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CONSERVATIVE JUDAISM IN AMERICA
With Special Emphasis on Its Religious Aspects

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INTRODUCTION

The writing of this paper has not been a simple matter due to the fact that the Conservative Movement in America has not been clearly defined and there is but little unanimity of opinion among present day leaders in this wing of Judaism as to whether or not "Conservatism" is a distinct branch of Judaism. Letters addressed to ninety-four Rabbis officiating in Conservative Congregations, i.e. congregations affiliated with the United Synagogue of America and whose Rabbis are graduates of the Jewish Theological Seminary of America, brought twenty-eight replies. Of this number, eighteen said they had written nothing about the movement, or that any interpretation they might give would not be generally accepted. Four of the Rabbis expressed the opinion that there was no separate movement and gave references to articles they had written on "Traditional" or "Orthodox Judaism". Three Rabbis were kind enough to submit a bibliography on the subject, and three referred to articles they had written themselves.

The existence of a definite organization that lines itself up with neither the Orthodox or Reform party but which has a very large following, makes a study of the Conservative Movement in America, a worth-while one; not that numbers are indicative of the value of a movement, but because those affiliated with the movement represent a group of our people who find no refuge either in the radicalism of Reform or the conservatism of Orthodoxy. Through its organization we may learn of the principles and religious viewpoints of a large part of American Jewry. Around the forces which brought about the organization of the Conservative Wing of Judaism in America, and with the religious principles that underly the various branches of this organization, this paper is developed.

THE KOHUT-KOHLER CONTROVERSY

By the early eighties Reform had made great strides in America. The second immigration of Jews had brought over large numbers of Germans. These immigrants were imbued with the spirit of Reform which had taken hold in Germany. The leader in Reform, Isaac Mayer Wise, had fine powers of organization and in 1875 the Hebrew Union College was begun in order to train Jewish Rabbis for the American pulpit. By this time there were more pulpits in America filled by men with liberal tendencies than there were men imbued with traditional viewpoints. However, there "was a steady replenishment, or rather an augmentation, of the poorer Orthodox classes, among whom the Polish and Russian element was steadily increasing, a prejudice which is almost national keeping them apart from the Germans, who were rapidly advancing in wealth, social and political position, as well as in religious radicalism."¹ Thus Orthodoxy easily held its own by force of increasing numbers, while Reform enrolled only the affluent and ^{the} liberal minded who came to these shores already imbued with the spirit of Reform which had been making rapid strides in Germany.

In 1885 Alexander Kohut² was elected Rabbi of Congregation Ahavath Chesed in New York. His arrival in the United States was the signal for rallying the conservative forces of American Jewry; and it was not long before he was bitterly assailed by the radical wing. A series of lectures on "Ethics of the Fathers" set forth his conservatism; and so marked was his attitude and the influence it had upon the public mind that the leaders of Reform felt called

1. History of the Jews in America, Peter Wiernick, page 166.

2. Born in Hungary 1842; died in New York 1894. He was a lexicographer and orientalist, whose "Aruch Completum (Vienna 1878-92) is still the standard work on the subject..... He was at once recognized as an eminent conservative leader, and was associated with Morais in founding the Jewish Theological Seminary. (Ibid, p.186-189)

upon to institute the memorable Pittsburgh Platform to accentuate their own advanced views and their independence of the historic traditions of the past. Kaufmann Kohler¹, who had actively espoused the cause of Reform from the time of his arrival in this country (c.1871) and who in the very year that Kohut's Ethics was published convened the Pittsburgh Conference, gave verbal battle to Kohut.²

Kohut had been brought to America as the champion of Orthodoxy. His adherence to tradition is marked, and yet there is a strain of liberality which runs through his writings. Thus does he begin his "Ethics":-

"The Chain of tradition continued unbroken from Moses through Joshua, the Elders, the Prophets and the Men of the Great Synagogue, to the latest times. Upon this tradition rests our faith, which Moses first received from God on Sinai. On this foundation rests Mosaic-Rabbinic Judaism to-day. On this foundation we stand. Whoever denies this - denies this on principle - disclaims his connection with the bond of community of the house of Israel.

"Let it be well observed, I say, denies this on principle, because there are many who do not observe this or that ordinance of Mosaic rabbinical Judaism, who cannot or will not apply it to the exigencies of life, yet grant that these laws are applicable to the conditions of modern existence. Even the most pious Jew

1. Born in Fürth, Bavaria, 1843; died in New York 1925. In 1869 he accepted a call to the pulpit of the Beth-El congregation in Detroit, and in 1871 became Rabbi of Sinai Congregation in Chicago; in 1879 became Rabbi of Temple Beth El, New York. On Feb. 26, 1903 he was elected to the presidency of the Hebrew Union College. He was an active and prolific contributor to the Jewish and Semitic Scientific Press, European and American.

2. The Ethics, first appeared in the American Hebrew of June 5th, 1885, and the first of Kohler's lectures "Are we progressing or retrograding?" in the June 12th issue of the same year." The Ethics of the Fathers" were shortly afterwards published in book form and also a volume of Kohler's replies under the name of "Backwards or Forward

cannot observe all of the 613 laws with their infinite applications and amplifications....Many laws, mandatory and prohibitory, lapse by their very nature or by the decree of God, under certain designated contingencies...I would comfort those whose hearts are grieved at the thought that they cannot fulfill the whole of the Law....Not everyone should be condemned who cannot observe all the laws with equal fidelity- taking for granted, however, that he acknowledges the binding character of the Law. Only he who denies this, who rejects on principle the validity of the Mosaic-rabbinical tradition, thereby banishes himself from the camp of Israel, writes his own epitaph: 'I am no Jew, no adherent to the faith of my fathers.' He denies that Moses received the Torah on Sinai and handed it down to Joshua, etc..he has ceased to be a Jew and is a Karaite."

This was a challenge to reform, and Kohler quickly took it up. In the first of his discourses which make up a series of addresses from the pulpit entitled "Backwards or Forwards," he says:- "There is a novelty offered to our New York Jews in the appearance of a new rabbi of renown who, with laudable courage and independence gives free utterance, to his rigid conservatism, that he who disowns the statutes and ordinances of Mosaic-Rabbinical Judaism on principle has forfeited the name of Jew... Personally, I gladly and heartily wish him the greatest success, and I have little doubt that, being supported and encouraged by our exclusively conservative local press, he will exercise a wholesome influence upon the consolidation and the right coalition of the different elements of our congregations, which are at present too often brought together without unity of purpose and principle."¹ Kohler raised the banner of prophetic Judaism,"with the Messianic

1. Backwards or Forwards, Kohler, p. 7.

aim" as its world-embracing goal. He viewed the Bible as "the revelation offered to an uncouth and uncivilized age" and therefore as containing a different pabulum for the soul than what is demanded by a cultured age. The Maimonideses and Gersonideses had trained the Jew to think, and therefore the intellectuals among Jewry had a right to free thought and research in Judaism and ought not to be driven to other faiths. The Mosaic law, he saw, as an education designed for a different age, which Rabbinical Judaism had transformed into a citadel around the Jews to shield them from being absorbed in the multitude of nations. Freedom of thought belonged to Judaism.

Dr. Kohler criticized the ceremonial prohibitions that made the Sabbath a burden and buried the spirit of Passover in voluminous data of fermentation. Legality had blown out the light of religion. Rabbinic Judaism had not granted woman her full personal worth. Reform called upon the Jew to build a Temple to humanity, a Kingdom of Truth. Orthodoxy sees the world of God in petrified, unchangeable statutes. Reform would replace legality with spontaneous devotion. "All honor," he said, "to those who conscientiously adhere to these ancient regulations, but they should not rule out of the fold those who can^{no}/longer accept them," nor style them, as Dr. Kohut has done, as merely "ethical Jews." Reform views represented the status of the ancient prophets.

