

# **CONSERVATIVE JUDAISM 101**<sup>©</sup>

*A Primer for New Members  
(And Practically Everyone Else!)*

By

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## **Introduction & Acknowledgements**

*Conservative Judaism 101: A Primer For New Members (And Practically Everyone Else!)* originally appeared in 2008 and 2009 as a series of articles in *Ha-Hodesh*, the monthly Bulletin of South Huntington Jewish Center, of Melville, New York, a United Synagogue-affiliated congregation to which I have proudly belonged for nearly twenty-five (25) years. It grew out of my perception that most new members of the congregation knew little, if anything, of the history and governance of the Conservative Movement, and had virtually no context or framework within which to understand the Movement's current positions on such sensitive issues as the role of gay and lesbian Jews and intermarriage between Jews and non-Jews.

I offer the following essays as nothing more than a “smattering” of information. I do not pretend that they are comprehensive or learned. To the contrary, I know that they are not. However, the information presented is what I consider “the basic basics” that I wish every member of my (and every other) congregation knew when they joined and as they engage each other, the lay leadership and the clergy in the endless discussion, decision-making and line-drawing which is the hallmark of Judaism.

For those whose appetites are whetted and seek more, there are numerous print and online sources of information, some of which are referred to in the following pages. For the beginner, however, I personally recommend *Conservative Judaism: The New Century*, by Rabbi Neil Gillman, and *Conservative Judaism: Our Ancestors to Our Descendants*, by Rabbi Elliot N. Dorff, as well as the United Synagogue's comprehensive website, [www.uscj.org](http://www.uscj.org).

Finally, I gratefully acknowledge the strong support of my congregation, led by Rabbi Ian S. Jacknis; the constant support and enthusiasm of my United Synagogue colleagues, Rabbis Steven Wernick, Paul Drazen and Charles Savenor; my good friend and long-time Standards Committee cohort, Rabbi Moshe Edelman, who was kind enough to review and edit the text for me; and the always loving support and patience of my wife, Roz (who carefully proofread the final text), and wonderful children, Lee, Soraya & Gayle.

Ed Rudofsky  
28 Iyar 5771

## **About The Author**

Ed Rudofsky was born in Brooklyn, New York, in 1948. He attended New York City public schools, graduating from Stuyvesant High School and Queens College of the City University of New York. He then earned the degree of Juris Doctor *cum laude* from the Hofstra University School of Law, where he was the Managing Editor of the Hofstra Law Review. After graduation from law school, Ed was accepted into the Attorney General's Program for Honor Law Graduates and appointed as a Trial Attorney in the United States Department of Justice Civil Division. He was then appointed as an Assistant United States Attorney for the Eastern District of New York and ultimately served as Deputy Chief of the Civil Division in the U.S. Attorney's Office. After leaving government service, Ed joined a small New York City "litigation boutique" which became Zane and Rudofsky in 1980.

In 1987, Ed and his wife, Roz, joined South Huntington Jewish Center, in Melville, New York, where he held a number of lay leadership positions including President. Ed joined the Board of the Metropolitan New York (MetNY) Region of the United Synagogue of Conservative Judaism in 2001; was appointed the regional Law Chair in 2002; and was appointed co-chair of the United Synagogue Committee on Congregational Standards in 2005. Ed continues to serve as MetNY Law Chair and national Standards Chair to the present time, as well as Vice Chair of the national Bylaws/Governance Committee.

As Standards Chair, Ed has led the Committee through the successful revision of the Standards for Congregational Practice, approved by the Biennial Convention in 2007, as well as the equally successful revision of the Guide to Contractual Relations (formerly known as the Guide to Congregational Practices) in 2009, and, together with the Staff Director of the Standards Committee, administers the mediation and arbitration program of the Conservative Movement. He is currently engaged in the drafting of the new United Synagogue Bylaws to implement Transformation and the 2011 Strategic Plan. But more about that later.



## Chapter One

### The Early Days

The Conservative Movement traces its theological roots to Rabbi Zecharias Frankel's break with the Reform Movement in 1845 over its rejection of Hebrew as the primary language of Jewish prayer. In 1854, Frankel became the Chancellor of the Jewish Theological Seminary in Breslau, Germany, where he founded the "positive-historical" school of Judaism, based on the duality that Jewish law at any given moment in time is both normative, in establishing standards of religious observance and personal conduct, *and* ever-changing in response to history and modern conditions. Jews should accept the ever-changing law as a positive force guiding their lives, providing the changes are rooted in history and conserve the essence of Jewish tradition. Frankel rejected Reform Judaism as insufficiently rooted in history and communal practice. The Orthodox rejected Frankel as too modern. It is the "positive-historical" school of Jewish thought which we today call the Conservative Movement.

While the different schools of post-Enlightenment Jewish thought were developing in Europe, Rabbi Isaac Mayer Wise was pursuing a dream in the United States: the creation of a unified "American Judaism" that balanced the traditions of Europe with conditions in the New World. To that end, Wise introduced a new prayerbook in 1855, *Minhag America*. Though intended to promote the harmony of "American Judaism" and be "moderate in its reforms, the book distressed the traditionalists ... and did not go far enough for some of the radical reformers."

In 1873 Rabbi Wise founded the Union of American Hebrew Congregations (UAHC) as a forum for both traditional and reform-minded congregations, and then, in 1875, he founded the Hebrew Union College, located in Cincinnati, Ohio, to train rabbis reflecting all schools of thought. However, by the time Hebrew Union College graduated the first four ordained rabbis wholly trained in the United States, in 1883, cracks had begun to appear in the façade of "American Judaism." While "some traditionalists had introduced a degree of modernization such as English sermons and English prayers into their services and the more liberal ones even allowed organ music and mixed choirs of men and women ... [o]ther rabbinical voices were not so united in vision and purpose. Especially contentious were the so-called Eastern radical reformers" who "intended to expunge what they deemed outmoded religious practices such as kashrut – derisively called 'kitchen Judaism' – and the second day of holiday observances. Some radicals even advocated observing Shabbat on Sunday."

The differences between the traditionalists and the radical reformers came to a head at the July 11, 1883 banquet celebrating the graduation of that first Hebrew Union College class. Although Wise later claimed to have directed the caterer (who was Jewish) to serve kosher food, the printed menu and meal consisted of (among other things) clams, crabs, shrimp and frogs' legs, as well as ice cream and cheese following the (kosher) meat course. This infamous dinner has been dubbed "The Trefa Banquet"



and is often cited as the moment when the traditionalists and the radical reformers broke with each other. This may be an overstatement, but not by much. Several of the rabbis present immediately walked out in protest of the obviously *tref* meal about to be served, while others remained but refused to eat. “American Judaism” was dead. What followed laid the groundwork for the divisions of thought and practice which have survived until today.

In 1885, the UAHC adopted what has come to be known as “The Pittsburgh Platform” - - a statement of Reform Jewish theology that defined that movement for over half a century.

In 1886, a group of change-oriented rabbis who could not go as far as the radical reformers established the Jewish Theological Seminary of America in New York (JTS), the theological heart and soul of Conservative Judaism.

In 1888, at the invitation of the traditionalists, Rabbi Jacob Joseph of Vilna arrived in New York City to become the first official chief Orthodox rabbi in America.

As explained by The American Jewish Historical Society: “After these events, there was no turning back. American Judaism divided into organized movements, each claiming its right to define Jewish religious practices.”

## Chapter Two

### **Solomon Schechter; the Founding of the United Synagogue of America and the Rabbinical Assembly; Reconstructionism; and the Golden Age of Conservative Judaism.**

Solomon Schechter (in whose memory the entire Conservative Day School system is named) was the second President of the JTS, the founder of the United Synagogue of America (today known as the United Synagogue of Conservative Judaism), and is regarded by many as “the architect of the American Conservative Jewish movement.”

