

Orthodox, Conservative and Reform Jews in America

11/19/1954

Second article regarding questions/answers about Orthodox Judaism in America

Question: American Jewish organizations are becoming increasingly centralized, and in many cases, they are becoming integrated. What is the position of Orthodox Judaism towards this tendency? Is cooperation between orthodox and non-orthodox communities, and between rabbis ordained at an orthodox Yeshiva and other religious leaders possible? We are especially interested why the orthodox focus attacks on the conservative movement, even though its leaders claim that they recognize the authority of Halacha.

Answer: The question of cooperation among the different groups is a very complicated one. It is at the present time, one of the most burning questions that is on the agenda of the Rabbinical Council of America. I would like to state the position that I put forward at the last conference of the Rabbinical Council, last summer in Detroit. This position is based on a Halachic/Agadic idea.

First, unity among Jews is a principle of Judaism. We have formulated this principle in conjunction with the unity of God “אתה אחד ושםך אחד ומי כעמך ישראל גוי אחד בארץ”. This principle of unity expresses itself in a double manner. First, the unity of Jews as members in a spiritual community, as a community that was established through the covenant at Mount Sinai, as it says “ואתם תהיו לי ממלכת קדושים וגוי קדוש”. The unity of Knesset Yisrael consists in the uniqueness of the Jewish lifestyle we practiced throughout the Torah-based existence of the Jewish nation. What connects the Yemenite merchant in Tel Aviv to the Jew in Boston? A common way of life, אורח חיים (this can mean both a way of life as well as the Shulchan Aruch). The Shema Yisrael, Shabbat, the Kol Nidrei night, the Passover Seder night, Kashrut, Tefillin, the drive and motivation towards acts of kindness, the expectation and longing for redemption. The word community, עדה, shares the

same root as the word witness, עד, or testimony, עדות. The spiritual, religious community is joined with a transcendental ethical consciousness through the great national memory regarding a Godly law, regarding a common past and future partnership. In short: one general testimony, עדות, unites us all into a single עדת ישראל. It is self-explanatory, that a Jew who erases this great testimony from his memory and tears away at the unique communal tradition, severs the connection that unites him with כלל ישראל as an עדה, as a spiritual Torah community.

Second, Jewish unity manifests itself also in our bizarre political-historical lot as a nation. Not only are we unique in our lifestyle but also in our historical reincarnations and our paradoxical lot in life. Our history does not conform to any other historical context and our lot is almost incomprehensible. Most obviously, this is reflected in the puzzle of our existence, in our loneliness and being singled out throughout the ages, including modern times. הן עם לבדד ישכון ובגוים לא יתחשב. The State of Israel did not render moot this puzzle regarding the Jewish lot. Quite the opposite, it revealed it more openly and clearly. No Jew, religious, secular, Labor, Mizrachi, Agudah can deny the lonely lot and destiny of the Jewish people as a single nation, עם, that stands alone and in despair against a vast and often hateful world. Our political-historical unity as a nation stems from the covenant enacted in Egypt, which preceded the receipt of the Torah at Sinai. “ולקחתי אתכם לי” and which forced upon us a common historical destiny. The root of the word עם, nation, means with, together. Our shared destiny manifests itself in historical, coerced joining together.

The conclusion to draw from this prologue is very simple. When we must represent Jews to the outside world, when we must defend our rights to the rest of the world, all Jewish groups must stand united. In this area we may not tolerate any divisions, for any tear within the unity of the Jewish camp in these areas can have terrible repercussions for the overall community. On this level, we must deal with the idea of unity among Jews as a political historical nation. That includes all, from Prime Minister of France Pierre Mendes (1954) to the old-fashioned Jews of Meah Shearim, without any exception. In the crematoria, the ashes of Chasidim and pious religious jews mixed with those of radicals and anarchists, and we must all battle the common enemy that does not distinguish in his hatred and persecution between religious and secular Jew.

However, when it relates to our own internal issues, our religious, spiritual interest, such as Jewish education, Synagogues, mergers of Rabbis with rabbis, where unity must express itself in the form of spiritual/ideological community as a Torah community, I believe that the Orthodox community cannot and should not join with such groups, groups that deny the very foundations of our world view. I cannot begin to understand, for example, how Orthodox rabbis who spent their best years in a Yeshiva setting and who have absorbed the spirit of the Oral Law, תורה שבעל פה, from our tradition and Kabbalah, someone for whom Rabbi Akiva, Maimonides, the Rema, The Gaon of Vilna, Reb Chaim Brisker and other Torah giants are the pillars upon which their spiritual world rests, can join with such spiritual leaders for whom all that they hold dear is worthless. A rabbinical organization is not a professional association that is responsible to defend the economic interest of the rabbi. It is an ideological community, where people work for a common cause and a common ideal. The fundamental difference in philosophy, thought and deed makes such a union impossible.

From a Torah point of view, the gap between reform and orthodoxy is greater than the gap that divided the Pharisees from the Sadducees during the period of the second temple, and the Karaites from the defenders of the tradition in the time of the Gaonim. Is there a single episode recorded in Jewish history of an organized Community Board or Jewish Judges that consisted of Karaites and Torah-true Jews? Regarding internal Jewish issues, where the unity of Israel is based on the idea of community, עדת, it is both halachically advisable and practically speaking wiser not to merge with the reform and half-reform (conservative) movements. Too much harmony and peace would cause a muddling of the minds and would externally erase the borders between the orthodox and the other movements.

Let us now examine the second half of the question which involves this battle that the orthodox are waging against the conservative movement.

