

"AS IF THINGS WEREN'T BAD ENOUGH"

Our Sidra begins by describing events in the Tabernacle on the first day when it actually was used for the service; or, if we include the *השבעה ימי הקדש* (the seven days of the consecration of the priests), the eighth day. *ויהי ביום השמיני*, "and it was on the eighth day."

The Rabbis were extravagant in describing the significance of that day. *היום הזה היה יום גדול לפני הקדוש ברוך הוא*

"That day (when the priests first began their ministrations) was an occasion of such great joy before the Holy One, that it was equal to His joy on the day that heaven and earth were created." The textual reasons for this equivalence between the day of Creation and the day of ministry at the Tabernacle, is the similarity of expressions in the two verses of *ויהי ביום השמיני*, and (with regard to creation) *ויהי ערב ויהי בקר יום אחד*, "and it was evening and it was morning, the first day."

Now, while we may have some kind of textual excuse for drawing this analogy, the question yet remains what the Rabbis really meant by comparing the first day of the Tabernacle to the day of creation. One of our commentaries offers an answer that is full of insight and of the greatest importance to us. He refers to the Midrash which states that *ליוקרה שכינה בתחתונים היתה*, God originally intended that His Shechinah (presence) dwell here on earth. However, when man sins, His Shechinah rises to an ever higher heaven. Thus,

כיון שהטא אדם הראשון נסתלקה שכינה מהאדמה
when Adam sined, the Shechinah left the earth and ascended to the first heaven. When Cain killed his brother, the Shechinah rose to the second heaven. In the generation of Enos, the Shechinah was banished to the third heaven; in the generation of the Flood, to the fourth; in the generation of the Tower, to the fifth. The events of Sodom caused the Shechinah to ascend to the sixth heaven. And finally, the persecution at Egypt banished the Shechinah to the seventh or the highest of the heavens. In order to rectify this situation, *שבעה צדיקים ואוריצים לארץ*, seven righteous people arose, one in each generation, and they acted so as to bring the Shechinah back down to the earth. These seven were Abraham, Isaac, Jacob, Levy, Kehat, Amram, and Moses.

Hence, the purpose of creation was that God's presence, His Shechinah, dwell on earth. That is why the first day of creation is such a source of joy to the Holy One. On the day that the service began on the Tabernacle, the divine presence was also manifest on earth, and therefore He was as happy on this day as on the day He first created the world.

What the Sages mean to tell us in all this, is most certainly not to present us with a detailed geography of the heavens. What they are doing, I submit, is offering us a new definition of the key Jewish concepts of *קדושת השם*, of the sanctification and desecration of the divine Name. To sanctify God's Name means to bring Him closer to man. To desecrate his Name is to create a distance between God and man, to make Torah appear remote, forbidding, irrelevant, impertinent. When one acts or speaks so that Judaism appears far off, and of no direct concern to living beings, he has desecrated the divine Name.

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I have chosen this theme not only because of the text, but also as pretext. I am troubled by the forbidding, remote, and hostile image Orthodox Judaism has developed in American and international life. Unfortunately, this week The New York Times carried a story which again illustrated this particular species of *חילול השם*. I find it difficult to speak about the subject because it always pains me to criticize other Jews in public, certainly Orthodox Jews, and most certainly my colleagues in the Orthodox Rabbinate. Nonetheless, my conscience impells me to do so, because *אם חללנו את השם, חייבים להגיד את זה*, where the divine Name is desecrated, one must not keep silent, even if it entails speaking out against one's teachers or colleagues.

According to the news report, a coalition of Orthodox rabbinic groups came out publicly against the proposed constitutional amendment granting equal rights to women. The coalition, which asserted it represented more than one half of the 2,500 Orthodox rabbis in the United States, explained that the amendment threatens Orthodox synagogues which separate men and women at services with *שני חצאים*; that it would jeopardize our "parochial schools" which keep separate programs for boys and girls; and that equal rights for women, as spelled out in the amendment, endanger morality in the whole of the United States.

Not being conversant with the science of statistics, I cannot state the exact degree of invalidity of the claim that this group represents more than half of the 2,500 Orthodox rabbis in the country. I was unaware that there are so many Orthodox rabbis in the United States, unless that number includes rabbis serving in every form of trade, profession, and business. Certainly, I would deny that the majority of pulpit rabbis, who feel a personal and professional responsibility for the destiny of Torah in this country, subscribe to their views. And, lest silence be interpreted as consent, let me make it clear to this congregation that this "coalition" does not represent me and the great majority of my colleagues and teachers in the Rabbinate.

