

American Judaism and the Future

By Jerry Klinger

Tradition

Little Emma is watching her mother preparing their Shabbat dinner – this week it's Salt Beef. Emma watches her mother slice off both ends of the joint and place it in a saucepan ready for cooking. So Emma asks, "Why did you cut both ends off, Mum?"

Her mother pauses for a few seconds, then replies, "That's a good question, Emma. It's what my mother always did when she made Salt Beef and I just do the same. But I've no idea why. Let's phone *Bubbeh* and ask her."

So they phone *Bubbeh* and ask why she always sliced the ends off the Salt Beef before cooking.

Bubbeh replies, "You know, I'm not sure why – that was the way I always saw my mother make Salt Beef."

Because they are now very curious, they visit Emma's great grandmother in the nursing home and say to her, "You know when we make Salt Beef, why do we always slice off the ends before cooking it?"

"I don't know why you do it," says the great grandmother, "but I never had a saucepan that was large enough!"

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What Will the Future Bring - A Current Decision - *Nesiat Kapayim* [The Priestly Blessing]

The CJLS (Committee for Jewish Law and Standards - of the American Conservative Movement) has two positions on whether women may participate in *Nesiat Kapayim*. The Va'ad Halakha of the Masorti movement has approved one position.

Majority Opinion

A Bat (daughter of a) Kohen may participate in *Nesiat Kapayim* because: (a) The word "*banav*" in Numbers 66:23 does not mean sons only, but rather children. (b) The role of the Kohen is either to serve as the medium for G-d's blessing to Israel, or to pray for Israel to be blessed--either purpose is appropriate for a Bat Kohen who possesses lineal sanctity. (c) *Nesiat Kapayim* is not *de'oreita*. (d) There has been a steady development of this ritual since Temple times, and there is no reason for the development to stop. (e) A Bat Kohen is permitted to receive other special honors accorded to Kohanim, including Birkat Hamazon and Pidyon Haben. [Rabbi Mayer Rabinowitz, 1994]

Minority Opinion

A Bat Kohen is not permitted to participate in Nesiat Kapayim because as a continuation of a Temple ritual, the Priestly Benediction should be performed by those who were authentically eligible to do so in the Temple. Women of Priestly descent may benefit from the perquisites of Kehunah, but they are excluded by the Torah from performing the rituals of the Kohanim in the Temple. Therefore, this should only be performed by male Kohanim. [Rabbis Stanley Bramnick and Judah Kagen, 1994]. The Va'ad halakha of the Masorti movement, in a teshuvah by Rabbi Reuven Hammer, 5748 also states this position.

For the vast majority of American Jews the above argument is inane at best and without understanding and pertinence to American Jewish life. Yet, implied in the arguments is the very issue of American Jewry's history and future.

Isaac Harby and a group of young members of Congregation Beth Elohim, Charleston, South Carolina, petitioned in 1824, for reform of the synagogue service. They petitioned that services be shortened, service honors were not to be bid upon, men and women should be permitted to sit together and that the service and the sermon should be in English. Their petition was rejected. Harby and his supporters split away and formed "The Reformed Society of Israelites." It was the beginning of the American Reform Judaism movement. By 1880 almost 90% of American Jewry adhered to Reform guidelines and standards.

Between 1880 and 1920, a vast flood of Eastern European Jews, primarily Russians and Poles, transformed American Jewish demographics. About three million Jewish refugees reached American shores. They brought with them a form of Judaism that was deeply rooted in fundamentalist traditions. Eastern European Religious Jewry's sudden immersion into the American environment left them unable to integrate culturally or religiously with the older German-American reform traditions. The two communities tried and failed to find common religious grounds.

The frightening reality, for the Eastern traditional Jew, was that America was different. America destroyed their fundamental religious practices. Once freed of confining rabid anti-Semitism and the necessity to seek salvation only in inward religious development – Jews coming to America were free to choose to be Jews or not.

In America, Talmud study was not a respected occupation when the vast opportunity of economic and social potential knocked at the door. If forced to choose between their traditional orthodox religious lives or, to them, the new religion of Reform Judaism, many simply choose to abandon religion for the wealth and freedom America offered. The vast majority did not choose orthodoxy. A new approach, a functional compromise between America and Jewish life had to be found that would blend the traditions of Eastern European Jewish religious life while not stifling the freedom of America: that development was Conservative Judaism.

American Jewry quickly fragmented into three groups: The Reform on the left viewed much of Rabbinic and Torah Judaism as anachronistic and anti-scientific. They wished to be fully

integrated into America as Americans. They perceived the isolationism and rejectionism of fundamentalist Jewish life as the root cause of anti-Semitism. They were free to interpret traditional Rabbinic or Torah Judaism by accepting, rejecting or even modifying traditions to be compatible with American congregational comfort levels.

The small numbers of Orthodox, or fundamentalist Jews, on the right wing viewed themselves as immutable, faithful servants to true Judaism and to the ancient traditions. They tended to isolate themselves from the broader American environment, physically, culturally and intellectually. For the Orthodox, the laws of Torah and the rabbinic tradition could not be changed for what they saw as convenience.