Schechter, a Romanian and English rabbi, scholar and educator, was famous throughout religious, academic and archeological circles for his discovery and organization of more than 100,000 pages from Hebrew religious manuscripts and medieval Jewish texts preserved in the Egyptian language, known as the “Cairo Geniza.” As Rabbi Neil Gillman, a world-renowned Professor of Philosophy at the Seminary, and one of the authors of *Emet Ve-Emunah* ("Truth and Faith"), the first official statement of beliefs of Conservative Judaism, explains it, in 1902, a group of the wealthiest New York reform Jews, members of Temple Emanu-El, recruited Schechter to take over the newly established, not very successful Jewish Theological Seminary of America. According to Rabbi Gillman,

“[t]heir motives were quite clear. They understood that the new wave of Eastern European Jewish immigration would never join reform congregations. Nevertheless, they had a vested interest in helping the new immigrants to become Americanized, learn English, give their children a secular education, and yet find forms of Jewish religious expression that would preserve their traditional Jewish lifestyle.

Once Schechter and his beloved wife, Mathilda (the founder of the Women’s Religious Union of the United Synagogue, now known as the Women’s League for Conservative Judaism) arrived, he had much a much loftier goal: the development of a premier institution of Jewish thought, which would lead the way in bringing a modern form of traditional Judaism to the masses of American Jews. As related by Rabbi Elliot Dorff, the Rector of the American Jewish University (formerly the University of Judaism) and current Chair of the RA Committee on Jewish Law and Standards, “Schechter was very distressed when he discovered the Americanization of the immigrant was the only goal of the Reform supporters of the Seminary, because for him the maintenance of traditional Judaism was the main objective.” Schechter’s pointed response was “I must take it out of their minds that I came into this country for the purpose of converting the downtown lower East Side Jew to a more refined species of religion.” Rather, “[i]t was Schechter’s feeling that the immigrants needed ‘Judaization’ more than they needed Americanization because they were quickly shedding their traditions, and Judaization was the goal of the faculty of the Seminary as well.”

In 1913, Schechter founded the United Synagogue of America, a league of 22 Conservative congregations incorporated by special Act of the Legislature of the State of New York. Today the United Synagogue, which is part of the worldwide Masorti Movement, consists of more than 750 affiliated congregations located throughout the United States, Canada and Mexico.

The Rabbinical Assembly - - the association of Conservative rabbis - - began as the Alumni Association of the Jewish Theological Seminary of America, founded in 1901. In 1919, with more than 100 members, it was reorganized as the Rabbinical Assembly. Today it numbers more than 1400 members.

Schechter's theology is difficult to express in simplistic terms. Rabbi Gillman asserts that it consists of "nine building blocks": "(1) America is different. (2) Judaism can deal with modernity. (3) If we are to deal with modernity, we must study Judaism in a modern way. (4) Judaism has had a history. (5) The community becomes the authority. (6) Hebrew must remain the language of the Jewish people. (7) Zionism is a positive force in Jewish history, and it should be encouraged. (8) *Halakhah* remains the preeminent form of Jewish religious expression. (9) *Halakhah* does change and develop to meet new situations, but this process is gradual, evolutionary, limited to the more superficial areas of Jewish life, and always under the guidance of recognized authorities in Jewish law."

Schechter succeeded beyond his greatest expectations. Conservative Judaism took root. The Seminary faculty has featured (among many, many others deserving of mention) such intellectual giants and inspired leaders as Rabbis Louis Finkelstein, Saul Lieberman, Alexander Marx, Mordecai Kaplan, Abraham Joshua Heschel, Robert Gordis, Max Arzt, Gershon Cohen, and, more recently, Neil Gillman and Joel Roth.

One of these, Kaplan, propounded his "reconstructionist" theories for many years as a member of the Seminary faculty before breaking away and formally founding the Reconstructionist Rabbinical College in 1968. Kaplan believed that traditional Judaism required period "reconstruction" in order to remain a vital force in the lives of 2<sup>nd</sup> and 3<sup>rd</sup> generation American Jews. He conceived of the modern American synagogue "as a community center which would bind Jews together in any manner and for practically any activity Jews desired". The modern, multi-purpose synagogue building in which virtually every congregation is housed, and Jews gather for sundry forms of activity - - many of which do not involve worship service or religious study - - reflects the triumph of much of Kaplan's philosophy, even while his more radical views on restructuring the prayer services have by and large been rejected by the Movement. Kaplan's influence on modern Conservative Judaism cannot be underestimated. As Rabbi Gillman puts it, "if Conservative Judaism as a distinctive approach to living as a Jew in modern America has a programmatic father, he remains Mordechai Kaplan."

Schechter died in 1915. He was succeeded as President of the Seminary by Cyrus Adler, a layman whom Rabbi Gillman describes as "the premier institution builder

of American Jewry.” Adler and Rabbi Finkelstein led the Seminary for the next 57 years, until Finkelstein’s retirement in 1972, a period often referred to as “**The Golden Age of Conservative Judaism.**” It was during the period that Finkelstein, in 1944, created the popular radio and television program, *Eternal Light*, and, in 1951, was featured on the cover of *Time* magazine.

## Chapter Three

### The Organization and Governance of the Conservative Movement

Many of us make the mistake of thinking of the Conservative Movement as a monolith, or that it is “United Synagogue.” It is neither.

Reference to the “Movement Affiliates” page on the USCJ website lists *twenty-three affiliates* of the United Synagogue of Conservative Judaism: In alphabetical order, these are: the Assembly of Masorti Synagogues, UK; the Cantors Assembly (CA); The Conservative Yeshiva in Jerusalem; the Federation of Jewish Men’s Clubs (FJMC); The Jewish Museum; the JTS; the Joint Retirement Board; the Jewish Educators Assembly (JEA); the Jewish Youth Directors Association; Koach; the Masorti Movement (Israel); Masorti Olami (World); Mercaz Canada; Mercaz USA; National Ramah Commission; North American Association of Synagogue Executives (NAASE); the Rabbinical Assembly (RA); Ramah Programs in Israel; Schechter Institute of Jewish Studies in Israel; Solomon Schechter Day School Association (SSDSA); United Synagogue Youth (USY); Women’s League for Conservative Judaism (WLCJ); and the Ziegler School of Rabbinic Studies (Ziegler).

From this list alone, one can get a sense of how de-centralized the Movement is. Indeed, if the 2008 visit of His Holiness, Pope Benedict XVI, to the United States, reminded us of anything, it may be how much we lack a central leadership figure in Judaism in general and in the Conservative Movement in particular.

### The Rabbinical Assembly

Although any one of the Movement affiliates can weigh in at any time on any issue, the two major “governance” arms of the Movement are the Rabbinical Assembly and the United Synagogue.

The Rabbinical Assembly is the international association of Conservative/Masorti Rabbis and, in large measure, defines what “Conservative Judaism” means through Standards of Rabbinic Practice adopted by vote of 80% of the RA Committee on Jewish Law and Standards (Law Committee) and majority vote of the entire Rabbinical Assembly, and through approved rabbinic practices adopted by plurality vote of the Law Committee.

A Rabbinic Standard is binding on all members of the RA. A rabbi who flaunts a Standard is subject to being expelled. At the present time, there are four Rabbinic Standards: As summarized on the JTS website, they are:

- (1) a member of the Rabbinical Assembly may not officiate at or attend an intermarriage;

- (2) a marriage cannot occur if either the bride or groom has been divorced, unless a *get* has been issued;
- (3) Jewishness is defined matrilineally, and
- (4) when conversion occurs, there must be *milah* or *hatafat dam brit* [for a male] as well as *mikveh* [for males and females].”

As a practical matter, these four Rabbinic Standards are among the items which most sharply distinguish Conservative and Reform Judaism from one another.