Dr. Kohler did not hold that Reform had succeeded in all that it wished to do for Judaism, but was firm in his belief that the saving of Judaism could not come through galvanizing dead forms into artificial life. Piety for the past is necessary, but we must have new forms and a better system of religious life for the present. Thus did Dr. Kohler present the liberal position:-

We do not believe exactly as did our fathers on the doctrines of Revelation, the Law, Resurrection or the Messiah. We do not believe that the sacrificial injunctions, the data of priestly garments and incense preparations, came from Heaven. We must recognize that certain Mosaic laws were protests against idolatries of their time, and to observe them now would be a mistaken loyalty. As Rabbinism supplanted Mosaism in the treatment of the heretic and in other regards, so Reform has superseded the Conservative school. Not backward, but forward lies the path of religious freedom.

The fifth of Dr. Kohler's discourses he called: "Palestinian or American Judaism?" The fall of Jerusalem is to be looked upon as a rise to higher glory. America is Israel's opportunity to carry out the Messianic mission. Palestine represents Israel's homeland and "as the cradle of our national existence" should be loved by the Jew, but a return there is not desirable. "The outer shape is being steadily consumed, the Jewish Temple, the Jewish nationality, the laws, the rites, all crumble to pieces before the storm which works destruction throughout the ages, but the vital spirit permeating the past continues, ever creating new and better forms in place of the old ones. Israel is the burning bush, and God appears in the fire that burns but consumes not. And only when the fire has spread to fill the entire world with its bright blaze of holiness, only when Israel's God will be worshipped in truth as the King of the nations and the Father of men, the full secret is revealed, the mission of the Jew fulfilled."¹

Dr. Kohut replied to the first discourse of Dr. Kohler's, by saying that an attack upon him was urged by the initial phrases of the Ethics of the Fathers in which he maintained that the chain of

1. Ibid, p. 40.

tradition must be observed, and that he who in principle denies the validity of the oral law, has banished himself from the bond of Judaism and united himself unconditionally with Karaism. He is unable to subscribe to prophetic Judaism, and sees in it a thousand contradictions. Judaism, he says, must be developed from Moses and the Rabbinical law. American Judaism, too, must not be an isolated Judaism: "Believing nothing, denying everything, is no standpoint. Disavowal of the Torah *ד'משה* *יב*, discarding the Divine Revelation with all its dependent conclusions, that should still be Judaism! Then Karaism has an advantage over Reform Judaism! Pluck forth! Tear out! So long as there is something to pluck and pull, and then you will alas, too late.' see the baldness and bareness that remains!"¹

Others came to the defense of Kohut. But as yet there is no new party being formed. Periera Mendes on Kohler says: "The old conflict is re-commenced, the right of leading the camp of the sons of Jacob is again acclaimed by two parties and Orthodoxy, or Mosaic-Rabbinical Judaism and Reform are once more the war cries."² Morais tells Kohler, "You are not a disciple of Isaiah, who frowned upon Hebrews that feasted on the flesh of the swine, nor a follower of Ezekiel, who prided himself on having never fed upon flesh scripturally forbidden."³ Kohler is firm in his stand for Prophetic Judaism. He is not opposed to the truths of the Torah, but cannot concur with all the rabbinic interpretations of that law. He sees in prophetism ridicule of priestly ritualism rather than sanction. Morais says:- "Those who are conservatives, because they recognize in

1. American Hebrew, June 19, 1885.

2. Ibid.

3. June 26, 1885, American Hebrew.

Orthodoxy the depository of eternal principles, do not claim for each Jewish practice a Divine origin and immutability, but neither do they cast aside olden ritualism without the certainty that its absence can be supplied by what exceeds it in fitness and sterling worth."¹

The interruption to Dr. Kohut's expounding of the "Ethics of the Fathers" was but a short one. A week after he had made his reply to Dr. Kohler, he continued from the pulpit to set forth the position of Conservative Judaism. Because Dr. Kohut did not strictly adhere to Orthodoxy, and because he was in his day, the leading exponent of Conservative Judaism, it might be well at this point to observe that "conservatism is a generic term to indicate the middle ground between the two great wings of Orthodoxy and Reform. Orthodoxy, broadly speaking, connotes that unchanged status in belief and practice which obtained in Israel since Karo's Schulhan Aruch, of the 16th century....Reformed Judaism marks that new departure in the acceptance of Jewish Tradition as an evolutionary growth. It stands for a rationalistic interpretation of Scripture and of Revelation. It implies further a renunciation of the doctrines of National Restoration and of a personal Messiah. It claims the right of discrimination in Jewish ceremonial, both biblical and rabbinic, and finally is exemplified in a fuller sense of Israel's responsibility for the spiritual welfare of the world at large.....Of Conservatism we may say first that it accepts the old doctrines, but not quite in the old way. It grants a wider liberty in belief while urging conformity in practice; though even there it permits some modification and abridgement in the elaborate ceremonial of the synagogue,

L. Ibid.

evolved in the process of age."

"The Conservative Jew may continue to fulfill many customs, even though realizing that their purpose is outlived, purely out of sentimental reasons....The Conservative and the Orthodox, then, may both observe the same rite, but from different points of view-- the former may still fulfill, for example, the "second" day of the Festival, while not regarding the neglect as a transgression. He might hesitate to speak of the Sabbath as a literal command from Heaven, but none-the-less realize his obligation to fulfill it, to remain in touch with the whole house of Israel."¹ This definition of Conservative Judaism is necessary to make clear the status of Dr. Alexander Kohut.

The diatribe^{made} against Orthodoxy by Dr. Kohler hardly applied to Dr. Kohut. He said the Jewish religion stood for freedom, but freedom within limits. He staunchly stood by the ancient principle of the "hedge around the Torah." Taking the Mosaic law as their starting point, the Rabbis adjusted it to the needs of the time. (Here we see his concession to the Liberal view). "The whole issue", stated Dr. Kohut, "rests on the question: Is Judaism capable of development?" He answered, "Yes and no." "No", as concerned the Bible, the word of God. He held the Orthodox view of Revelation, and it was on this point that he differed with Dr. Kohler. Dr. Kohut was conservative not only sentimentally but theologically, as seen in his presentation of Providence and of Retribution. He was said to be firmly convinced in the coming of the personal Messiah.

Dr. Kohut was not blind to the moral note in Judaism. "Gbrification of Jewish learning and association with the wise embodies only the theoretical estimation of Judaism. It is imperfect unless

1. Kohut's Place in American Judaism, Maurice H. Harris, LXXX, LXXXI, Kohut's Ethics.

In The American Hebrew of June 25th, July 2nd and July 9th, 1886 there was published in the form of a Talmudic disputation between a Reformer of the 'Declaration of Independence' school and a Conservative the following article, issuing from the pen of Rev. Dr. Alexander Kohut:-

Conservative:- ¹בא בשלום רבי ותלמידך "Welcome, my teacher and pupil! My teacher in the truth, my pupil in obedience. I, as a second Gamaliel, apostrophize you as another Joshua, and mean herewith neither to concede defeat, nor predict victory; I trust that you have come imbued with the same feelings towards me."

Reformer:- "Certainly, else I would not have appeared at all. Of course, unlike Joshua, I have not come with staff and purse. Not with my staff, as our contest is to be conducted with the weapons of reason. Not with my purse as I have nothing to save therein. Still, unlike Joshua, I cannot even secure a livelihood by the making of needles; though I have felt the needle pricks of fortune, whose latest was the machinations of a Conservative Congregation who would not permit me to make them happy with my Reform ideas. My independence was more to me than my livelihood. It is from this feeling of independence and love of truth that I call to you with Joshua² ^{אֵי אַתָּה יוֹדֵעַ צָעֵן שֶׁל הָיִים}, You do not know the pangs that must be suffered by one learned in the Talmud. You do not know ^{מִהָהֶם מַתְכִּינִין וּבָמָה הֵם נִדְוִיִּים}, what can serve as spiritual food for him, and what nourishment the people desire." To be sure, I mean in this country, which is not only the new world in an historical sense, but also in spiritual development, higher progress toward culture, refinement of religious conceptions, and freedom from prejudice.

