caprice. I do not believe that the issue can be reduced to "ethics vs. *halakha*" because not only do I believe that this dichotomy is ultimately false, but because I also view traditional settings as profoundly ethical, concerned with creating and preserving models of holiness which we often overlook.

We need to set standards for ourselves in which we recognize our utmost priority to be the mastering of the Torah. As potential rabbis, it is this knowledge which will inform our action and teach us how to help others to build their models of holiness. Without this basic knowledge, we might as well be philosophers, literary critics, psychologists, and religious studies scholars - and the Seminary tries to make us into all of the above. The Torah teaches us how to assign value to different concerns in its giving of *mussar*, and we learn that we must move slowly, but deliberately. When I hear brilliant arguments as to why women should count in a *minyan* and then struggle with my companions to say *peshat* in a Gemara sugya, I see that we

really do not understand all the issues involved, and so prefer to look for issues I do understand, or ways of solving problems that embrace the realm of what is *mutar*. If the problem has existed for thousands of years, then a few more amount to a drop in the bucket.

I would like to see all schuls go egalitarian some day and would hope to be part of the process rather than part of the problem. However, I fear that the Seminary has placed major stumbling blocks in the road of our finding a true lasting solution that will not send the message that sloppiness is acceptable. With Chancellor Schorsch's recent changing of the Schiff minyan, relying upon a paper with which he does not agree, have we not abdicated our responsibility? Granted, the Rambam authorized the Yemenite community to convert to Islam while secretly remaining Jews to avoid martyrdom, which was a *shita* with which he disagreed, but there, the physical life of the community was at stake. With intellectual honesty, can we really argue that such a situation obtained here at JTS? In the meantime, I admire the measures taken by the Orthodox world in the direction of Talmud Torah. It is my hope that the Seminary will take this direction as well and that in our zeal to become innovators, we do not lose our respect for our traditional methods of solving problems.

A congregant leaves the Conservative movement because he feels the rabbi's insistence upon the details of *halakha* is oppressive, placing technicalities over the dignity of people. Surely this scenario is not unique. When asked to respond, I find myself puzzled as to exactly what question calls for response. If the question be whether or not we leaders have done an adequate job teaching congregants, then the outcome of this president's leaving suggests we have failed. However, such a conclusion is not necessary - perhaps this man understood well why "Michelle" could not become a Bat Mitzvah without conversion. In other words, even if we are successful in teaching, people's reactions to law are out of our control. If the question be whether or not this young rabbi should have "confided" in the president of the schul, informing him of a decision he had already made and perhaps seeking support before revealing his decision to those involved, then perhaps this young rabbi could have acted with more tact and maturity. On the other hand, why shouldn't rabbis involve active congregants in their decisions, even if only to announce what and why? Isn't it desirable for a rabbi to make sure people understand the method by which he or she arrives at his or her madness?

I think that the real issue at stake here is our perception of different understandings of Judaism. How do we view the Reform movement, or the Orthodox movement, or the state of Israel, or non-observant Jews, etc.? Furthermore, how do we view ourselves as the Conservative movement? The congregant of our scenario presents a problematic situation because he left the Conservative schul where he was active to become an active member of a Reform schul. If we are completely accepting and even encouraging of other approaches to seeking God, then our story is without problem. This man simply did not like what he saw and left. There have been and will be many more like him, and this should only present us with problems

in so far as a schul needs members to survive. Obviously, we are not so open and encouraging. We seek to draw lines and so strive to denounce either the rabbi for his "poor handling of a delicate situation" or upbraid the congregant for his "shallowness and lack of commitment to Jewish values. Preferring not to comment on either rabbi or congregant, I would like to ask what it is about "Conservatism" that excites us. Do we really believe that we are the true bearers of a tradition from Sinai, whether or not the event really happened? If so, then to what degree are we responsible for the spiritual welfare of every other Jew?

For me, this question is particularly poignant because I mistrust movements and labels beyond whatever may be necessary (and I do not even have such a good idea as to what "necessary" may be). I believe that Judaism is a method in which Jews have sought God through living a lifestyle based on Torah and that God holds us to account for our decisions both on a national and individual level. Our search for God is guided by the *halakha* which we would be foolish to forsake. *Halakha* allows us to remain Jewish in whatever paths we search because law creates and holds a group together by giving us access to a treasury of thousands of years of questions, reminding us that we are not alone in our search. What is important to me then, is not whether or not an individual conforms to my peculiar way of doing things, but seeks to fulfill the Torah and so remains part of the community. I need to retain enough humility to recognize that sometimes I am wrong and sometimes there exist more than one right answer. I should encourage congregants to go to whatever teacher they feel they require in order to continue their own search and then hope that they make what is truly for them the "right choice."

Recognition of my own limitations however, does not imply that I abdicate my responsibility to build and preserve the community. Rather, recognition implies that I do not jump to judge a situation with which I am unfamiliar. When told by my yeshiva rebbe that my most important mission was to learn Torah, I hurt him by

telling him that I felt I could learn better at JTS than to stay in yeshiva where he would continue to be my teacher. He told me that although he thought I was making a mistake, he would not continue to encourage me to stay. Accordingly, I must ask about this congregant: if he felt he was not coming closer to God through his association with the Conservative movement, then why should I assume he is wrong to become an active member of a Reform schul? One cannot fully know any individual. Perhaps this congregant is committed to *halakha* in the way he understands and felt like he could learn little from this young rabbi who takes stands on issues he feels are insulting at best. Perhaps the Conservative schul's members included people who were not observant in other areas of their lives, but exhibited a xenophobia he found disturbing - especially when the difference between these non-observant Jews and their gentile neighbors was only a matter of orientation. Maybe a Reform schul, even in its blatant ignoring of traditional *halakha*, presents a less hypocritical environment in which he could explore questions of Judaism in a more meaningful way.

It may well be impossible for a rabbi not to be upset or take personal offense when a congregant chooses to leave. A rabbi should be one to formulate a personal vision which he or she then works hard to present. A good teacher hopes to open the students' eyes to new ways of looking at the world, to show them heights they could not have previously imagined. A good teacher is rewarded not so much with obedience, but dialogue. The students remain and ask the teacher more questions, thus forcing the teacher to seek out even higher heights. Hopefully, the process never ends. Each of us needs to seek out such teachers who will educate us properly and to become such teachers ourselves. Hopefully, students/congregants will remain with us, but they are not our possessions. When a congregant leaves, our best response may be to think about the overall picture of what we do and how we may be deficient.

On the other hand, we need to have enough confidence in ourselves and our methodology to recognize that we will not always succeed.