

Orthodox, Conservative and Reform Jews in the United States

Second article of a series on Responsa of Orthodox Judaism in the United States

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Question: American Jewish organizations tend to become more and more centralized, and in some instances, even integrated. What is the position of Orthodox Judaism toward this tendency? Is cooperation between orthodox and non-orthodox congregations, and between Musmachim of Yeshivoh and other spiritual leaders possible or not? Especially, we should like to know why orthodoxy fights the Conservative movement, notwithstanding that the spokesman of Conservative Judaism claim to recognize the authority of the Halakha?

Responsum: The question of cooperation between the various groups ²⁾ is a very complex one. It is currently one of the most burning issues on the agenda of the Rabbinical Council of America ³⁾. I should like to review briefly herewith the proposal which I presented at the last conference of the RCA this past summer in Detroit ⁴⁾. The proposal is based upon a Halakhic-Aggadic concept.

First, unity in Israel is a basic principle in Judaism. We have formulated this principle in one sentence: "You are One, Your name is One, and who is like your people Israel, a unique nation on the earth?".

The principle of unity expresses itself in two ways. First, the unity of Jews as members of a spiritual community, as a congregation which was established through the conclusion of a covenant at Mt. Sinai: "And you shall be unto me a kingdom of priests and a holy nation." ⁵⁾ The unity of Kneseth Israel ⁶⁾ as a community is based upon the uniqueness of the Jewish way of life, as practiced by us, through Torah existence ⁷⁾ of the Jewish people. What ties the Yeminite water carrier in Tel Aviv to the Jews of Boston? A uniform Orach Chayim, the Shema Yisrael, Shabbos, the Kol Nidrei night, the Seder night, Kashruth, Tefillin,

1) permissible seems to be the proper translation.

2) orthodox, conservative and reform Jews

3) Henceforth, the Rabbinical Council of America will be referred to as RCA

4) Summer of 1954, RCA Convention in Detroit

5) Ex. XIX, 6

6) The Jewish people

7) Torah way of life

the characteristic trait of kindness, the hope and waiting for redemption. The Hebrew word Edah (congregation) is the same as Ed (witness) Eduth (testimony), thus a spiritual-religious entity is tied through a transcendental-ethical consciousness to a vast memory of a people about a divine Law with regard to a common past and a collective future. In brief, a collective testimony united us all into a Jewish community. It therefore goes without saying, that the Jew, who erases from his memory this great testimony, and destroys the unique collective tradition, breaks the tie which joins him with the Jewish community as a congregation, as a spiritual Torah entity.

Secondly, unity of Israel manifests itself also in our unique political-historical lot as a nation. We are unique not only in our way of life, but also in our historical transmigrations and in our paradoxical fate. Our history would not fit into a different historical framework, and our fate is incomprehensible. The enigma of our existence is primarily revealed through our loneliness and our affliction in all times, the current era included. "Lo, it is a people that shall live alone, and among the nations shall not reckon itself"⁸⁾. The State of Israel did not ignore this unique fate, but quite the contrary, it has given expression to it in a more concrete fashion. No Jew can renounce his part in this unity which is based upon a fate of loneliness of the Jewish people as a nation. Religious Jews or irreligious Jews, Mapai, Mizrachi or Agudah, all are included in one nation, which stands lonesome and in misery in a large and often antagonistic world. The political-historical unity as nation based upon the conclusion of the covenant in Egypt which occurred even prior to handing down of the Torah at Sinai: "And I shall take you unto me as a nation, and I shall be unto you a G-d."⁹⁾ And (this covenant) forced upon us all one uniform historical fate. The Hebrew word Am (nation) is identical with the Hebrew word Im (with). Our fate of unity manifests itself through a historical indispensable union.

8) Numbers XXIII, 9

9) Ex. VI, 7

The conclusion of the above is very simple. When we are faced with a problem for Jews and Jewish interests toward the world without, regarding the defense of Jewish rights in the non-Jewish world, then all groups and movements must be united. In this area there may not be any division, because any friction in the Jewish camp may be disastrous for the entire people. In this realm we must consider the ideal of unity, as a political-historical nation, which includes everyone -- from Mendes-France to the old-fashioned (sic) Jew in Meah She'arim -- without exception. In the Crematoria, the ashes of the Chasidim and pious Jews were put together with the ashes of the radicals and atheists. And we all must fight the enemy, who does not differentiate between those who believe in G-d and those who reject Him.