1. R. Hash. 25a.

2. Berach, 28a.

C. - "Pray, let us have no empty phrases or false hypotheses. 'Religious refinement' and 'freedom from prejudice', are terms altogether too vague and elastic to serve as precise, determinate conceptions. If refining in religion is to have unbridled sway, the most important fundamental attributes of religion are in danger of being swept away, or transformed into the symbols of Philo, into impalpable notions, or bare and empty ideas. Only when these ideas are embodied in deeds that are imbued with, and harmonize with those ideas, are they characteristic of Judaism. That the practical execution of this is impeded by manifold obstacles, and causes considerable personal inconvenience, I readily concede."

R. - "You are very condescending to make the concession. But I would have the Judaism which I find in my consciousness emancipated from the patronizing condescension of Legalism, and would therefore earnestly strive to urge the view that religion should not be hampered by any inconvenience, that instead of its being a burthensome lip-service and ceremonial worship, it should be a Religion based on *שמחה* *שם מצוה*, full of life and enjoying life. How otherwise should it be? Even the ancient sages have said, *לא נתנה תורה למלאכי השבת*, The teaching of Moses was not given to the angels. We belong to the earth, and must place ourselves in harmony with the world. And too, in religion we must be in accord with the spirit of the times, even if by so doing we must surrender much that was formerly considered important. Here the saying holds good, *לא נתנו המצוות אלא לצורך בני אדם*, The Commandments were given only for the purpose of elevating man. But we must draw the necessary conclusion from this ethical view, that when our conceptions in any particular are refined and elevated in comparison with the limited views previously prevailing, it is

1. Gen. Rabb. C.44; Levit. Rabb. C. 13.

impossible for us to return to our narrower views on that subject. Would it not be absurd to cling to a Mosaic command, to say nothing of a Talmudic law, if its elevating influence, its moral force had long since flown? Must we not rather exclaim, with R. Jochanan?:
'Let the dead wrap itself ⁱⁿ its shroud.'

C. -- "Yes, indeed, I accept your position as a broad generalization. You are right, that which is dead can by no manner of skill be galvanized into life. But is everything that is so glibly declared to be dead and lifeless, really so? Or have we entirely infallible tests for judging what is really bereft of life; what is but seemingly dead, and finally, what is falsely declared to be dead? The contemporaries of Ezekiel also exclaimed: 'Our bones are dried up, and our hope is lost; we are cut off.'" And R. Jeremiah¹ correctly expounds the passage *אלו בני אדם אין בהם נשמות ש מצוה*, "Those were they from whom the life of God's commands had departed." They but became dead to Judaism, and thought that Judaism had died. I do not, indeed belong to the class that would make Judaism burthen-some; I rather vindicate the Talmudic axiom² *כח דהתירה עדיף*, higher than the power of adding to the burthen of the Law, is that of alleviating its rigor. In our times there are many directions in which the principles urged particularly by Isserles, cannot be applied, viz: *כס המחמיר תבוא עלי ברכה* "The blessing of God upon him who increased the burden of the Law". But I insist that there is another principle by which to test the customs and observances which have been in the service of Judaism so many centuries, and for the application of the principle, the following Talmudic rule is of use: *נהיב דאחמור אימור היכא דלא אחמור לא אחמור*
"There where all have accepted the principle of making the Law more difficult, there it must be followed; there where the additional

1. Synh. 92 b.

2. Beza 2 b.

burthens have, from the beginning, not been accepted, there they may in the future be also rejected." Naturally this can only be applied to Talmudical ordinances, and not to the Mosaic Commands of whose validity there is no question.

R.-- "That is by far not so natural nor as self-evident. See what violence the men of the Talmud did to the letter of the Biblical Law. Like a potter they molded from it as they deemed advisable for their times, such images as they wished, but such as have nothing in common with the spirit of our age. With all their wonderful force we cannot but look with reproof at their superlative conception of their own work and worth, as for instance in the phrase:¹ חזקת סופרים גדולה מזאת 'The decisions of the Soferim are of higher validity than those of the Bible.' Is not that arrogance?"

C.-- "No, for it is expressly declared that by means of the traditional explanations of the Soferim the Biblical Law is to be more firmly established by being more clearly understood. You dare not, like Eisenmenger, who makes the same charge as you do, confine yourself to the passage which you quote and refrain from giving the sound and truthful explanation which the context affords.

R.-- "But what if the explanation is not satisfactory? If placing the Law upon such a foundation is not permissible, or is false in principle? It must be false in principle, since it often occurs that one interpretation will be found confronted by another diametrically opposed to it. How can there be truth, when one permits, another forbids, a certain action? The same thing cannot at the same time be right and wrong. Or is such ambiguity a specialty of Talmudic dialectic?"

1. Synh. 87 b.

C. - "Not at all. There is but one Truth. But do not forget in speaking in regard to what is true, that is, what is traditionally established, that there is never, as Maimonides has shown, any evidence of difference of opinion. Only in the establishment of a tradition, in the deduction of a decision from the Bible, do opinions vary in that one authority cites one, another a different passage to support his view. Even in differences as to matters of fact, such as the disputes between the Hillelites and the Shamaites, the controversies always bore the academical stamp. Life and conduct were seldom affected by these differences, as the vote of the majority decided the 'Halacha' for the practical affairs of life. At the same time individual opinion was respected, because freedom to learn and liberty to teach were always held in honor in Judaism.

R. - "And should not the freedom to learn and liberty to teach be accepted as a heritage for our times as well as deemed an ornament for our ancestors! What shall hinder us from claiming the present validity of the proposition laid down already in the Talmud:¹ אין רוצין גזירה ללשון קצור אלא כוונת

ללמוד בה , "Only such decisions can and should be determined upon as can be borne by a majority of the people." Does it not follow from this with mathematical exactitude, that the people shall be relieved from overburthensome legal requirements? Surely we have the same rights that our ancestors claimed, to relieve the people of our times from some of the intolerable burthens of the Law. Bear in mind

1. Ab. Zara 36a.

that the people in the midst of the vehement struggle for existence have lost much of their religiosity, and are not as zealous as formerly in the study of the 'Thora.' But surely you would not seriously confront me with the famous phrase אם ה'אנשים כבני מלאכים, 'If former generations were angels, we are only human beings; if they were human, we are but senseless creatures.' "

C. - "No, it is not quite as bad as that! But I am inclined to think that it is unreasonable and a wrongful use of power to settle religious matters on a basis of merely personal accommodation and convenience. But let us confine ourselves for the nonce to the alleged Talmudic axiom which you have cited, to the effect that in arriving at legal decisions the wishes of a majority of the people should be decisive. But you could read on the same page of the Talmud

אין אדם יורד ויגזיר, 'When a prohibitory ordinance has become prevalent among a majority of the people, it cannot be altered.' That which has secured for itself vitality among the body of the people, has passed into their lives as a vital factor: cannot be repealed by any authority, as Maimonides has codified the proposition.¹ The principle that the will of the people is decisive, is an unambiguous testimony that with the ancient spirit of Judaism there was ever the tendency towards legitimate reform. Just because Judaism possesses the capacity for development, and is preserved against the danger of immovable quiescence by the

1. Hilch. Mamrim II §2, 3.

Talmudical methods of interpretation, just therefore the arrogant individualism which says: 'Sic volo sis jubeo,' "Thus I will it, so I command," must not be permitted to contend against the will of the people, but should in all modesty subject itself thereto. The self-will of the individual dare not nullify the voice of the community.¹ ש"ת פ"ט

וי' משה' משה , 'Go forth into the world, and observe the customs which are observed by the people.' That message should guide reform. That which still has a hold upon the hearts of men and women, which still retains vitality should be preserved as sacred, attempting to destroy it is equivalent to Temple sacrilege. Instead of positive Judaism, such a process would give a negative religion, and is not any longer a historically developed Judaism - at most but a diluted Christianity."