The Law Committee is comprised of twenty-five voting members, all of whom are RA members: fifteen designated by the RA; five designated by United Synagogue; and five designated by JTS and Ziegler. There are also five non-voting members; four designated by the United Synagogue and one by the Cantors Assembly. The affirmative vote of any six voting members is sufficient to validate a practice. Thus, there can be multiple approved practices on any given issue. Members can vote to validate more than one practice. Since most questions presented to the Law Committee are not controversial, the “rule of six” has often been a source of strength within the movement, reflecting the Jewish tradition of accepting diversity of religious practice. However, in other instances, the validation of controversial and directly conflicting approaches can result, at least in the short term, in confusion and dissension. This most recently occurred when the Law Committee validated seemingly diametrically opposed positions on the issues of ordaining and performing commitment ceremonies for gay and lesbian Jews. Each paper received thirteen affirmative votes, with one member voting for both positions.

Congregational rabbis are expected to take the validated opinions of the Law Committee into account in making *halakhic* decisions for their individual congregations, but are not strictly bound by them. As explained in the commentary to USCJ Standards for Congregational Practice (discussed in Chapter Four):

*The authority of the rabbi as the spiritual leader and mara d’atra (decisor of Jewish law) of the congregation is a basic tenet of Conservative Judaism. \*\*\* United Synagogue recognizes that individual rabbis may interpret and apply Jewish law differently, resulting in varying practices among congregations. The teshuvot (validated opinions) of the Rabbinical Assembly’s Committee on Jewish Law and Standards provide halakhic guidance for Conservative Judaism as interpreted by the rabbis of the movement. All practices that are essentially loyal to Conservative Judaism are acceptable to United Synagogue.*

The Rabbinical Assembly is located in New York City, at the Jewish Theological Seminary of America, 3080 Broadway. In areas of the country where the number of rabbis is sufficient, there are local branches of the Rabbinical Assembly.

## The United Synagogue of Conservative Judaism

The United Synagogue is the association of Conservative congregations in North America. It is divided into geographic regions (known as “Districts”) and governed by a national Board of Directors and General Assembly, with members drawn from each region as well as appointees of the President. The Board of Directors receives input from a variety of sources, including the many active committees, boards and commissions on which Board members, professional staff and liaisons designated by other arms of the Movement sit. One of these of particular interest to individual congregations is the Committee on Services to Congregations, which focuses on the delivery of the multitude of services which USCJ offers to member congregations, directly and through the Districts.

The committee of United Synagogue most involved in the “governance” of individual congregations is the USCJ Committee on Congregational Standards, presently comprised of forty-five members, including USCJ Directors, professional staff and representative of other arms of the Movement. The Committee promulgates and polices the Standards for Congregational Practice. Flagrant violations of the Standards can result in a congregation being suspended or expelled from the United Synagogue. The Committee also periodically publishes papers on significant issues, such as Guides to Contractual Relations, Jewish Funeral Practice, the *Hevra Kadisha*, and dealing with Sexual Harassment; a Model Agreement with clergy; and *Al HaDerekh* (On The Path) - - recommendations for outreach to intermarried families, .

The United Synagogue appoints two voting and two non-voting members to the Joint Placement Commission (JPC) of the RA, JTS, Ziegler, and USCJ. The JPC is a semi-autonomous body which facilitates rabbinic and congregational placement searches. By agreement with the RA, rabbis and congregations who agree to mediate / arbitrate disputes under the auspices of the USCJ Committee on Congregational Standards may qualify for JPC placement search services even though their dispute is not yet resolved. (The same is true for the Cantors Assembly and other arms representing Movement professionals.)

In 2011 the United Synagogue adopted *VeAsu Li Mikdash: A Strategic Plan for the New United Synagogue of Conservative Judaism*, calling for the organization to re-define itself as the central organization for Conservative *kehillot* (sacred communities) through North America, including congregations, independent *minyanim*, and *chavurot*, and to focus on four “core functions”:

- To transform and strengthen our kehillot in their effort to:
  - o inspire meaningful prayer
  - o sustain a culture of lifelong Jewish learning
  - o nurture religious and spiritual growth
  - o promote excellence in kehilla leadership
- To ensure educational excellence true to the vision of Conservative Judaism for children and adults in our kehillot

- To engage the next generation of kehilla leadership
- To encourage and build new kehillot.

The USCJ is headquartered in New York City. It is presently located at Rapaport House, 820 Second Avenue, New York, New York 10017.



## Chapter Four

### The Revised Standards for Congregational Practice

To quote myself (paraphrasing the famous *New York Sun* editorial of 1897), “**Yes, Virginia, the Conservative Movement does have standards!**”

The by-laws of the United Synagogue specify its purposes:

While not endorsing the innovations introduced by any of the Constituent Arms of the Conservative Movement, to embrace all elements essentially loyal to traditional Judaism, with its objectives being to:

- advance the cause of Judaism to assure Jewish continuity;
- maintain Jewish tradition in its historic context;
- assert and establish loyalty to Torah and its historical exposition;
- further the observance of Sabbath and of the dietary laws;
- preserve in the service the reference to Israel’s past and its future;
- maintain the traditional character of the liturgy, with Hebrew as the language of prayer;
- foster the home as expressed in traditional observances;
- encourage the establishment of Jewish religious schools, in the curricula of which the study of the Hebrew language and literature shall be given a prominent place, both as the key to the true understanding of Judaism and as a bond holding together the scattered communities of Israel throughout the world; and
- stimulate congregations and its members to involve themselves in matters of social justice, public policy and other social concerns as a reflection of the will of God.

In order to give meaning to these goals, the United Synagogue promulgates Standards for Congregational Practice. The Standards were originally adopted in 1957 and amended six times between 1961 and 1991. In 2007, ten revised Standards were adopted to reflect contemporary norms of Conservative Judaism. As further revised in 2010, the Standards are:

#### ***Standard I – The Rabbi***

Each congregation should engage a rabbi as its spiritual leader and *mara d’atra* in accordance with the rules and

practices of the Joint Placement Commission and pursuant to a written contract adopted in accordance with the congregation's bylaws and enforceable under all applicable secular laws.

The contract with the rabbi should state that regardless of whether the rabbi is or is not a member of the Rabbinical Assembly, he or she will, in exercising his or her prerogatives as *mara d'atra*, adhere to the Standards of Rabbinic Practice of the Rabbinical Assembly. The rabbi will rule on all other issues of Jewish law and practice presented for decision only after giving due consideration to the published opinions of the Committee on Jewish Law & Standards of the Rabbinical Assembly and the positions of United Synagogue.

Congregations whose rabbis are not members of the Rabbinical Assembly shall obtain and make all such published opinions available to their rabbi.

When a congregation does not have a rabbi, any individual acting as the leader of the congregation is likewise obligated to adhere to the Standards of Rabbinic Practice and to consult with appropriate rabbinic authority.

### ***Standard II - Shabbat & Holidays***

Shabbat and the holidays are to be observed in a manner that is essentially spiritual in quality and purpose, and that reflects the sanctity of the day, with all functions and activities on these days conducted accordingly.

### ***Standard III – Kashrut***

Only kosher food is permitted in the synagogue building or served at congregation-sponsored functions and activities, regardless of location.

### ***Standard IV – Rites, Ceremonies & Other Functions***

The laws, rules and customs of Shabbat, all holy days, and of *kashrut*, as determined by the rabbi, are to be observed at all rites, ceremonies and other functions. The spiritual aspect of weddings, *bar* and *bat mitzvah* services and associated activities is to be emphasized. All such joyous occasions should be conducted in a dignified manner,

including appropriate attire, music, photography and use of alcohol.

Congregations should make it possible for individuals and families celebrating a *bar* or *bat mitzvah*, *simchat bat*, *brit milah*, *aufruf* or other joyous event to provide an appropriate kiddush for all worshippers following services. *Hamotzi* and *Birkat HaMazon* should be recited whenever required by Jewish law or local custom.