By the 1940's, Conservative Judaism became the undeniable dominant American Jewish movement. The immigrant generation was supplanted by their Americanized children. The new generation had grown up with the echoes of their European parents' traditions and found comfort in the compromises that Conservative Jewry represented. By the 1950's Conservative Jewry had almost universally done away with sex separated seating and the bidding for synagogue honors. They instituted shorter services with sermons being given in English.

The Conservative movement expected that members would keep Kosher and observe the holidays as defined in traditional circles. Conservative Jews were permitted to drive a car to synagogue on the Sabbath. Conservative Judaism argued that they represented an evolutionary response to the practical exigencies of American Jewish life. They argued that through their Committees of Jewish Law and Standards, that *halachically*, it was better to find modern evolutionary solutions to modern problems within the framework of tradition.

A recent internal struggle within a Conservative Maryland synagogue's ritual and practices committee typifies the emerging American future. The discussion centered on the role of women and their bestowing of the priestly blessing upon the congregation during the High Holiday service. The ritual committee had voted to permit the practice as the majority decision of the Rabbinical Assembly's Committee on Jewish Law and Standards had advised. The actual practice caused a rift within the congregation as traditional minded individuals objected to the "evolutionary" changes. The lay arguments that followed were framed within the lay understanding of *halacha*. Simply said, it was the real world result of the Rabbis rulings to try and adjust to the American environment.

The lay traditionalists in the congregation argued in written response:

"Are traditions and definitions made and accepted randomly or for a reason. Consider two practices from our tradition. You shall not cook a kid (meat) in its mother's milk. Strictly speaking how often in cooking do we actually milk an animal (goat, cow, etc.) and then cook that very animal's young in its own mother's milk? Can we milk a chicken and cook it's chick in its own milk?"

The answer is of course - extremely rarely in the first and it is impossible in the second as a chicken is fowl and not definitionally meat.

But then why the separation? It has to do with rabbinical recognition of the disintegration of *Kashrut* values and hence societal structure by confusion.

There are two Talmudic traditions when it comes to separating meat and milk - the Babylonian Talmud and the Jerusalem Talmud. Each legal interpretive development came after extensive discussion and review of what the Torah meant by "do not cook a kid in its mother's milk". The Jerusalem Talmud and the Babylonian Talmud prohibit cooking meat and milk together. The intent was to avoid even the faintest possibility of breaking the prohibition.

The Jerusalem Talmud on the other hand permits the cooking of chicken and milk together. The Babylonian Talmud does not permit cooking chicken and milk together - so no *Chicken Cordon Bleu*. Why then do we not eat chicken and milk at the same time - it was a simple recognition of human nature. The majority opinion, which was the Babylonian Talmud, acknowledged the Jerusalem Talmud's point of view but recognized that people would confuse chicken as meat. If they permitted cooking chicken and milk the confusion would soon be extended to the less educated and general public that eating of meat and milk was permitted. It was necessary to avoid mistakenly mixing meat and milk, because had they seen chicken and milk being cooked together, they might come to cook meat and milk together, therefore cooking chicken and milk was prohibited.

The further reasoning was - to paraphrase from law - "*do not put a stumbling block in the way of a blind person*". Or to rephrase - do not confuse the less educated (blind) by causing them to be confused (chicken is o.k. while cows or goats or sheep or etc. are not) causing them to possibly sin unintentionally.

The second aspect has to do with perception. Very observant individuals will not even go into a store on Shabbat to avoid the rain. They do not want to cause another Jew seeing them do this to become confused and even think that that observant individual went into a place of business on the Sabbath to shop. They do not want another Jew to draw a logical but inaccurate inference that could lead them to evil thoughts about the first. It is not that escaping the rainstorm and finding shelter in the store on Shabbat is wrong but rather it is the leading of others to bad and injurious perceptions.

What is the relationship to the Kohanim debate? The issue has not been thought out fully by the ritual committee and what it will mean to future religious practice in the synagogue.

According to the majority opinion of the Conservative Rabbinical Assembly's Committee on Jewish Law and Standards, the unmarried daughter of a Kohane can *duchen* (give the priestly blessings). Once she is married, she no longer has that right to join in the priestly blessing of a congregation. Children of the married daughter of a Kohane will never have the right to join in *duchening*.

It may have been appropriate to have made an interpretive announcement, during services, as to the meaning of *duchening* and who is qualified to perform it. That was not done.

Instead the congregation simply saw a change that many perceived as being politically correct. The direct inference that most of the congregation saw was that women can join in the *duchening*. Within a very short span of time the actual tradition of who can be a Kohane will be confused and forgotten for political expediency and appropriateness.

'If my father was a Kohane then I am a Kohane'. The Conservative Rabbinical Assembly's Committee on Jewish Law and Standards has established a visible definition that will be passed on to future generations that a Kohane is transmitted matrilineal as well as patrilineally. We have to be realistic and admit that our Jewish educational system for most Jews is very weak - the vast majority of the congregation will not understand that only an unmarried daughter is permitted to *duchen*. They will have seen, in practice, that women are given equal rights to *duchen* with men. We have placed a stumbling block in front of the people to cause them to fall.