R. - "Let me joyfully exclaim Eureka! I too would set my lever at this point. If reform is to spring from the people, then have we already the ripe fruit. The people in their sovereignty have declared their will; they by their categorical imperative have given the impulse to the reform movement. Only he who is afflicted with spiritual ~~kindness~~ *blindness* does not see that the Judaism of the nineteenth century, is no more that of even the eighteenth century, let alone that of the Talmudic epoch. Even the most pious Jew does not observe the minute ordinances of the Talmud in their scrupulous detail, be they so never excellently codified in the 'Shulchan Aruch'

1. Berach. 45a.

by the worthy and learned Rabbi Joseph Caro, and it is well known that the credo of the pious is not the Talmud, not the Bible, but the 'Shulchan Aruch.' A wit once proved this thus: he asked (so he said) a strict Talmudist why the eighth commandment is so frequently broken by Jews, notwithstanding that the Talmud has enlarged upon the biblical prohibition against stealing. 'Do you not know?' he was answered, "that is the fault of Rabbi Moses Isserles? If he had embodied in his marginal notes to the 'Shulchan Aruch' a phrase like the following, לֹא יִשְׁתַּלְשֵׁל אִשְׂרָאֵל, 'It is the 'Minhag,' not to steal,' no Israelite would have dared to infringe on such a codified ordinance; but as it is only in the Decalogue - that is another thing." But aside from that, conceding for the sake of argument, but not as a matter of fact, that the Jews of the old world are more pious, because pinning more faith to the letter than those of the new world, shall that circumstance have any weight with us, who live in a different hemisphere and atmosphere, with different views, needs and hopes. The voice of the people which comes to us from the old world cannot and should not be permitted to lead us astray; we set up against it another voice of the people, which issues from the heart of Young Israel on the soil of this free America. We have reached the heights of unprejudiced religious conceptions; those on the other side are still in the slough of narrow-minded views. Because they say: אֲנִי וְעַמִּי, 'We cannot or will not ascend to your exalted standpoint,' shall we descend to their depths, down from an elevated position, where we are surrounded by a balsamic atmosphere and enjoying

a wide and extensive prospect of the religion of the future? No, we cannot, we would not. Here we hold with the Talmud,¹

מַעֲלָה בְּקִטְוָה וְאֵין מְדֻמָּיּוֹת , 'Ascension, not delusion, in things sacred.' "

C. - "Truly, a beautiful ethical expression, which however is proof for me, and not for you; for Conservatism, not for Radical Reform. Surely that cannot lay claim to be characterized as sacred which stands in open and confessed contradiction with the use and custom of centuries. On the same page of the Talmud which you have just cited you may also read: כִּי לִמְעַלְמָהּ מִרְבָּא פְּרִיָּה , 'That which secludes itself, does so from the majority.' In Judaism, however the decision of the majority has been expressed in life and conduct. Much clamor may be raised in religious matters, but majorities cannot be distilled by the magic of a voice. That which may have some propriety in a certain sense, for one individual, is senseless when opposed by the emphatic voice of the common usage, which says that Judaism has a base broad enough to accommodate the most divergent views without danger to the community, but that no vote of any fraction can ever be esteemed as possessing any validity, nor can the subjective views of any individual be of any binding force upon the community, until the same have been accepted. Nor can the views of an individual be so easily forced upon a community, for here Lessing's expressive aphorism finds application; 'Do you conceive how much easier by far it is to be imbued with pious enthusiasm, than to do good?' But as Judaism is

1. Berach. 28a

a religion of deed and not of emotional vamping nor of any individual philosophical speculation, so the people, accustomed to the fulfilment of religious duties, does not with self-destructive haste cast off the customs and observances made sacred by centuries of usage; but clings to the traditional so long as it possesses moral force and spiritual power, and if there are some religious observances to be given up, the remaining customs assure a wealth of positive religion to be secure against negation and destruction. Here may especially be applied the historic truth:¹ כס חצא

וְכָל אֵלֶּה הַמִּצְוֹת לְפָנֵי אֱלֹהֵינוּ שֶׁיִּשְׂרָאֵל מְלָא מַדְבָּר וְנִסְתָּר מִן הָעוֹלָם
'All these commands for whose fulfilment Israel has suffered martyrdom are observed with like sacredness.' In these commands are included not only pure monotheism but also the Abrahamic covenant. Has there been infringement of this principle, and has Historic Truth been outraged, then we may say also וְכָל אֵלֶּה הַמִּצְוֹת לְפָנֵי אֱלֹהֵינוּ שֶׁיִּשְׂרָאֵל מְלָא מַדְבָּר וְנִסְתָּר מִן הָעוֹלָם,
'The fools who withstand will be called to account before the tribunal of God and the History of Israel.' "

R. - "I accept the principle that you lay down, and recognize its validity. I too would appeal to the people to act as judge concerning what is permitted and what is prohibited. This judge has however already rendered a decision concerning the interpretation of which there is no ambiguity, insofar as regards the religious affairs of the people. The laxity which is prevalent in the observance of even the biblical

1. Schabb. 130a.

laws, could not possibly be more widespread nor more profound, and it would require a veritable miracle to produce a change in this respect among the people. I say however in the words of the Talmud¹ *אין אנו חסידים ואנחנו חסידים*, "We who have not the spirit of the martyrs, cannot any more be dependent on miracles." The fact of martyrdom, however, I admit, and the dauntless, earnest Reformers accept martyrdom when they strive to reach their goal without respect to the favor or disfavor of the people; when on the ruins of a faith dictated by authority they plant the will of the people; when they uproot blind credulity and place in its stead untrammelled science, and the people have ever bowed in reverence before the results of learning when produced by worthy teachers in accordance with the talmudic proverb: "Jephtha in his time is as worthy as Samuel in his;" and in accordance with the rule of the Talmud² *אין אנו חסידים ואנחנו חסידים*

, 'You must be governed by the decision of the judge of your times; his judgment must be your authority.' "

C. - "Very true! But that judgment can only be rendered on the existing stratum of Law; in the spirit and not antagonistic to the spirit of the Law upon which the decision is based. It is true that decisions have often been rendered according to the precedent set by R. Jehuda Hanassi, that in order to support the Law, the operation of some portion might be temporarily suspended, the religious conscience being consoled with the thought: *אין אנו חסידים ואנחנו חסידים*,

1. Berachoth 20a.

2. R. Hash. 25b.
Rashi Deut. 17, 10

"The suspension of a command of the Torah is often the means of more firmly establishing its observance.¹ But these cases were never in relation to anything vitally essential, nor were they anything other than temporary in character and caused by the exigencies of transitional stages in important turning-points of religious or national history. They were, however, always governed by the limitations of the seed and root and growth whence the religion has developed. So should it be with the Reformers; aside from the הוראת שעה which can find some excuses, the sphere of Reform must be limited, and nothing must be admitted whose results and conclusion can not be foreseen, for the Law must always be firmly established and irrevocable so far as concerns the revealed Law and Religion, according to its etymological derivation from 'religio,' involving always the idea of being bound. The true idea of Liberty excludes the idea of License. Development does not mean destruction. Recasting is a very different process from casting aside. Because the circumstances of life render it difficult ^{to observe} one or another positive command of the Law, does not by any manner of means constitute a good and sufficient reason for annulling the law, or suspending its operation. Accommodating pliancy is, from this point of view, a crime committed against the revealed fundamental principles of Judaism; more than a wrong, it is a fatal error which in the course of time will bear its maleficent fruit. It cripples

1. Menach. 99b

the reverential attitude in relation to the divinity of the Divine Laws, which lose their essential and forceful power when conceived of as variable human contrivances. It results in tightening to strangulation the arteries of Judaism, and ultimately evolves suicide - and suicide is not Reform, said Zunz!"