Congregations should engage in sincere outreach to non-Jewish spouses and children of any Jewish members in order to promote participation by such family members in congregational life as permissible under Jewish law, rules and customs, with the goal of encouraging and supporting conversion to Conservative Judaism.

The laws, rules and customs of funerals and mourning are to be observed. Individual members of congregations should consult with their rabbi concerning funeral practice and mourning.

#### ***Standard V – Membership***

Only persons of the Jewish faith, as determined by the rabbi, may be admitted to membership in the congregation.

#### ***Standard VI – Education***

It is incumbent upon congregations to encourage, provide and/or sponsor age-appropriate formal and informal educational programming for all members of the congregation and their families, including early childhood (nursery school); a synagogue school; Kadima and United Synagogue Youth programs; a Hebrew high school; participation in KOACH; family education; adult education; and Israel travel programming for teens, college students, adults and families.

The synagogue school should subscribe to the Statement of Aims of the Conservative Synagogue School as adopted by the United Synagogue Commission on Jewish Education.

The congregation should support the establishment and maintenance of a Solomon Schechter day school in the local Jewish community, where feasible.

### ***Standard VII – Fund-Raising***

Congregations should permit fund-raising under their auspices that is in keeping with Jewish law and customs.

### ***Standard VIII – Moral Dignity***

All congregational and education programming and prayer services should be consistent with the dignity and moral conduct befitting a Jewish community. The manner in which they are announced and publicized, internally and to the general public, and the manner in which they are conducted should bring honor to the congregation.

### ***Standard IX – Relationship With Staff***

In seeking members for professional staff, congregations first should consult the proper placement agency within our movement. Congregations are not to solicit the members of the staff of another congregation to leave their positions in order to accept an engagement with the soliciting congregation.

Congregations should enter into reasonable written contracts with staff, enforceable under local law, in terms consistent with the highest ethical and moral standards of Jewish practice and tradition. Congregations should conduct annual evaluations of professional staff, using the best available instruments and techniques.

Congregations, clergy and professionals should agree to and seek the resolution of all disputes through the mediation and arbitration processes of the United Synagogue Committee on Congregational Standards. An arbitration clause providing for binding dispute resolution by the United Synagogue Committee on Congregational Standards should be included in all contracts with clergy and professional staff.

### ***Standard X – Respect for Boundaries (Hasagat G'vul)***

An affiliated congregation shall respect the boundaries of other congregations, and shall not commit acts of hasagat g'vul against any congregation.

Each Standard is accompanied by explanatory notes and cross-references to relevant resource materials, making it possible for each congregation to better understand and implement the Standards.

The key new provisions of the Standards are those addressing the role of the rabbi as spiritual leader and mara d'atra of the congregation; those codifying the obligation of congregations to engage in sincere outreach of non-Jewish spouses and children of Jewish members with the goal of encouraging and supporting conversion to Conservative Judaism; and those codifying the responsibility of the congregation to offer educational opportunities to all members, at every age level, and to support the local Solomon Schechter school(s) to the extent feasible.

The Standards are enforced by the USCJ Committee on Congregational Standards, consisting of forty members, including members the United Synagogue Board, USCJ professional staff members, and representatives of the RA, CA, JEA, NAASE, JTS, Ziegler, WLCJ, and the FJMC. The Committee is currently directed by Rabbi Paul Drazen and chaired by the author.

## Chapter Five

### The “Gay & Lesbian Teshuvot” of 2006

#### Introduction – The *Halakhic* Process

One of the most sensitive and controversial issues to be addressed by the Rabbinical Assembly (RA) Committee on Law and Standards (CJLS) during our lifetime has been the status of gay and lesbian Jews. In this Chapter, we will examine the development of the controversial and admittedly contradictory “approved practices” regarding the training and ordination of gay and lesbian clergy and commitment ceremonies.

However, in order to understand how the Committee on Jewish Law & Standards (CJLS) of the Rabbinical Assembly (RA) could approve such contradictory halakhah, it is important to understand the *halakhic* process itself as it applies to the consideration of contradictory positions. There is no one better qualified to explain this than Rabbi Joel Roth, the leading *halakhist* of his day (and author of the 1983 *teshuvah* permitting the ordination of women - - the conceptual basis for Conservative congregations to opt to be egalitarian).

Ironically, Rabbi Roth addressed this topic in his 1992 *teshuvah*, “Homosexuality,” approved by a vote of 14-7-3. Rabbi Roth wrote:

*[T]here is no question which cannot be on the agenda of the Law Committee. Each age may have its lists of questions which seem unlikely ever to require serious discussion, yet subsequent ages may find it necessary to discuss those very questions. Answers which may have seemed a foregone conclusion years ago, may no longer be self-evidently true. However, willingness to discuss a question in no way predetermines what the answer will be. It is as possible to discuss a question and reaffirm a longstanding precedent as it is to discuss it and abrogate that precedent.*

*When a longstanding precedent is questioned by a significant number of people who cannot be dismissed as “fringe lunatics,” it may no longer be sufficient merely to answer that the precedent stands because it is the precedent. Surely precedent will stand unless there is a compelling reason for it not to stand. But it must be remembered that those who are questioning the precedent are offering what they believe to be compelling reason for overturning it. One who wishes to reaffirm the precedent must now respond to the claim that there is compelling reason to overturn it. If there is evidence that the “compelling reason” is not as compelling as those who assert it claim, the precedent should stand. If one can offer equally compelling reason why the precedent should stand,*

*then surely the precedent would stand. And if, in the course of discussion and analysis, one comes to the conclusion that there is, indeed, compelling reason to overturn the precedent, one should support overturning the precedent. It is dangerous for halakhah to refuse to discuss a question for fear that legitimate discussion will result in the “wrong” answer.*

*At the other end of the spectrum there are also things that ought to be said. Halakhists are duty-bound to listen carefully and attentively to the claims and contentions of those who address questions to them. They are also duty-bound, however, to listen with equal attentiveness and care to the claims and contentions of those who may not have addressed questions to them, but who do have something to say on the issue under discussion.*

*Halakhists are the guardian of a legal system they hold very dear. They ought not to be expected to violate their commitment to that legal system because members of their constituency are unhappy with their decisions. Halakhists can be sensitive, understanding, and caring - - and still disagree with the claim of their constituents. It is easy to contend that the halakhist did not really understand because if he had, he could never have had decided as he did. The ease of the contention does not necessarily make it true.*

*We must assert from the outset that the question of homosexuality cannot be excluded from halakhic discourse on the grounds that halakhah stops at the bedroom doors. While it may be possible to claim that a secular legal system should say nothing about the legality or morality of private acts between consenting adults, that could hardly be a tenable claim for a religious legal system. Not only are there myriad areas where halakhah does already have something to say about what goes on between consenting adults and behind closed doors, it seems unthinkable to claim that private behavior could or should be of no concern to God.*

\* \* \* \* \*

*[N]othing I have written ... can or should be construed to intimate any restriction whatsoever on the academic freedom of anyone. Nothing I have written forbids or discourages anyone from arguing that in his or her opinion homosexuality ought to be halakhically permissible. Nothing I have written forbids or discourages anyone from offering interpretations of the legal texts of the halakhic system to support the conclusion opposite from*

*mine. Nothing I have written forbids or discourages anyone from invoking extralegal factors and arguing that they permit or even compel what I do not think they permit.*

*If more than one paper is adopted by the CJLS on this subject, the papers adopted become valid options for all members of the Rabbinical Assembly. If only one paper is adopted, however, it is reasonable to anticipate that virtually all rabbis would govern their own behavior by the guidelines set forth in the paper which is approved, though even that would be not be enforceable unless the paper were recommended by the CJLS as a Standard of Rabbinic Practice and approved as such by the Convention of the RA.*

Much to Rabbi Roth's ultimate chagrin, his 1992 paper was never adopted as Standard of Rabbinic Practice and in 2006 "more than one paper [was] adopted by the CJLS on this subject," leading Rabbi Roth himself (and several others) to resign from the CJLS in protest!