Some may argue that this is an isolated issue. We say it is not. We already ignore the proper sequence of Torah *aliyahs*. It is mandatory that a Kohane be called first then a Levite then an Israelite. In practice, in our synagogue - we blink at the process and use a pseudo formulaic evasion of the proper *aliyahs* by the *gabbai* saying 'b'imkom Kohene' - or in place of a priest- to suggest that a Kohane is not present even though the *gabbaim* know there are Kohanim present. We do this to accommodate political powers in the synagogue and *b'nai mitzvah* families.

If we have the right to shape our religious practice in any way which we as a community wish to do so we must also be prepared to accept the corollary interpretations and various misunderstandings that will come into our traditions.

Is the Conservative movement saying to us and future generations that being a Kohane is inherited matrilineally or patrilineally? Can who is a Jew be determined either from the father or the mother? We had better rethink what we have done and be prepared to accept the evolutionary meaning of it. Most of the congregants only know what they see. We do not cook chicken and milk because Jews will confuse the intent of the law. We do not go into a store on the Sabbath, even if not shopping, so as not to confuse others. We do not change traditions for 'correctness' because it will lead to other confusions - who actually is a Jew. Ultimately we are saying who will determine a person's Jewishness - the father and/or the mother?"

The congregation's struggle with its internal values seems on the surface to be of minimalist considerations. On the contrary it is the American Jewish struggle for the religious future. Between 1955 and 2005, Conservative Judaism has declined from being the dominant American Jewish movement to a clear declining second to Reform Judaism.

Of the estimated six million Jews in America, Conservative Judaism has approximately 700-750 congregations representing about 1,000,000 members. The Union of American Hebrew Congregations has approximately 900+ congregations representing about 1,500,000 members. Reconstructionist and Chevrah communities represent approximately another 150,000 members. The Orthodox movement including the various sects and Modern Orthodox movements has approximately 500,000 adherents.

Approximately 2,000,000 American Jews live in households identified as non-Jewish. This means that 60% of Jews below 40 years of age live in households identified as non-Jewish. A full 20% of Jews over 60 years of age live in households identified as non-Jewish. Inter-marriage rates before 1965 were approximately 10%. Since 1990 50-52% of Jews marry outside the faith. 1,000,000 or about 54% of all American Jewish children under the age of 18 are being raised as non-Jews or with no religion. The fertility rate of American Jewish women is 1.4-1.7 children per household. The replacement rate is 2.1.

In 1962, 540,000 Jewish children were attending afternoon or weekend schools, and 60,000 were enrolled in day schools. By 1990, fewer than 240,000 Jewish children attended afternoon or weekend schools and 140,000 attended day schools. Only 36% of Jewish households light the Shabbat Candles. Of the population that consists of people who were born Jewish and are Jewish by choice, only 11% attend synagogue weekly. (Sources – Council of Jewish Federations' 1990 National Jewish Population Survey.)

The vast majority of American Jewry has a very thin affiliation to *Klal Yisrael*, the whole community of the Jewish people. The vast majority of American Jewry has a weakening support for Israel, Jewish institutions and Jewish values. Yet in spite of the weakening of the Jewish links the same individuals choose not to be Jewish but they also choose to not be Christian. They choose to be nothing.

Reform Judaism accepts patrilineal descent. Reform Judaism changes and bends to modern interpretations of American life to be as inclusive as possible of as many Jews as possible. Reform Judaism is undergoing a crisis of identity for itself. Having moved so far so quickly from traditional Jewish practice, it is slowly reconsidering and moving back. Having moved away from traditional Judaism, the Reform movement has not resulted in a vast increase in the American Jewish population or identification. Much like the inclusion of the women's movement for the Conservative movement since the inception of the *Ezrat Nashim* movement in 1972 – the affiliated population has not doubled.

What will the future bring?

The evolving struggle of American Judaism is one of survival and reality. The Conservative movement is slowly moving toward patrilineal acceptance through necessity. The Reform movement is slowly moving toward traditionalism through necessity. The chances are that the two movements will eventually merge out of necessity into one American movement.

The Orthodox may increasingly separate themselves from the majority of American Jewry over the issue of paternity. Modern American Orthodoxy has already threatened to prohibit marriage between Orthodox and non-Orthodox Jews. They will continue to live in the world which they believe contains lineal purity.

The American experience and the anecdotal evidence attest that intermarriage has been a reality in American Jewish history. In some cases the children of those nontraditional unions have maintained their identity as Jews. The Jewish racial amalgamations that modern Israel represents are not deniable. Jews are not “Jewishly” or “racially” pure. All Jews do not have white skin and

blue eyes. Many European and Russian “Jews” or African Jews or Indian Jews or Oriental Jews are questionable at best to being Jews even by strict American Orthodox definitions. It may not be that over the centuries all intermarried women went to a mikvah and converted as the Orthodox require. What actually happened is simply not knowable anymore.

American Jewry is moving to a new definition of American Jewishness. All segments of American Jewry will have to find a way to identify, accept and live together or face a diminishing future.

When God promised that a surviving remnant of Israel would always remain, his word has always been true. What God did not specify is how many Jews make up a surviving remnant.