Progress can only be effected within the limits of revealed law, always in harmonious connection with the entire community and ever true to historical continuity. No single individual is empowered to speak authoritatively for the community as a whole in relation to any project for leaving a path which leads from ancient law and custom. Only the community speaking through the medium of its representatives, capable leaders whom they themselves have chosen, has the right to develop new forms from the spirit of the old for the rejuvenation of the present. They who are imbued with the historic spirit of the eternally new and fresh and living Judaism, must be sponsors for these new forms, that they be bone and flesh from the bone and flesh of Judaism. If it should please the community, or rather, if it should arise as a burning question, to undertake through-going transformations, the stress of the times will be succumbed to, and the right men will be found in the right time to interpret and pronounce the will of the people. Until that time the words of the Medrash are as applicable in this as in political affairs: "Do not awaken the love of the people until it stirs itself." To prepare for this time in peaceful intellectual labors, hand in hand, shoulder to shoulder, in closed phalanx, with hearts warmed by faith and nurtured by knowledge,

in freedom, with piety, conscious of and striving for the fulfilment of our great mission, this should be the united task of the teachers in Israel."

The influence of Kohut may be expressed as a wholesome check upon a too indiscriminate program of abolition characteristic of early Reform. In his thinking he sought to find a form of Judaism which would bind together the members of Jewry. He saw that Judaism in terms of traditional values for which our people had been martyred, and which therefore had a strong grasp upon the body politic of all Jewry. He was unwilling to break with the past, and yet was not blind to the needs of the future. He was willing to accept reforms, but did not want the old broken down unless a more satisfying and endurable substitute could be found. He held a high ethical conception of Judaism. He did not hesitate to condemn certain errors of the orthodox school; nor was he bitterly opposed to some of the reforms of the radical school. The controversy waged between these two scholars did much towards the development of Judaism in America, not only in arousing interest but also in determining the type of Judaism that would best serve in this free environment.

THE PITTSBURGH PLATFORM AND THE CONSERVATIVE MOVEMENT

The formulation of a clear and decisive platform for the Reform Movement at the Central Conference of American Rabbis' meeting held in Pittsburgh from November 15th to November 18th, 1885 played a large roll in the organization of a third party in the ranks of American Jewry. Hitherto the orthodox element were vituperous in their denunciations of the 'Reformed Ministers' and the cause they espoused. But now Reform showed the definite grounds upon which it stood and appealed to an enlightened element to espouse the basic grounds upon which American Jewry should stand. Not everything in that platform could be denied by Orthodoxy; some of its tenets were so clearly in spirit with American Jewish life that Orthodoxy had to sit up and take account. Many were the attacks made upon the Pittsburgh Platform. It may have departed radically from traditional Judaism, but it yet formed a sound and striking basis upon which American Judaism could rest. Orthodoxy now had to be on the defense. The purely emotional element which had swayed the leaders in the orthodox camp had to give way to reason. If Orthodoxy was to remain a stimulating force among that part of Jewry which had imbibed at least a semblance of American culture, it had to make reforms of some nature or other. The Reform Movement had taken a bold step forward; so bold a step, however, that Orthodoxy could not subscribe to it. Reform had pointed out the way. The traditionalists would follow, but their footsteps would be shorter and they would still cling to as many of the traditional practices as they could properly keep alive. As a result of the movement towards reform the dèyed-in-the-wool Orthodox would, of course, be left behind by those traditionalists who wished to fit Judaism to American life and who were yet unwilling to accept the platform of the Reform Movement.

Interesting are the comments of the traditionalist Rabbis upon the Pittsburgh Platform. A fire-brand had been cast among them and from the pulpit and platform they expressed their opinions of what was termed a "Declaration of Independence."¹

Rev. Henry S. Jacobs at the Madison Ave. Synagogue in New York declares:- "I do more than call attention to the recent Pittsburgh Conference, which has reopened wounds all believe cicatrized, and startled the community by declaration which aims a dire blow at revealed religion.....This advertised denial of revelation, of Bible verities, and long-valued obligations, is no less than treason against our ancient faith. This vaunting of gilded infidelity, hardly cloaked under showy rhetorical utterance, tends to break the bonds of concord and unity, and compels the question to be put to every honest, God-fearing Israelite, which must be answered by his heart and conscience: "Art thou for us, or for our adversaries?" ...We stand before the world as the heritors of that Abrahamic faith which even through its covenant is defiantly attacked. We must stand up therefore for our name and our mission; and we must let all men, be they Jews or Gentiles, understand and know that we are not all of us atheists, as a daily paper called us, or renegades to a religion whose teachings have survived worse opposition than this which comes from her own children nurtured in her own bosom....The future is with ourselves; essentially with our young generation. We need not fear so long as they are true to duty, and stand on positive grounds.... Let the young men be won to better conception of religion by remembering that they are a power for good or for ill. Make conservatism beautiful, forcible and attractive."

See Vol. 25, No. 3 of the American Hebrew (Nov. 27, 1885), which in an editorial sarcastically remarks:- "Independent of Judaism." This issue also contains the comments of the Rabbis quoted above.

Dr. Periera Mendes held that Orthodoxy tolerates any change when authorized by proper authority. Reform changes without waiting for any such authority. "In matters of worship changes are affected by meetings of members of the congregation, who are swayed by personal inclination, and not by knowledge of Jewish Law of which they are profoundly regardless....In matters of doctrine, numbers, as in other communities accept what they are taught, or please themselves by rejecting them." He holds that the ministers who formulated the Pittsburgh Platform were not authorized by any congregation or community to do so. He further says that in the eight declarations there are many sentences taken from the platform of Orthodoxy. That he does not disfavor all of the declarations is evident for he says:- Such sentences (as are taken from orthodox policy)"quoted as they are, almost imply that orthodoxy does not acknowledge them. This is dishonest for there is in them 'no wide divergence of opinion of conflicting ideas in Judaism to-day'...Such sentences are the whole of the 1st, 2nd, the first half of the 5th, the whole of the 6th and most part of the 7th, and the whole of the 8th declarations." Not the nature of the platform, but the lack of authority in its formulation, seems to be the dissenting viewpoint here expressed.

Dr. Kohut also recognized the need for change, but naturally protested against the Pittsburgh Platform. He closed his sermon on the Saturday following the formulation of the Pittsburgh Platform in this fashion:- "When Esau to Jacob said: Come, let us go up together, side by side, Jacob answered, politely but firmly: My lord knows that children are tender, and I cannot force them to the rapid march. Let my lord go forward alone, I will follow slowly according to the possibility of the tender youth. So Esau went alone to Seir and Jacob went to Succoth, where he established the house of Jacob, Israel. Israel is named after him. It is not a

people of abstract thought which ignores the world; it is not the materialistic people which knows only the world. It does not follow simply the idealistic tendencies of Abraham, nor alone the practical nature of Isaac, but after the nature of Jacob, a happy continuation of the two striving after the divine, but with the means which the earthly affords. Like Jacob's ladder it places itself upon the firm earth, with its uppermost tendencies lifted up to heaven. Often Israel was forced to stand against the outrageous attacks of enemies and oppressors. Like a lion it arose against the danger from without, as none threatened it within; it was not torn assunder nor rent in twain by internal dissension. But to-day alas! Peace without, but confusion within the camp. Some would crush forward in their march of progress and would urge Jacob onward in their heedless, reckless train and those who have the feelings of Jacob and cling with fidelity to the traditional past. Others will not move a hairbreadth, they would command the sun to stand still, forgetting that it forever moves, as does the earth and all upon it. We, however, hold with Jacob. We move forward deliberately, with thoughtful, circumspect consideration. We would guard the tender youth against recklessness. As the young are imbued with the strength of the ancient Jewish spirit and its beautiful customs, we too will take our course through the historical development to Succoth, where religion shall be for us a protecting edifice."