### **Section I – Recent Historical Context for the 2006 Teshuvot**

In 1990 the RA, and USCJ in 1991, adopted "tolerance resolutions" which "welcomed" gays and lesbians as synagogue members while "affirming our tradition's prescription for heterosexuality."

Also in 1990, Rabbi Bradley Shavit Artson, then the Rabbi of Congregation Eilat in Mission Viejo, CA, and today the Dean of the Ziegler School of Rabbinic Studies of the American Jewish University in Los Angeles, CA, published an article in the Jewish Spectator advocating equality for gays and lesbians in Jewish life.

In 1992, by a vote of 19-3-1, the CJLS adopted a Consensus Statement on Homosexuality, *inter alia*, "welcoming" gays and lesbians into Conservative Congregations as members, but prohibiting their admission to rabbinical/cantorial school (or membership in the RA or CA), prohibiting clergy from performing gay/lesbian commitment ceremonies, and leaving it up to the rabbis of individual congregations to determine whether gays and lesbians may be employed as teachers, tutors or otherwise as "role models."

The Consensus Statement was a rejection of Rabbi Artson's proposal and gathered a fair degree of notoriety at the time. It was supported by several different *teshuvot* (opinions), authored by different members of the CJLS and enjoying varying degrees of support among the members. Rabbi Roth strongly opposed Rabbi Artson's proposal in a paper approved by a vote of 14-7-3. Other papers in support of and/or accepting the Consensus Statement were written by Rabbi Reuven Kimmelman (11-7-5), Rabbi Mayer Rabinowitz (8-5-10), and Rabbi Elliot Dorff (8-8-7). Rabbis Kass Abelson and Avram Israel Reisner wrote separately to concur with the Roth, Kimmelman,



Rabinowitz and Dorff teshuvot. Writing in stirring but lone dissent in 1992, arguing for full equality for gays and lesbians, was Rabbi Howard Handler.

The CJLS returned to the topic of homosexuality in 1993, approving two diametrically opposed interpretations of the 1992 Consensus Statement. One, authored by Rabbi Kassel Abelson (13-8-0) concluded that the Consensus Statement did not permit placement of “avowed homosexual” rabbis in congregational pulpits. The other, by Rabbi Arnold Goodman (7-14-0) concluded that the Consensus Statement was silent on the issue and, therefore, that such placement was permitted. Concurring with Rabbi Goodman in a separate paper was Rabbi Arnold Mackler. Dissenting from Rabbi Abelson’s view, likewise in a separate paper arguing for providing placement services, was Rabbi Ben Zion Bergman.

As illustrated by the 1993 papers, the 1992 Consensus Statement did not put the issue to rest and it continued to attract attention and controversy. In 2002, then-USCJ President Judy Yudoff wrote to the CJLS, requesting reconsideration of the 1992 policy statement. Four years of study ensued. Rabbi Dorff deferred his term as Chair of the CJLS in order to avoid any implication of a conflict of interest when it was revealed that his daughter had “come out” as a lesbian. Finally, after a “road show” in which Rabbis Roth and Dorff debated the issue at a series of specially arranged appearances across the United States, the CJLS met in November 2006 to vote on several competing papers, approving three of them.

## Section II – The 2006 *Teshuvot*

The much anticipated “Gay & Lesbian *Teshuvot*” were finally issued by the RA Committee on Jewish Law and Standards (CJLS) in December 2006. In “Homosexuality Revisited,” approved by a vote of 13-8-4, Rabbi Roth argued that there was still no compelling reason to abandon precedent and the ban on ordination and official sanction of homosexual unions should not be overturned. In “Homosexuality, Human Dignity and Halakhah,” approved by a vote of 13-12, Rabbis Dorff, Nevins & Reisner argued for overturning precedent and permitting the ordination of gays and lesbians, as well as rabbinic officiating at commitment ceremonies. In “Same Sex Attraction and Halakhah,” approved by a vote of 6-8-11, Rabbi Leonard Levy argued for acceptance of private, but not public, homosexuality among the rabbinate; in essence, a “don’t ask, don’t tell policy.” Separate concurring and dissenting opinions were filed by Rabbis Baruch Frydman-Kohl, Loel Weiss, Myron Geller, Robert Fine, David Fine, and Gordon Tucker.

Those with a sharp eye for such things will immediately note that one member of the 25-member CJLS voted for *both* Rabbi Roth’s paper *and* Rabbi Dorff’s, despite their reaching diametrically opposed conclusions.

The 2006 *teshuvot* proved highly controversial and provoked public commentary as well as private action. Rabbis Roth, Levy, Rabinowitz and Prouser resigned from the CJLS. The New York Times (and many other media outlets) prominently reported the rulings and resignations. Rabbi Jerome Epstein, the Executive Vice President and *mara d’atra* of the United Synagogue announced that sexual orientation would no longer be considered in hiring applicants for USCJ positions. It was further clarified that “[t]he result of the committee’s vote means that rabbis, synagogues, and other Conservative institutions may continue not to permit commitment ceremonies and not to hire openly gay or lesbian rabbis and cantors. On the other hand, rabbis, synagogues, and institutions can perform or host those ceremonies and are free to hire openly gay rabbis and cantors. The *halakhah* of the Conservative movement, as voted by the Law Committee, now allows both positions. Both are considered valid.” Rabbi Epstein reiterated that the CJLS papers were only “advisory” and that each congregational rabbi, as the *mara d’atra* of his or her congregation, has the final responsibility for deciding which halakhic path to follow when relationship, employment and similar issues are presented on the local level.

An important structural issue which received attention as a result of the Gay & Lesbian *teshuvot* was whether such a controversial (and some would say, fundamental) issue should be decided by the issuance of *teshuvot* requiring only six affirmative votes to be adopted by the CJLS, or whether such a change should only be authorized if passed as a *takanah*. A “*takanah*” is “not a logical extension of pre-existing law but a radical but apparently necessary change to it.” It takes 20 votes to pass a *takanah*. “There must be a majority vote to declare a paper a *takanah*, but the author’s consent is not necessary.” The CJLS considered Rabbi Tucker’s paper, “which advocated full equality of gays and lesbians in Conservative Judaism, with no restrictions on sexual behaviors,” to be a *takanah*, and it failed to obtain approval on that basis.

In March 2007, first the Ziegler School of Rabbinic Studies at the University of Judaism in Los Angeles, and then the Jewish Theological Seminary of America in New York, both announced that after study of the matter their faculties had voted to accept openly gay and lesbian applicants. In an “Open Letter to the Community,” JTS Chancellor-Elect Arnold Eisen, brilliantly reviewed many aspects of the issue, urged a reasonable approach consistent with the historical essence of Conservative Judaism, and called for “reclarification of the place of *halakhah* in the movement: the nature, authority, and scope of Jewish law in relation to other sources of authority and guidance.”

The furor over the Gay & Lesbian *Teshuvot* of 2006 then appeared to die down, however, in 2008 three Toronto synagogues voted to resign from the United Synagogue in protest over the rulings and the responses to them of the United Synagogue, JTS and Ziegler. To date, these are the only synagogues known to the author to have resigned over this issue.

## Chapter Six

### The Challenge of Intermarriage

Outreach to intermarried couples is perhaps the biggest challenge facing the Conservative Movement in North America as we move into the 21<sup>st</sup> Century. According to the National Jewish Population Study of 2000-01, the current rate of intermarriage is 47%. Thus, nearly one out of every two Jews who marries is marrying a non-Jew.