With regards to our problem within (the Jewish community), however, our spiritual-religious interests, such as Jewish education, synagogues, councils of rabbis, where unity is expressed through spiritual-ideological collectivism as a Torah community, it is my opinion, that Orthodoxy cannot and should not unite with such groups which deny the fundamentals of our Weltanschauung. It is impossible for me to comprehend, for example, how orthodox rabbis, who spend their best years in Yeshivoth and absorbed the spirit of the Oral Law and its tradition, for which Rabbi Akiba, Maimonides, Reb Moshe Isserlis, The Gaon of Vilna, Reb Chaim Brisker and other Jewish sages are the pillars upon which their spiritual world rests, can join with spiritual leaders for whom all this is worthless. A rabbinical organization is not a professional fraternity, which fights for the economic interests of the rabbi. It is an ideological entity where members work for one purpose and for one ideal. The fundamental difference in ideology and in observance make such a unity impossible. From the point of view of the Torah, we find the difference between orthodoxy and reform Judaism much greater than that which separated the Pharisees from the Sadducees in the days of the Second Commonwealth, and between the Karaites and traditionalists in the Geonic era. Has Jewish history ever recorded an instance of a joint Community Council or a joint Rabbinical

Council which consisted of Karaites and Torah-true Jews?

In internal affairs, where the unity of Israel is based upon the concept of Edah (congregation), it is halakhically more advisable and practically wiser not to unite with reform or semi-reform movements. Too much harmony and peace can cause confusion of the minds and will erase outwardly the boundaries between orthodox and other movements.

Let us now consider the second part of our question, which deals with the battle waged by orthodoxy against the conservative movement.

Before I present my point of view, I should like to offer the following introduction. I use the term "battle" always in the ideological vein, and never in the personal sense. I may attack a certain point of view which I consider false, but I will never attack a person who preaches it. I have always a high regard for the individual, who is honest and moral, even when I am not in agreement with him. Such a relation is in accord with the concept of Kovod Habriyoth (respect for fellow man). "Beloved is man for he is created in the image of G-d."¹⁰⁾

There exists a hypothesis that the conservative movement recognizes the authority of Halakha. Let us analyze this hypothesis a bit, and let us establish how true it is. Halakha, is unfortunately in style today, just as in the twenties and thirties it was fashionable in Western Europe and in America to use psycho-analytical jargon, and just as rabbis even today like to operate in their sermons with physical terminology, so it is now very popular in some circles to speak about Halakha, halakhic Judaism etc. Even in the radical-Yiddishist world they toy with the concept of Halakha.

I do not enjoy to appear as cruel, and to destroy a beautiful illusion, but I cannot help myself, and I must disappoint the Halakhal enthusiasts with the following statement:

10) Ethics of the Fathers III, 18 (Aboth III, 14)

In order to be able to occupy oneself with Halakhah, one must fulfill three qualifications:

First, one must be a scholar (lamdan). Just as one who speaks about mathematics or physics must have a thorough knowledge of his field, so must one first know the Halakha in order to be able to discuss its problems. But scholarship (lomduth) cannot be achieved without study, nor by the process of divine revelation. One must sacrifice many years of study of Halakhah, in order to understand it.

Secondly, one must unconditionally accept the sacredness of the Halakhah in its eternal and absolute character. One must confess that it obligates everyone to realize its demands in all times and under all conditions, social, political or cultural (conditions). One cannot be selective with regards to the Halakhah, and to say: "This part pleases me, and the other does not; lighting candles I will accept, but not the laws of purity of the family. Either one believes in Torah Min Hashamayim (the divine origin of the Torah), and one accepts the Halakhah in its totality, or one does not believe in this basic principle, and rejects it entirely. Halakah, to be accepted only in part, is impossible.

Thirdly, the interpretation of of Halakhah must be accomplished in accordance with the methods, principles and categorical forms of the Halakhic logic, which were hammered out by the sages of the Torah, Rishonim (early rabbinic period) and Achronim (late rabbinic period), Rashi, the Tosafists, Ramban, the Shach, Reb Akiba Eiger, Rab Chaim Brisker etc.. The substance of the Halakhah is tradition. Not only the content and the text, but also the formal instruments of Halakhic thinking have been handed down from generation to generation.