Before I declare my opinion on this issue, I would like to present the following preamble. I use the words “to wage war” very often in the ideological perspective, but never in relation to a personal battle. I may battle against a specific point of

view or ideology that I consider to be false. However, I will never personally attack the individual that espouses that point of view. I always have respect for the individual who is ethical and conscientious, even when I do not agree with him. Such an approach is consistent with the concept of *כבוד הבריות*, “*חביב האדם שנברא*” (פרקי אבות ג) *בצלם*).

There is an assumption that the conservative movement recognizes the authority of Halacha. Let us analyze this assumption and see how correct it is. Unfortunately, “Halacha”, religious law, is very fashionable today. Just as in the 1920’s and 1930’s it was fashionable in western Europe and America to employ the jargon of psychoanalysis, and just as many rabbis still today enjoy infusing their sermons with terminology of the physical sciences, so to it is now popular in certain circles to speak of the Halacha, Halachic Judaism and so on. Even radical Jewish societies are playing around with Halacha.

I do not want to seem to be cruel and disturb this nice illusion, however I cannot contain myself and I must disappoint the “Halacha-enthusiasts” with the following declaration and explanation: in order to be capable of expressing an opinion regarding the Halacha, one must fulfill 3 conditions:

First, one must be a Torah scholar. Just as someone who wishes to discuss mathematics or physics must be schooled in these disciplines, so too one must first study and be familiar with the Halacha in order to be qualified to discourse about its problems. However, scholarship does not come about by itself, through divine spirit. One must invest many years in study of Halacha in order to understand it.

Second, one must unconditionally recognize the sanctity of the Halacha and its perpetual and absolute character. One must be ready to admit that it obligates the Jew to realize and recognize the obligations it places on the person in all times and under all circumstances, social, political and cultural situations. With regards to Halacha, one may not be selective and say this part of Halacha I find favorable and acceptable and this I reject. I will light candles Friday night, however I reject the laws of family purity. Either one believes completely in the divinely given Torah,

תורה מן השמים, and accepts the Halacha in toto, or else one does not believe in the principle, and completely rejects it. Half acceptance of Halacha, הלכה לחצאין, does not exist.

Third, the explanation of the Halacha must be conducted in accord with the methods, principles and categorical forms of Halachic logic developed by the Torah sages throughout the ages, from Rishonim to the Acharonim, Rashi, the Baalay Tosfot, Nachmanides, the Shach, Rabbi Akiva Eiger, Reb Chaim Brisker, etc. The essence of the Halacha is tradition. But not only the content and the text, have been transmitted from generation to generation. The formal instruments of Halachic thought process are an integral part of that transmission.

If the conservative movement truly and completely recognizes the authority of the Halacha, it must also fulfill these three conditions that are intertwined with Halachic research. The conservative movement must openly declare that the founders of the conservative rabbinate devote days and nights to the study of Torah. They must declare they believe fully in תורה מן השמים and in the traditional character of its analysis and explication. This declaration must be made in plain and unembellished words without sophistry and double entendre phrases. If this miracle were to occur and such a declaration were forthcoming, I would have a very sharp question to ask: how can a Halacha that is based on scholarship, faith in the sanctity of the Torah and its continuity, permit one to drive to temple on Shabbat, or sanction a marriage between a Kohen and a divorcee, or modify our traditional prayers, introduce mixed choirs in the synagogue and other such actions?

You see, that in this perspective the reform movement is conducting itself in a more consequential way. It acts today the same as the christian apostle, Saul of Tarsish, once did. It unequivocally rejects the Halacha and its positive commandments and requirements and retains from the Torah only the universal principles. When it comes to the reform ideology, we at least know where we stand, and we can readily distinguish our ideological opponents.

However, when the conservative movement discusses the Halacha, we do not even begin to understand what it means. Under what terms does it speak of Halacha? Are they referring to the Halacha of Rabbi Akiva, Rav Ashi, Rav Yosef Kairo and Rabbi Moshe Isserles? Or are they referring to a new halacha, that was founded by the conference of the rabbinical assembly? Are they referring to a halacha that happens to be very comfortable and very relaxed in its requirements and demands? It is against this blurring of the borders that the Orthodox battle, for the Orthodox see in this battle a great mission and task.

If this new “halacha” were to become involved in the realm of marriage/divorce, הלכות אישות, a topic that affects not only individuals but also our presence and the existence of countless future generations, the Orthodox will wage a bitter battle against such an enterprise. I hope that the leaders of the conservative movement will conduct themselves as carefully as the atheistic Labor movement did in Israel. The Labor movement understood that if it wants to head off a schism in the Jewish community, it must hand over all aspects of הלכות אישות to the chief rabbinate. The conservative leadership must grasp this fact as well. If they object to this and insist on their viewpoint in הלכות אישות, it will split the Jewish community into two separate camps.

I would advise them to be mindful of two things. The first is, concerning this question (the acceptance of the supremacy of halacha, and recusing themselves from הלכות אישות, etc.), the entire orthodox camp is united on this point. The members of Mizrachi, Agudah, Poel Hamizrachi, Poalay Agudas Yisrael, Agudas HoRabbonim, Histadrus HoRabbonim, Iggud HoRabbonim and other organizations will participate in this battle. Second, the orthodox community has great strength that should not be underestimated. They should not commit the same mistake that Ben-Gurion made with his obstinacy regarding שירות לאומי, and with his contempt and disregard for the religious Jew. As the head of the Halacha Committee of the Rabbinical Council, I can bear witness that we will remain united with the entire orthodox community to defend the Halachic principles of the sanctity of Jewish Family life.

Copyright 2023 by Rabbi Josh Rapps. Permission to distribute this summary for individual use, with this notice, is granted. Distribution through electronic or printed media without the author's permission is prohibited.