While it seems apparent that affiliated Conservative Jews are intermarrying at a lower rate than the non-affiliated population, the NJPS did not analyze intermarriage rates based on Movement affiliation. Rather, it revealed a number of factors from which one can extrapolate that between 5 and 10% of *affiliated* Conservative Jews are intermarried.

How to relate to the non-Jewish spouse and children of a Jewish member, while remaining true to the basic tenets of Conservative Judaism, is a difficult issue fraught with interpersonal sensitivity and halakhic precedents.

Judaism has always welcomed into the Jewish community those non-Jews, known as “*geirei toshav*”, who follow the *Sheva mitzvot B'nei Noah* (the Seven Laws of Noah or “Noahide Laws”), which prohibit idolatry, murder, theft, sexual misconduct, blasphemy, the eating of the flesh of living animals, and which require submission to a legal system to enforce these prohibitions. But the welcome was to live amongst the Jews; not to intermarry with us.

Indeed, the RA “Standards of Rabbinic Practice” provide, among other things, that a member of the RA may not (a) officiate at or attend an intermarriage, and (b) recognize patrilineal descent. Violation of the RA Standards of Rabbinic Practice can (and customarily do) result in members being expelled from the RA. Rabbis of all congregations which are members of the USCJ are required to adhere to the Standards of Rabbinic Practice, regardless of whether they are members of the RA or not. The RA ban on intermarriages reflects the traditional fear the effect which intermarriage will have on Jewish continuity, *i.e.*, by diminishing the number of households observing Jewish law, ritual and tradition, the number of children born Jewish, and, ultimately, the number of practicing Jews and number of self-identifying Jews regardless of background.

The tension between the welcoming of good and decent people into our midst and our fear of intermarriage as a threat to the continued existence of the Jewish people in the Diaspora often results in miscommunication, hurt feelings and worse.

Section I of this Chapter reviews the current *halakhic* precedents guiding our congregational rabbis. Section II focuses on the 2008 “Principles of Outreach” and 2009 “Tools for Building a Culture of *Keruv*,” issued by the Leadership Council of Conservative Judaism (LCCJ). Section III addresses the current revision of *BaDerekh*

(formerly *Al HaDerekh*), the United Synagogue guide to welcoming intermarried couples into the synagogue community,

At the outset, however, let us consider the insightful words of the Chancellor of the Jewish Theological Seminary, Dr. Arnold Eisen, in an interview on “The Future of Judaism” published in the *St. Petersburg Times* in January 2008 and reproduced on the JTS website:

The problem is not intermarriage per se, but the loss of Jewish commitment that often, although not always, results from intermarriage.

The challenge facing Jews is to welcome non-Jewish partners, make them part of the Jewish community, reach them with Jewish teaching and Jewish ways of life, and hopefully convince a significant number of them not only to raise their children as Jews but to become Jews themselves.

This dilemma cuts across denominations. It is receiving a particular amount of attention right now in Conservative Judaism, which can no longer afford the luxury of thinking intermarriage is a problem for Reform Jews or secular Jews. We now know that intermarriage is a fact in many Conservative congregations, and our task is to find ways of welcoming non-Jewish partners and family members at the same time as we can encourage them to fully join the covenant.

\* \* \* \* \*

...Interfaith families do have a place in Conservative Judaism. But again, the focus should be twofold. ...The word should go out that whether the non-Jewish partner or family members convert or not, they are welcome in our midst forever. They have hearts and souls and minds which can and should be reached by the teachings of Torah. They have wisdom and skills and love that can benefit our communities.

Having said that, though, one also needs to say honestly that both our experience as a people over three millennia and the commandments of our tradition urge us to urge them to seriously consider becoming fully a part of this tradition and joining in the covenant, and that means conversion.

## Section I – Contemporary *Halakhah* of Inter-marriage

Institutional Conservative Judaism is primarily a function of Jewish law declared and practices validated by the Committee on Jewish Law and Standards (Law Committee) of the Rabbinical Assembly (RA). We have previously explained the organization of the Law Committee in Chapter Three. Here, we examine the contemporary opinions of the Law Committee in this ultra-sensitive area. Our discussion is, of course, informed by the RA's Standard of Rabbinic Practice (as summarized on the JTS website) that "*a member of the Rabbinical Assembly may not officiate at or attend an intermarriage*" and by the commentary to the USCJ Standards for Congregational Practice that "*Interfaith marriages are prohibited by the Standards of Rabbinic Practice of the Rabbinical Assembly and thus are not permitted in the synagogue building or any facility controlled by the congregation. The congregation may not engage clergy who perform intermarriages.*" - - basic tenets which, as a practical matter gives rise to the essential dichotomy - - "we prohibit intermarriage / we welcome intermarrieds" - - which has proven so difficult to explain to ourselves, much less anyone else. Yet, we would be disingenuous if we did not acknowledge it as a fact of Conservative Jewish life.

Within the parameters of these prohibitions, the contemporary *halakhah* begins with a much-cited 1963 *teshuvah* by Rabbi Max Routenberg, "The Jew Who Has Intermarried." As summarized by Rabbi Kass Abelson in his 1982 paper discussed below, the Routenberg paper concludes that "it is essential to maintain a posture of opposition" to intermarriage and that "all efforts should be made to discourage intermarriage." However, if, nevertheless, an intermarriage takes place, "every effort" should be made "to save [the] entire [intermarried] family for Judaism and the Jewish people." To this end, the Jewish spouse, but not the non-Jewish spouse, may be permitted to join the congregation "provided there is a definite agreement that the children of th[e] marriage shall be raised as Jews (and converted to Judaism where the mother is not Jewish)," but the non-Jewish spouse could not be extended any of the privileges of membership and the Jewish spouse could not hold any synagogue office or receive any honors.

In 1982, in "The Non-Jewish Spouse and Children of a Mixed Marriage in the Synagogue," a *teshuvah* by Rabbi Abelson, the Law Committee urged that non-Jewish spouses be regarded as *reyim* ("friends" of the community, similar to the *gerei toshav* - - non-Jews who accept the *Sheva Mitzvot bnai Noah*, the Seven Laws of Noah); that the non-Jewish spouse should "informally" be encouraged to participate in meetings, educational programs and social events; that non-Jewish spouses be permitted to play a role in life cycle events (such as participating in the *shehehyanu* prayer); that non-Jewish parents may stand under the *huppah*; should wear *tallitot*; and should not be buried in a Jewish cemetery, but may be mourned by their Jewish children. Rabbi Abelson further ruled that children of intermarrieds may be allowed to attend Religious School, but not celebrate *bar/bat mitzvah* unless first converted; may be permitted to join a synagogue youth group (after appropriate Rabbinic counseling); and should qualify for

Jewish religious marriage even if some aspect of their Jewish background (e.g., circumcision) is questionable.

Four companion papers, two entitled “The *Mitzvah* of *Keruv*,” one entitled “*Keruv* and the Status of Intermarried Families,” and one entitled “Comments on ‘*Keruv* and the Status of Intermarried Families’,” addressed various aspects and came to multiple conclusions concerning the mitzvah of *keruv* - - of “bring[ing] those who are only tangentially involved ... closer to the center of Jewish life and to make Judaism more central in their lives.”. Space limitations prevent us from discussing these highly academic papers in detail. Suffice to say, they reflect the same tensions as were ultimately reflected in the debate over the Gay and Lesbian *Teshuvot* of 2006: *halakhically* supported pleas for love and tolerance of humanity on the one hand; concerns for tradition and “standards” on the other. In the end, it was Rabbi Roth whose message won the day:

*As much as the principle of keruv is one which must be emphasized, it must never supersede the traditional distinction which halakhah makes between Jews and non-Jews, nor must it be allowed to make an already blurred distinction (that already exists in the intermarried family) even less noticeable. Jewish society and tradition look askance upon intermarriage, and our practices regarding these families should reflect that. We make a laughing stock of serious halakhah by seeking leniencies in the law for those who don't care about the law at all. Intermarriages rarely, if ever, take place in ignorance of the fact that they are forbidden. The couples should know that we would welcome the non-Jewish spouse into our midst, but on our terms - - not by any diminution of our commitment to halakhah.*

Two years later, in a “minority” paper, “Synagogue Honors for the Intermarried Jew: Holding Office and *Aliyot*,” Rabbi Roth argued that Rabbi Routenberg’s 1963 paper should be reaffirmed in regard to intermarried Jews holding office and that the ban on “honors” be extended to expressly include *aliyot* (except for an *aliyah* on a *yahrzeit*). Eight members of the Committee dissented from the latter point, urging that “honors” be subject to local rabbinic interpretation.