If the conservative movement honestly and truthfully recognizes the authority of the Halakhah, then it must also fulfill the three conditions which are tied in with Halakhah-research, and must publicly declare that the representatives of the conservative rabbinate devote day and night to the study of the Torah, and that they believe in the divine origin of the Law, and in the characteristic tradition

and interpretation. Such a declaration must be made in simple terms and without sophisticated interpretation and without ambiguous phrases. If this miracle will happen, and if such a declaration will be made public, then I shall be troubled with the following problem: How can Halakhah based upon scholarship, faith and sacredness and in its principle of continuity permit the riding on the Sabbath, to the Temple, permit marriages between divorcees and Cohanim, permit changes in the traditional prayer service, permit the introduction of mixed choirs in the Temples and other similar things.

You see, in this respect the Reform movement conducts itself much more ^(INTEGRITY) consequential. It does the same as the Christian apostle, Saul of Tarsis, did in his days. It rejects the Halakhah and its Mitzvoth Maasiyoth entirely and selects the universal ethical principles of the Torah. With regards to its ideology, we know at least where we stand, and we can identify our opponents. When the Conservative movement, however, speaks of the Halakhah, we are unable to perceive what kind of a Halakhah it means: The Halakhah of Rabbi Akiba, Rav Ashi, Reb Yosef Caro, The Ramo, or a new kind of "Halakhah" which was invented at the conferences of the Rabbinical Assembly where a Halakhah is, by the way, very convenient and very modest in its demands? Against this kind of confusion orthodoxy wages a battle, for it sees in it a very great danger.

If this new "Halakhah" should begin to meddle in laws of marriage, which not only effects the individual in our times, but also the Halakhic status for countless generations to come, then a bitter struggle will develop on the part of orthodoxy against such an attempt. I hope, that the representatives of the Conservative camp will act just as carefully as the atheist Mapai did in Israel. The Mapai realized, that if they want to avoid a schism in the ranks of Jewish family life, it must transfer the authority over the laws of marriage into the hands of the Chief Rabbinate. The same must be clearly understood by the leaders of the Conservative movement, because obstinacy in this instance may split the American Jewish community into two camps.

Two things I should like them to remember: (leaders of the Conservative movement): First, with regard to this question there is no difference of opinion in Orthodoxy. The ranks of Mizrachi, Agudah, Hapoel Hamizrachi, Poalei Agudas Israel, the Union of Orthodox Rabbis in America and Canada, ~~the~~ RCA, the Rabbinical Alliance of America and other organizations will join hands in this battle. Secondly, Orthodoxy has yet much strength which one should not underestimate. Let them (the Conservative Jews) not commit the same error which Ben Gurion committed with his obstinacy pertaining to the conscription of women, and with his disregard for the pious Jew. As chairman of the Halakhah commission of the RCA, I should like to serve notice that we shall unite with the entire Orthodoxy in order to defend the Halakhic principles of the sacred laws of purity of the family.

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The following is an English translation of the *issur* issued by the great *roshei yeshivah*.

We have been asked by a number of rabbis in the country and by alumni and *musmachim* of *yeshivos* if it is permissible to participate with and be a member of the New York Board of Rabbis and similar groups in other communities, which are composed of Reform and Conservative "rabbis."

Having gathered together to clarify this matter, it has been ruled by the undersigned that it is forbidden by the law of our sacred Torah to be a member of and to participate in such an organization.

We have also been asked if it is permissible to participate with and to be a member of the Synagogue Council of America, which is also composed of Reform and Conservative organizations.

We have ruled that it is forbidden by the law of our sacred Torah to participate with them either as an individual or as an organized body.

May *Hashem Yisbarach* have mercy on His people and seal the breaches [in Torah life] and may we be worthy of the elevation of the glory of our sacred Torah and our people Israel.

Signed this fifth day, the week of *Parshas Ki Seesa*, the eighteenth day of *Adar*, 5716, in the City of New York.
[1956]

Reb Avraham Joffen
Reb Avraham Kalmanowitz
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