Sabato Morais said that the title assumed by the convention at Pittsburgh was unwarranted. For him the meeting could neither be called "Rabbinical" in its tendencies, nor was it at all "National" in its character. He detected in the utterances of the advocates of a "Reformed Hebrew Church" a deep-set antipathy against the religion in which they were born. The aim of such "radicalism" he saw as the

casting off of wholesome restraint with a view to rendering the olden religion popular among the moderns. Mr. Morais invoked history to prove that the noblest men of our race disdained studying the popular side of a question; that in their national undertakings they consulted their inner consciences and the revealed word. He argued the impossibility of maintaining historical Judaism, if persons entertaining the opinions enunciated at the Pittsburgh Convention were to instruct the youth, and more especially the rising Rabbis of America. He expressed his disappointment in the Hebrew Union College and strenuously advocated the formation of an institution for training young Israel to the ministry on principles thoroughly conservative.

Agitation for the establishment of a new college now sprung up on all sides. Dr. Wise was bitterly attacked as having presided at a Rabbinical Conference "which avowedly professed to create a sectarian Jewish party". He was held to be unfitted to perform the duties of president of the Hebrew Union College, and since the board of directors of that College upheld him in his viewpoints, it was believed to be a great necessity to establish a College which should stand on traditional grounds. That there was a consciousness of the possibility of a College which should strike at middle ground we may see from the following quotation from an editorial in the American Hebrew¹:- "Friends and foes alike have uttered some curious views concerning the Rabbinical and Hebrew Teachers' Seminary which it is proposed to establish. It is constantly spoken of as an Orthodox institution. This misapprehension is due to a want of clearness of thought. It is supposed that everything Jewish upon which opinions differ, involves a division into Reform and Orthodoxy. This is simply

1. The Amer.Hebrew, Jan. 15, 5646 (1886), page 2.

ridiculous. Just as ridiculous as to suppose that justice to the Indians is necessarily the work of the Republican party, or Civil Service Reform essentially a doctrine of the Democrats."...The proposed seminary must not be identified with sectarian tendencies; nor with any individual congregation. Its teachers and professors must not be identified personally with any movement looking to the unauthorized abrogation of any portion of the Law whose validity constitutes the source of existence and maintenance of Judaism. This position is as much antagonistic to an Orthodox Seminary, whatever that may mean, as to a Radical Reform College. What we want is a Jewish seminary, a Hebrew institute of learning, whose students will be brought in contact with Hebrew scholars who have respect for the Jewish Law which they expound, and acknowledge its validity for controlling conduct." There was a strong desire to combine American culture with ancestral faith.

Solomon-Solis Cohen calls the Pittsburgh Platform a step backwards and sees the objects of the conference as: 1) To formally repudiate the authority of the Mosaic legislation and to abolish the forms and rites therefrom outgrowing; (2) to repudiate the idea of the Restoration of a Jewish State in Palestine. He, too, resents the authority taken upon themselves by the Rabbis who formulated these doctrines. Revelation through Moses, is to him, the supreme Law. Israel is a kingdom of priests and nation of teachers of this law.

For David-Solis Cohen, Judaism calls for restraint and he attacks the 3rd and 4th divisions of the Platform on the grounds that they are but expressions of opinion. "We hold that all such Mosaic and Rabbinical laws as regulate diet, priestly purity and dress, originated in ages and under the influence of ideas altogether foreign

to our present mental and spiritual state." He says: "They speak for themselves and who will contradict their words! When they continue, however, 'their observance in our day is apt rather to obstruct than to further modern spiritual elevation', they have not the same personal evidence to back the assertion. What is 'modern spiritual elevation', and how can diet and priestly purity obstruct it? Modern spiritual elevation must be the same as ancient spiritual elevation, or else it is not spiritual elevation, it is something else."

"Modern spiritual elevation", he continues, "is the consciousness of something sublime, more exalted beyond this world, than can be reached in it, a consistent striving to approach that sublimity in life and deed as nearly as imperfect human nature will permit; soulful reverence for the source of all spirituality; hope and belief that after the turmoils of life, its temptations and impotency, the longings for a peace of purity may find realization through the love of an universal father. What was ancient spiritual elevation? " Now therefore, I pray thee, if I have found grace in thy eyes do make me know thy way, that I may know thee, in order that I may find grace in thy eyes. (Exod. XXXIII;13). "And they came every man whose heart stirred him up; and every one whom his spirit made willing brought the Lord's offering for the work of the tabernacle of the congregation.' (Ibid. XXV:21). What was ancient spiritual religion? Read the 4th chapter of Deuteronomy, note specially the verses, 'When thou art in tribulation, and all these things have overtaken thee in the latter end of days, then wilt thou return to the Lord thy God and be obedient to His voice. For a merciful God is the Lord thy God; he will not forsake thee nor destroy thee; and he will not forget the covenant of thy fathers which ~~We~~ hath sworn unto them. This is ancient spiritual elevation. Is there a modern substitute to say to it, "we have outgrown your mouldy sentiments; the desire

to know God's ways; the disposition to self sacrifice in His service; the blessed hope and belief in his Eternal shelter and care even in dispersion and devotion may have been well enough for you; you looked upon God as a fact; we regard him as an elder, and we are too busy developing Him to cultivate either self sacrifice or the study of his ways. You obstruct!" Who is the modern Jew that is to decide between them. This century had entered very fairly on its course when my eyes were first opened on the world. I know of at least thirty-four others who will, on the average, be as "modern" as the thirty-five rabbis, and our unanimous opinion will be exactly the opposite of the opinion of the rabbis. Our band of thirty-five will believe that the casting aside of all peculiarities, of all the distinguishing features of Judaism, is surrendering the spiritual to the earthly. We will believe that when the priest descends to the level of the reveler his influence over the spiritual nature of his congregation is lost. Indulgence may obstruct lofty thought and aspiring purpose; self restraint cannot. The question evidently narrows to a matter of opinion, Judaism is not affected. Judaism imposes self restraint, no resolutions can alter the fact."¹ He further stresses the national element in Jewish life and the need for observing the Mosaic law in order to keep that nationalism intact.

The Pittsburgh Platform is spoken of as "the Declaration of Independence", revealed amid the smoke of Pittsburgh. "We are all Reform Jews, but not in the Pittsburgian sense of the term. We all desire to reform, but not to deform like them. We all want to open the windows to let the light in, but not like you, smash the

1. MA Western View of It, by David Solis Cohen, American Hebrew of April 16, 1886.

windows, smash the whole structure, smash everything that was, is and ever will be dear to the heart of every loyal Jew. You and not we are blind letter worshippers, you and not we place persons above principles. It is not we, who cry out, "It is good; for I, Kohler, I, Hirsch, I, Wise, said it", what we say is this: God said it, Moses said it, the Thora says it and therefore, and for that reason only, it is good. And gentlemen, the Thora^{of God} is greater than your Bible, greater, better, nobler and will live forever. What you proclaim is only like a drop in the great ocean. It is lost and will be lost. You can not break down historical Judaism. Greater men tried it, greater men failed in it, and so will you fail, ye dwarfs."¹ In such language was the Pittsburgh Platform greeted by the Conservative Element. The Kohuts, the Morais, the Jacobs, the Mendes, the Jastrows and the Szolds were unable to subscribe to what they termed "Radical Reform."