In 1987, the Law Committee, per Rabbi Henry A. Sosland, ruled that the reception following an intermarriage may not be held in a Conservative synagogue, since the intermarriage itself was prohibited.

In a series of *teshuvot* issued between 1989 and 1997 by Rabbi Jerome Epstein, the USCJ Executive Vice President, the Law Committee ruled that (1) “although it may be painful for the Jewish family members of the intermarried Jew, and although it may even negatively affect synagogue membership, intermarriages should not be publicly acknowledged in any recognized forum with the congregation, there may be no public congratulations on the birth of a non-Jewish child or grandchild, and there may be no

knowing acceptance or acknowledgement of donations made in honor of an intermarriage or the birth of a non-Jewish child or grandchild; (2) non-Jewish parents of Jewish children celebrating bar/bat mitzvah may not recite a *brakhah* as part of the service, but local rabbis may permit participation in “unique” ways that make it clear that the parent is not Jewish; (3) non-Jewish parents may participate in religious ceremonies relating to the birth of his/her children; and (4) congregations and Solomon Schechter Day Schools may not employ any intermarried individual in a position in which he/she is a “Jewish role model” for students.

These rulings, many of them admittedly “harsh” and “painful” in effect if not intent, set the stage for Rabbi Epstein’s seminal article, “*Beyond Keruv to Eduv: A New Way To Think About Intermarriage, Conversion and Building Jewish Families,*” and the USCJ Committee on Congregational Standards paper, “*Al Ha-Derekh: On the Path,*” principally authored by Rabbi Moshe Edelman, then the Committee Director.

More recently, however, the Law Committee has softened its approach, ruling that Jewish cemeteries may create “mixed burial” sections where Jews may be buried together with non-Jewish spouses and children; and that Rabbis may attend and officiate at the funeral and burial of non-Jewish spouses and children of Jews, as long as there is no non-Jewish ritual or symbolism involved.

## **Section II – The LCCJ Position**

The Leadership Council of Conservative Judaism (LCCJ) is made up of the Presidents/Chairs of the CA, the FJMC; the JEA; the JTS; the Masorti Foundation; Masorti Olami; Mercoz USA; NAASE; the RA; the National Ramah Commission; the Schechter Institute for Jewish Studies; the SSDSA; the USCJ; the WLCJ; and Ziegler.

In 2008, the LCCJ issued “Our Principle of Outreach”:

The following principles were adopted by the Leadership Council of Conservative Judaism.

As members of the Conservative movement, we welcome all who wish to become involved in our programs, synagogues, services, and institutions.

We are committed to fostering Jewish marriage and family life. We offer couples and families the support and resources to create Jewish homes and to practice and grow in Judaism.

We welcome interfaith couples. Their loving commitment to one another enriches us, as does their participation in our congregations. We seek to share with them the gifts of our faith, practices, learning and fellowship.



We embrace the Jewish partners of interfaith families. We help them to strengthen their knowledge and observance of Judaism, and to deepen their connections to the synagogue, the Jewish community, and the Jewish people.

We actively seek to nurture and support the spiritual journey of non-Jewish partners who join us, to deepen their connections to the synagogue, the Jewish community and to the Jewish People, and to inspire them to consider conversion.

We joyously partner with all who join us in creating homes rich in Jewish tradition and in raising children as learned and committed Jews.

At the same time, the LCCJ established a *Keruv* Commission consisting of representatives of the USCJ, WLCJ and FJMC. In 2009, the LCCJ *Keruv* Commission promulgated “Tools for Building a Culture of *Keruv*,” in order to promote:

- Expanded networking and training
- Development of a *keruv* blog and other on-line networking forums
- *Keruv* speakers and workshops at national and regional conventions
- Movement-wide *keruv* programming
- The use of consultants to assist congregations and organizations in developing *keruv* programming
- Speakers to promote the movement’s *keruv* initiatives
- Public relations campaign in the Jewish media and beyond
- Articles in CJ: Voices of Conservative/Masorti Judaism
- The organization of *keruv* committees to foster movement-wide initiatives and programming specific to those organizations

The publication of the LCCJ *Keruv* Commission materials was not without controversy. The *Jewish Week* characterized the LCCJ position as an “end for the “push to convert intermarrieds,” however, the President and Executive Vice President of the Rabbinic Assembly quickly responded that it was not:

**A DELICATE BALANCE:  
THE RABBINICAL ASSEMBLY'S  
POSITION ON OUTREACH AND CONVERSION**

A Statement by Rabbi Julie Schonfeld and Rabbi Jeffrey A. Wohlberg

Readers of a recent article in the *Jewish Week* – “Conservatives End Push To Convert Intermarrieds” – would conclude that the Conservative movement is currently being torn asunder by two divergent beliefs: that rabbis must aggressively pursue the conversion of non-Jewish spouses; or that all attempts at conversion must be abandoned and interfaith families accepted into Conservative synagogue and communal life without hope of

conversion.

In fact, no such controversy exists within the ranks of those who serve on the frontline of involvement with interfaith families and non-Jews within the community – Conservative rabbis.

This false dichotomy does more than misrepresent reality; most regrettably, it shortchanges the nuanced and thoughtfully-crafted approach of Conservative rabbis to what is by now a well established reality in contemporary Jewish life – interfaith families and non-Jews within our synagogues and communities.

Yet, it is understandable that this misunderstanding exists because the Rabbinical Assembly has boldly selected to embrace two seemingly contradictory points of view - the unconditional welcome of interfaith families and non-Jews within the community alongside the prospect of conversion to those who sincerely feel moved to join the Jewish people.

The Jewish Week article was based on a ... brochure on keruv (outreach), authored by a committee of the Leadership Council of Conservative Judaism. \*\*\* [T]he brochure is the product of a committee of the LCCJ, chaired by Rabbi Rob Slosberg of Louisville, Kentucky. A joint effort of rabbis and laypeople, it sends an important message of welcome and caring to non-Jews in our communities, while stating that we are also eager to share with them the profound joy and meaning of living a Jewish life within a Jewish community.

Herein lies the cause for confusion and seeming controversy. Instead of promoting an either/or agenda, the Conservative Movement has adopted a mutually inclusive plan of action.

The ... brochure is the product of cooperative and constructive discussions over many months, reflecting the care and thoughtfulness that we wish to take in considering the delicate matters of personal relationships and spiritual life. It articulates the movement's principles of outreach, underscoring the warm and sincere welcome it extends to people of all faiths and walks of life. The brochure is expected to be endorsed and promoted by all major arms of the Conservative movement.

Judaism has historically viewed conversion with some reticence, a position that stems in large part from the perilous circumstances that Jews faced within society. Throughout most of history, to convert someone to Judaism was to expose them to danger and

ostracism. These conditions no longer apply and rabbis are able to focus on the myriad gifts of Jewish life and Jewish community, gifts that we enthusiastically share with those who seek to embrace them.