This group feels that the proposed amendment threatens Orthodox practice, I personally do not believe that it does or will, simply because religion and church are essentially separated in this country. Nevertheless, to the degree that this apprehension is valid, there is

legitimate ground for preparing our defense in the courts. But to oppose the amendment on the grounds that equal rights will increase immorality is to jeopardize the cause of morality! The amendment does not ask for equal rights to be immoral. It is primarily geared to the economics of this country. The sponsors of the amendment demand that women of equal competence with men should be compensated equally with men. It has nothing to do with morality; and if it does, it is morality that would demand that this right be granted and the source of economic discrimination be removed. It will simply not do to say, as one of the spokesmen of this coalition did in the news report, that those women who maintain that they do not have equal rights are arrogant, and women should be feminine and not arrogant. Is arrogance really less offensive when it is a man who practices it than when it is a woman?

I am troubled too by the reference to "parochial schools." The same rabbinic spokesman asserted that in our "parochial schools" (i.e., yeshivot or day schools), boys receive "deeper academic study, while the girls focus on steno, typing, and dietary observance in the home."

This does not speak for the majority of the day schools in this country. Where Orthodox parents prefer that their girls not pursue academic careers, that is their privilege. It should be pointed out that they do not permit their boys as well to go on to advanced secular education.

But our interpretation of Orthodox Judaism is not necessarily the same as that of these parents. I am personally opposed to co-education beyond the lower grades, but more on psychological and educational^a than on religious grounds -- certainly not because of some purported intellectual deficiency of the female of the species. If I do approve of a difference in curriculum, it is only because of the relevance to their later interests and concerns. But our girls get a Jewish education through high school, through college (where Stern College for Women was especially built for this purpose), and through the post-graduate levels up to the doctorate in Yeshiva University and other schools. I have personally encouraged as many bright young women to go on to higher Jewish studies and their Ph.D's as I have discouraged young men from doing so because they would be going beyond their depth. It is simply makes no sense to speak of girls being inadequate to intellectually demanding tasks in an age when girls are learning nuclear physics, engaging in medical research, becoming knowledgeable in the mysteries of economics, and where two of the most embattled nations in the world, including Israel, are headed by women, whose popularity seems to be far greater than that of the President of the greatest country in the world.

Typing and steno are honorable professions. Any one who runs an office can appreciate their importance and the need for talented and responsible personnel in these fields. But it is ludicrous to make of secretarialism a new dogma of a Jewish sectarianism.

At the same time I would like clearly to affirm our Orthodox position on separate seating and *שכינה* in the synagogue, and especially as opposed to the extravagant reaction of the Reform rabbi in the article of The New York Times the day following.

Torah regards men and women as being of equal metaphysical value. For the value of man in the first place derives from his creation in the "Image of God," and both men and women were created in this Image. However, equality of value does not imply identity of function. Men and women have different functions in life, and that is the way it ought to be. This difference in function is reflected in the differing conception of their roles by the Halakhah. There are those who maintain that "separate but equal" has been ruled as inherently unequal by the Supreme Court. That may be so, but the Supreme Court is not the supreme arbiter of Jewish philosophy and Halakhah. Furthermore, while this may be true with regard to the races, for there is no reason why they should function differently, it certainly is not valid with regard to the sexes, where differences in function are perfectly understandable and right. It is true that the current movement for the reassessment of male and female roles may be quite correct in showing us that we may have erred in the functions we previously assigned as rigidly belonging to either males or females. But unquestionably, despite the extravagant and often ludicrous claims of Women's Lib, there are and should be and always will be different functions, for in a world of "unisex" both men and women will ultimately suffer.

The principle of separate seating in the synagogue must not be thought of as representing any claim of inequality of inferiority. Its purpose is to remove the distraction that may come because of erotic stimulation. If the purpose of coming to a synagogue is for American Jews to indulge in a kind of social ritual of self-identification as Jews, then there certainly is no reason for men and women to sit separately. But that is not our conception of prayer. For us, *תפילה* is the presentation of oneself before God, the focusing and concentration of all his thoughts on the One before Whom he stands, and hence any distraction must be banished. The ideal for prayer, so conceived, is *קדושה* or holiness; and the bane of holiness is eroticism: *אוננות* is *אוננות*. If ten women so desire, they may organize a *תורה*, and conduct *תפילות*, public services; and in such a case, if men straggle in to such a synagogue, it is they who are guests sitting behind the *אחיות*. I am told that in Boston there is a group of young Orthodox students, all girls, who are highly concerned about their role in Judaism, and have decided to pray every morning while donning the tefillin. I have no objection to that, and would encourage them. There was a time that (according to *לשון*) such behavior was frowned upon as *אוננות*, or arrogance, but that was because it was an act of exhibitionism by an individual. However, the case is far different when a whole community of women has decided to accept such a *תורה*. More power to them! I wish that every man would join a *תורה* to lay tefillin every morning!

I will make no attempt to quote, selectively, occasional passages from our long literature showing the superiority of women. There is no use in citing stray *שם ומהלל*, for they can prove both the superior and the subordinate status of women. You can find almost any opinion of women in a literature which lasted over 25 hundred years and the quotations of perhaps a thousand different individuals. The point is that there is nothing within the Halakhah on synagogue structure that has to do with difference in value, with inferiority or superiority.