A group existed who were not satisfied either with disorganized Orthodoxy or with the liberalism of Reform. They wanted a different type of Judaism for American and felt that this Judaism would bind all Jews together in a common tie. Dr. Morris Jastrow, Jr. says:- "In the history of mankind we observe everywhere at all times two opposing currents, continually struggling with each other. The party of Conservatism, seeking to hold on to what exists, and the party of innovation, which seeks to create the new. There is a reason and perhaps necessity for the existence of both. The contrast between the two corresponds to the opposition between past and present, feeling and reason, old and young. In the Judaism of to-day this contrast too exists."² Orthodoxy represents the emotional element. One is an orthodox Jew because he has been reared in an atmosphere "where religion was associated with the details of everyday life."

1. Julius Schwartz in the Amer. Hebrew of April 8, 1886.

2. Amer. Hebrew of Dec. 25th, 1885, p. 120-121.

Orthodoxy cannot reach the young of to-day in the same manner. Reform has taken strides to cope with the findings of science; but it too has set up principles, which it holds to be the truth. Thus both orthodoxy and reform are dogmatic. He advocates the cultivation of a Judaism based upon Israel's history.

There is resentment at the fact that Reform Judaism calls itself "American Judaism". "When the conservative Rabbis are told that they do not represent the ideas and sentiments of the American Jews; that they 'are an anachronism, strangers in this country and to their own brethren (Dr. Wise's words in an editorial in the American Israelite) and that they represent themselves, together with a past age and a foreign land", when such language is used towards such men as Jastrow, Szold, Leibman Adler, the Mendes, Jacobs, Hochheimer, Kohut, Schneeberger, Morais, and a host of others who failed to attend the Pittsburgh Conference, then it is time that the congregations represented by these Rabbis should protest against such language, and defend their Rabbis against the baseless assertions made against them."¹ The American Hebrew called upon all the conservative congregations connected with the Union of American Hebrew Congregations to sever that connection "not only as a defense of the Rabbis against absurd charges, but to squarely meet the challenge which Radicalism wishes to erect itself into, or rather sink into, a sect. A sect with its own creed, its own doctrines, its own laws."

Only a few weeks later an editorial appeared in the same paper calling for the establishment of a new movement. The premise on which the call is made is perhaps the strangest reaction asserted in connection with the Pittsburgh platform. The Pittsburgh Platform,

¹. Amer. Hebrew, Vol. 25, No. 4.

it was maintained, abolished "all distinctive features of Judaism, which process cannot but facilitate fusion, between Reformed Judaism and Unitarianism." In this manner Judaism would in time merge with Christianity. "Even Reform Hebrews object to the fusion policy of Pittsburgh Rabbis, Reform ministers also, and attack has been made upon the Pittsburgh platform from such and other unexpected quarters. A move to conserve Historical Judaism and prevent a new schism, such as Pittsburgianism must lead to, is therefore necessary. It is not to be wondered at that the call bears the name it does. If American Judaism is to continue as a Judaism, something must be done. We do not want our young men and women to find intermarriage between Hebrews and Christians facilitated by the removal of all doctrinal and other religious barriers. The connection with the past must be preserved. Even the Pittsburgh Judaism voices this sentiment, but with characteristic logic it cuts the connecting links."¹ The editorial ends with the following appeal:- "To those of our readers, therefore, who have any love at all for our ancestral faith, and who believe that our nation has had the history it has had, for some other purpose than gradual fusion into Christianity, we say a Conservative Movement is necessary. Join it, and give it strength with all your might."

1. Ibid, Jan. 29, 1886, page 178.

THE JEWISH THEOLOGICAL SEMINARY

Agitation for the establishment in America of a theological school which would send out Rabbis trained to give instruction along traditional lines spread rapidly. A large portion of the Jewish population seemed imbued with the feeling that only through the establishment of such a school could Judaism survive. As early as 1867 Maimonides College had been organized as the divinity school of the Hebrew Education Society of Philadelphia. Its faculty consisted of Isaac Leeser, Sabato Morais, Marcus Jastrow, A Bettelheim and L. Bittenwieser. In speaking of the foundation of Maimonides College Leeser had written:-

"Some may object to the movement, that it is not pledged to either reform or orthodoxy. These hateful words are always at hand when anything is to be done, from the election of a secretary to a society, to printing a book or establishing a college. The illiberal always ask: To what party does he or it belong? For our part, strange as it may sound, we belong to no party. We commenced life with certain convictions and have not swerved from them. We know only Judaism; and if you call it 'orthodox', you do so — not we."¹

The Maimonides College was but short lived, perhaps due to the untimely death of Leeser, and also because of the lack of financial support. When in 1885 the new College was proposed, Morais saw to it that the school was located in New York where it could receive the support of the large body of Jewry living there. The new theological seminary was in many respects a continuation of the Maimonides College and its first president, Mr. Sabato Morais, with Leeser did not wish to establish a new party, but felt that Judaism in America could be fostered only

1. Quoted from "The Jewish Theological Seminary, Solomon S. Cohen p. 12

through an old party - that of traditional Judaism. Judaism, however, was synonymous for them with the practices of rites and ceremonies perscribed by the Mosaic Law. For some time Morais, seeking union among American Jewry, had attempted to influence his congregation to join with the Union of American Hebrew Congregations "doubtless in the hope that the influence of that Congregation and of others of like thought might be brought to bear on the Union College, and at least moderate its antimomian tendencies. The formulation of the Pittsburgh Platform showed him that his hopes were not to be realized. His congregation never joined the Union, and shortly after the Reform position was made clear, "certain congregation, classed as "Conservative"- which, despite the introduction of organs and family pews in their Synagogues and Temples, were still influenced by Rabbls such as Jastrow, Szold, Kohut, Henry S. Jacobs, de Sola Mendes, Chumaceiro and Aaron Wise, who taught and practiced the Jewish life and acknowledged the authority of the oral law--withdrew or considered the withdrawl of their support from the Union of American Hebrew Congregations and the Hebrew Union College."¹

In "The Jewish Record" of November 27th, 1885 Mr. Morais is thus quoted:- "The only possible means to save the ancestral religion both in its moral and ceremonial tenets, is the establishment of a college in the East by a purely conservative element. Its guiding rules, its supervision its teachings, should be altogether conservative." On November 26th, 1885, Morais had addressed a letter to David M. Piza, of New York, in which he says:- "The best arms of defense against the men opposed to historical Judaism are faith and erudition. These cannot be acquired except in schools under the guidance and supervision of well qualified persons."²

1. Ibid, p. 15.

2. Ibid, p. 16.

The Jewish Record of January 22, 1886, reports that a conference of ministers and laymen had been held in New York that week, at which "the Rev. Sabato Morais was authorized to issue a circular letter to every member and seatholder of Congregations in the eastern and middle states, asking for large contributions for the establishment and maintenance of a seat of learning where Biblical and Talmudic learning may be taught and Jewish ministers may be reared in accordance with the tenets of historical Judaism, for the preservation of which it will be their duty to labor." A number of ministers answered the call and the first Sunday of October 1886, was named as the day for the opening of the Seminary. Congregations in sympathy with the movement were invited to send clerical and lay delegates to an organization meeting to be held on March 7, 1886. The delegates from some sixty congregations assembled in the vestry rooms of the Nineteenth Street Synagogue on the day set, and Rev. Dr. F. De Sola Mendes, chairman of the Committee on Constitution read the constitution by sections. The preamble read as follows:-