Indeed, our enthusiasm to inspire conversion has been set forth before, most recently in our 2007 rabbinic guide to conversion, *Petah haOhel*. We honor the committed relationships non-Jews have forged with their Jewish partners in our communities. At the same time, we also adhere to the integrity of Jewish tradition and hope, wherever possible, to motivate people to become Jewish. Our first priority is always that the non-Jew experiencing our way of life do so at a pace and in an environment where he or she feels comfortable. Moreover, the unconditional welcome we extend to non-Jews is heartfelt and enthusiastic wherever they are on their journey.

The Conservative movement, with its unswerving focus on the integrity of Jewish tradition and its persistent commitment to evolve as society evolves, has achieved more conspicuous success in the area of conversion than any other religious stream of Judaism. Currently, Rabbinical Assembly members are running highly successful conversion programs in Los Angeles, Chicago, New York, Jacksonville and countless other places in the United States and abroad.

As the president and the executive vice president of the Rabbinical Assembly, we wish to set the record straight regarding our approach to conversion and outreach. Yes, we have undertaken a paradoxical enterprise but there is no controversy, no rift among our ranks regarding conversion. Speaking on behalf of our 1600 colleagues worldwide, we affirm our belief in the coexistence of *keruv* and conversion as well as the power of the two to support and enhance the lives of interfaith couples and non-Jews who are such an important part of our communities.

Rabbi Jeffrey A. Wohlberg, president  
Rabbi Julie Schonfeld, executive vice president  
The Rabbinical Assembly  
July 9, 2009

While the RA Statement authoritatively addresses the issues, it cannot be denied that the dual challenges of dealing with intermarriage and intermarried families remain a (and perhaps *the*) critical concern of the Conservative Movement at this time. Indeed, the RA has formed its own *Keruv* Commission to address these issues as the Movement moves forward.

### III

#### **The New USCJ Statement: BaDerekh**

In November 2005, Rabbi Jerome Epstein, then the Executive Vice President of the United Synagogue, urged a new approach to *keruv* (outreach), which he termed *edud* (passionate encouragement). In conjunction with this initiative, Rabbi Moshe Edelman, then the Director of the Committee on Congregational Standards, authored and the Committee approved a practical guide to welcoming intermarried couples into synagogue life, entitled *Al HaDerekh: On the Path*.

In 2010, the Committee began the process of reviewing and revising this statement, now re-named *BaDerekh*, to reflect the evolving norms of congregational life and values throughout North America.

As of this writing (June 1, 2011), a revised draft of *BaDerekh*, proposed by the LCCJ Keruv Commission, is being considered by Standards Committee, and it is anticipated that once that process is completed *BaDerekh* will be re-issued as a guide to *kehillot* leadership.

## Epilogue: *Emet Ve'Emunah* & The Sacred Cluster

No survey of the basics of Conservative Judaism would be complete without reference to *Emet Ve'Emunah*, The Statement of Principles of Conservative Judaism, published jointly by the Jewish Theological Seminary, Rabbinical Assembly, United Synagogue, Federation of Men's Clubs, and Women's League in 1988, and to *The Sacred Cluster: The Core Values of Conservative Judaism*, a 1995 essay by then-JTS Chancellor Israel Schorsch, both of which follow as Addenda to this work.

*Emet Ve'Emunah* is divided into three main sections: God In The World; The Jewish People; and Living A Life Of Torah.

“God In The World” presents the Conservative Jewish view of “God”, “Revelation”, “*Halakah* (Jewish Law)”, The Problem of Evil”, and Eschatology: Our Vision of the Future”.

“The Jewish People” deals with “God’s Covenant – The Election of Israel; The State of Israel and Role of Religion; Israel and the Diaspora; Between Jew and Fellow Jew; Relations with Other Faiths; and Social Justice: Building a Better World.

“Living A Life Of Torah” presents modern Conservative thought “On Women”, “The Jewish Home”; *Tefillah* (Prayer)”; *Talmud Torah* (Jewish Study); and “The Ideal Conservative Jew” and concludes with the following passages:

*Throughout most of its history, Jewish life was an organic unity of home and community, synagogue and law. Since the Emancipation, however, Judaism has been marked by increasing fragmentation. Not only do we find Jewish groups pitted against one another, but the ways in which we apprehend Judaism itself have become separate and distinct. That unified platform upon which a holistic Jewish life was lived has been shattered. Participating in a majority culture whose patterns and rhythms often undermine our own, we are forced to live in two worlds, replacing whole and organic Judaism with fragments: ritual observance or Zionism, philanthropy or group defense; each necessary, none sufficient in itself.*

*Facing this reality, Conservative Judaism came into being to create a new synthesis in Jewish life. Rather than advocate assimilation, or yearn for the isolation of a new ghetto, Conservative Judaism is a creative force through which modernity and tradition inform and reshape each other.*

*During the last century and a half, we have built a host of institutions to formulate and express and embody our quest. As important as these are, they in themselves cannot create the new Jewish wholeness that we seek. In spite of the condition of modern life, we must labor zealously to cultivate wholeness in Jewish personalities.*

*Three characteristics mark the ideal Conservative Jew.*

*First, he or she is a willing Jew, whose life echoes the dictum, "Nothing human or Jewish is alien to me." This willingness involves not only a commitment to observe the mitzvot and to advance Jewish concerns, but to refract all aspects of life through the prism of one's own Jewishness. That person's life pulsates with the rhythms of daily worship and Shabbat and Yom Tov. The moral imperatives of our tradition impel that individual to universal concern and deeds of social justice. The content of that person's professional dealings and communal involvements is shaped by the values of our faith and conditioned by the observance of kashrut, of Shabbat and the holidays. That person's home is filled with Jewish books, art, music and ritual objects. Particularly in view of the increasing instability of the modern family, the Jewish home must be sustained and guided by the ethical insights of our heritage.*

*The second mark of the ideal Conservative Jew is that he or she is a learning Jew. One who cannot read Hebrew is denied the full exaltation of our Jewish worship and literary heritage. One who is ignorant of our classics cannot be affected by their message. One who is not acquainted with contemporary Jewish thought and events will be blind to the challenges and opportunities which lie before us. Jewish learning is a lifelong quest through which we integrate Jewish and general knowledge for the sake of personal enrichment, group creativity and world transformation.*

*Finally, the ideal Conservative Jew is a striving Jew. No matter the level at which one starts, no matter the heights of piety and knowledge one attains, no one can perform all 613 mitzvot or acquire all Jewish knowledge. What is needed is an openness to those observances one has yet to perform and the desire to grapple with those issues and texts one has yet to confront. Complacency is the mother of stagnation and the antithesis of Conservative Judaism. Given our changing world, finality and certainty are illusory at best, destructive at worst. Rather than claiming to have found a goal at the end of the road, the ideal Conservative Jew is a traveler walking purposefully towards "God's holy mountain."*

In *The Sacred Cluster*, Chancellor Schorsch examines what he characterizes as “the seven such core values ... that imprint Conservative Judaism with a principled receptivity to modernity balanced by a deep reverence for tradition.” He goes on to explain that “[w]hereas other movements in modern Judaism rest on a single tenet, such as the autonomy of the individual or the inclusiveness of God's revelation at Sinai (*Torah mi-Sinai*), Conservative Judaism manifests a kaleidoscopic cluster of discrete and unprioritized core values. Conceptually they fall into two sets—three national and three religious—which are grounded and joined to each other by the overarching presence of

God, who represents the seventh and ultimate core value. The dual nature of Judaism as polity and piety, a world religion that never transcended its national origins, is unified by God. In sum, a total of seven core values corresponding to the most basic number in Judaism's construction of reality." The seven core values, which Dr. Schorsch named "*The Sacred Cluster*" are (1) "The Centrality of Modern Israel," (2) "Hebrew: The Irreplaceable Language of Jewish Expression," (3) "Devotion to the Ideal of *Klal Yisrael*," (4) "The Defining Role of Torah in the Reshaping of Judaism," (5) "The Study of Torah," (6) "The Governance of Jewish Life by *Halakha*," and (7) "Belief in God."

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