Yet, if I am to be frank -- and honesty permits me nothing less than that -- I must state that we do have problems. We have not yet worked out sufficiently all the issues dealing with the role of women in Judaism. (The Jewish community and Jewish philanthropy have unfortunately not been sufficiently farsighted to organize the kind of think-tanks that will allow Jewish scholars, presently overburdened beyond their capacities, to devote themselves to this and other such problems with sufficient leisure and scholarship). There are times when Jewish law does reveal what seems to be a discriminatory attitude against women. What we must do is research, and find out to what extent such problems can be ameliorated. If we should find that the contemporary standards of fairness and equality are contravened by the basic halakhic view on the role of the sexes, and that no halakhic remedy can be found that will conform to such standards, then we shall have to take our stand with Torah, clearly and unambiguously --

אין אנו יכולים להיכנע -- in the faith that the innate rightness of Torah and its moral justice will not only prevail, but will come to be appreciated and vindicated in the course of time. Torah was meant for the ages, while the criteria and tastes of each age rise only to fade away into obsolescence.

But I do not believe that enough has yet been done to elaborate a halakhic view that will consider all aspects of the problem, old and new, and that will take advantage of the full range of halakhic remedies available to us.

So we do have problems, and at such a time it ill behooves us to attack others, and at the same ^{time} expose ourselves to even greater attacks by them.

As if things were not bad enough with the abominable public image of Orthodox Jewry in this country; as if the "Orthodox" attack on Shaare Zedek hospital; the "Orthodox" threats against pathologists in Israel; the pickets of Chasidim against Golda in this country; the proclamation by a Rosh Yeshiva discouraging or forbidding Aliyah because of Women's National Service in Israel -- as if all these things were not bad enough in the way they paint the picture of Orthodoxy, we now have this intemperate, injudicious, and extravagant statement, in the name of the majority of Orthodox rabbis in America!

These people have kicked the Shechinah up to the highest heaven. They have made Torah Judaism appear as exotic and alien, as remote and intolerant and benighted. What a חילול !

We have, as I have stated, problems both in the application and in the interpretation of Torah to the present generation. There always were problem of this kind, there are, and there always will be, because that is the nature of Torah and its applicability. But if we do not have an adequate answer that will prove satisfactory, then let us be wise and keep silent. There was a great Talmudist (Rabbi Yoseph Dov Soloveitchik of Brisk) who said:

אין כלל וכלל אלא מה שצריך
אין כלל וכלל אלא מה שצריך
אין כלל וכלל אלא מה שצריך

Not everything that one thinks ought he to say, not everything that he says ought he to write down, and not everything that he writes ought he to print.

I disagree with both extremes -- the extreme that feels that "relevance" is the only criterion of religion, and that therefore Torah must always be "with it," that every new fad must be accepted as the latest dictate of modernity, and that we must make efforts to show that Judaism not only now but always has anticipated this point of view. Such super-modernistic apologetics are not only unobjective and untrue, but downright silly. But the opposite is equally dangerous. There seems to be a tendency on the part of some Orthodox rabbis, in reaction against the "relevance" kick, to show that Torah always opposes modern culture and tastes and sensitivities. In order to show this, they seem to feel that it is necessary to paint Torah in the most benighted colors, to make Judaism appear as impossible of achievement and to make certain that no one of culture or learning will want to have anything to do with it. I never understand why some of our brethren seem to beset by suicidal drives, by a kind of collective spiritual masochism.

This unfortunate publicity has not served us well. It will accomplish nothing for the legal defense of our status, but will give the impression that we are far away and far out, as if the Shechinah is in the seventh heaven, and Orthodox Jews out of this world, and the Halakhah inaccessible and unattractive.

This is not the way of Torah, about which it is written that *דרכיה ברכה וכל נתיבותיה שלום*, "Its ways are the ways of pleasantness and all its paths peace."

This is not our דרך or the דרך ה' . Our "way" is to bring about *שמחה לפני ה' הקדוש כיום וחרום לעולם הבא*, to make God rejoice as in the day that heaven and earth were created; to bring Him down to earth, into close rapport with man; to make Torah appear in its most attractive form. It is our task to speak out

courageously and bravely when Torah offers a judgmental criticism of our contemporary standards and deeds; but, at the same time, to show how it can be fulfilling and enlightening to men and women in all ages.

When one acts so that Torah appears primitive and unjust and infinitely removed, he is irresponsible and is in violation of the great transgression of the desecration of God's Name.

Our task is to invoke God, to appeal to Him to come down to us.
יְהוָה קָרוֹב לְכָל הַקּוֹלֵל, the Lord is close to all those that call upon Him. He will certainly respond -- but under one condition: וְכִי יִקְרָא יְהוָה אֶת הָאָדָם בְּאֵמֶת וּבִשְׁלֵשׁ, only to those who call upon Him with truth and sincerity, with honesty and sensitivity.