"The necessity having been made manifest for associated and organized efforts on the part of the Jews of America faithful to Mosaic law and ancestral tradition, for the purpose of keeping alive the true Judaic spirit, and in particular the establishment of a seminary where the Bible shall be impartially taught and rabbinical literature faithfully expounded, and more especially where youths desirous of entering the ministry may be thoroughly grounded in Jewish knowledge and inspired by the precept and example of their instructors with the love of the Hebrew language and a spirit of fidelity and devotion to the Jewish

law, in accordance with a resolution adopted at a meeting of ministers held January 31, 1886 at the Shearith Israel Synagogue, of the City of New York, the subscribers have agreed to organize the Jewish Theological Seminary Association."¹ The ministers had issued a call for the founding of the Jewish Theological Seminary of New York. The Association founded, instead, The Jewish Theological Seminary of America. The Seminary did not open as planned, in October 1886, but held its first session on January 2, 1887.²

The first President of the Faculty was Doctor Sabato Morais of Philadelphia, who died in 1897. In 1901, Doctor Solomon Shechter, then Reader of Rabbinitics at Cambridge University, England, was chosen President. He arrived in the spring of 1902, and immediately entered upon the performance of his functions, which he continued to exercise until his death, November 19, 1915. Thereupon Doctor Cyrus Adler was appointed Acting President, in which capacity he served until May 18, 1924, when he was elected President.³

At the first biennial convention of the Jewish Theological Seminary Association held in New York on Sunday, March 11, 1888, the president of the Board of Trustees, Hon. Joseph Blumenthal, quoted the preamble to the constitution (which appears above) in order to definitely explain the position of the College. The preamble, he said, "describes exactly the nature of this Seminary and the spirit in which it is conducted. It states what we are.

....This is an institution of learning whose teachings are those of historical, traditional Judaism, based on the Bible and interpreted by our sages."⁴

1. In the Amer.Hebrew of March 12, 1886, and page 9 of the Jewish Theological Seminary Association Proceedings of Mar.11,1888. 2.Ibid,p.4
3. The J.T.S. Register,1929-30, p.10. 4.J.T.S.A.Proc.Mar.1888,p.9.

In 1902 the Jewish Theological Seminary was merged with the Jewish Theological Seminary Association. In this same year the Jewish Theological Seminary of America was incorporated by a law of the State of New York, approved Feb. 20, 1902, "for the perpetuation of the tenets of the Jewish religion, the cultivation of Hebrew literature, the pursuit of Biblical and archaeological research, the advancement of Jewish scholarship, the establishment of a library, and for the education and training of Jewish Rabbis and teachers."

Thus did Morais, the first president of the Seminary set forth the position of that institution:-

"At the basis of our Seminary lies the belief that Moses was in all truth inspired by the Living God to promulgate laws for the government of a people sanctified to an imprescriptible mission; that these laws, moral and ceremonial....of necessity broadly formulated, needed in all ages an oral interpretation. The traditions of the fathers are therefore coeval with the written statutes of the five Holy Books.

"It follows, then, that the Bible constitutes the primary subject of our students' tuition; Mishna and Tamud are studied by them as an indispensable corollary. Those branches of sacred literature taught by men whose characters we believe to be unassailable, must inspire the scholars with love for their religion and reverence for the ancients who honestly handed it down. To awaken such sentiments and spread them far and wide, we have raised this high school of Jewish learning in the metropolis of America...

"Heartfelt, indeed, is our devotion to the constitution of the country that has levelled inequalities and clothed Israelites with all the franchises of freemen. We cherish the kindest feelings for our fellow citizens of every creed who do right according to the dictates of their conscience; but profoundly impressed with the charge imposed by the everliving Legislator on the imperishable seed of Abraham, we will provide against the abandonment of God-ordained behests by the Hebrews who dwell in this Union. Our Seminary has constituted itself a church militant....to fight scepticism arrayed against the history and traditions that have made Israel deathless."

Dr. Shechter who followed him says:

"This is a test applicable to all ages and to all countries; to the New World as well as to the Old. There is nothing in American citizenship which is incompatible with our observance of the dietary laws, our sanctifying the Sabbath, our fixing a Mezuzah on our doorposts, our refraining from leavened bread on Passover, or our perpetuating any other law essential to the preservation of Judaism. On the other hand,...the institutions and observances of religion are part of its nature...

The above quotations are from The J.T.S. Past and Present, p. 36-38

The standpoint of the Jewish Theological Seminary is put forth by Dr. Cyrus Adler in the United Synagogue Recorder of October 1923.

The original call for the meeting which founded the Jewish Theological Seminary read as follows:

"The undersigned, believing it imperative to make a strong effort for the perpetuation of historical Judaism in America, invite the co-operation of all Israelites who share their views.

"A meeting of ministers will shortly be held to take action in this direction. It is proposed to found an institution in which Bible and Talmud shall be studied to a religious purpose....."

And later the purpose was stated: "To train ministers and teachers in a manner that their devotion to the law and traditions may inspire respect for Judaism's needs and promote the observance of its tenets."

The organization which was effected as a result of this call declared that:

"The purpose of this association being the preservation in America of the knowledge and practice of historical Judaism, as contained in the Laws of Moses and expounded by the Prophets and Sages of Israel in Biblical and Talmudical writings, it proposes in furtherance of its general aim, the following specific objects:

1. The establishment and maintenance of a Jewish Theological Seminary for the training of rabbis and teachers.

2. The attainment of such cognate purposes as may upon occasion be deemed appropriate."

Doctor Morais interpreted these formal statements in the following illuminating words:

"At the basis of our Seminary lies the belief that Moses was

in all truth inspired by the Living God to promulgate the laws for the government of a people sanctified to an imperishable mission; that the same laws, embodied in the Pentateuch, have unavoidably a local and a general application. Those comprised in the first category lose their force outside of Palestine, the others are obligatory elsewhere; but both the former and the latter, being of necessity broadly formulated, needed in all ages an oral interpretation. The traditions of the fathers are therefore co-eval with the written status of the five Holy Books."

The First Faculty of the Seminary

While Dr. Morais formed the center of this group and was immediately joined by Dr. H. Periera Mendes, both of whom were ministers of Sephardic Congregations, three other men of ^{great} importance, Drs. Jastrow, Kohut and Szold, all of whom had adopted prayer books with modified services, recognized that a most dangerous tendency ^{which} had developed/they in spite of their minor differences, must unite in combating. Others who joined this company were Henry S. Jacobs, F. de Sola Mendes, Aaron Wise, H. W. Schneeberger and Bernard Drachman. They banded themselves together primarily for the purpose of maintaining the thesis that the Biblical and Rabbinical Law as handed down and interpreted by the Rabbis and sages of Israel, was binding on the Jewish people, and that Judaism was an historical growth and not a mushroom sect whose character was to be changed from time to time by platforms or resolutions.

It must also be borne in mind that the Seminary was founded by men who, while having the traditional Jewish training, had also a western secular education and strangely enough they represented various of the western European countries. Morais came from Italy, Kohut from Hungary, Jastrow was born in Poland, Szold in Hungary

and Mendes had his training in England. Both Jastrow and Kohut were graduate of German universities and studied for a time in the Breslau Seminary, and Morais drew his inspiration from Samuel David Luzzato.

It was natural that this group of men should look to the education of a Jewish Rabbinate which combined Jewish learning and adherence to tradition with secular knowledge. At no time in the history of the Jewish people, except in Eastern Europe, has there been any profound objection to the learning and the language of the nations among whom the Jews were settled. In the Babylonian exile, the Jews took up the Aramaic language and made it their current speech—witness the remains in the Holy Scriptures themselves. In the Hellenistic period they learned Greek and absorbed Greek learning and philosophy. When the Mohammedan Empire spread over a good part of Asia, North Africa and even Europe, they studied Arabic philosophy, they adopted the forms of Arabic poetry, they relearned Greek philosophy through Arabic, and many philological, philosophical, ethical and even legal books of the Jews, as well as commentaries on the Bible, were written in Arabic, and of course, in Spain after Arabic they used Spanish; in Italy, Italian, and so on.

The Aim of the Seminary

In 1885, when the Seminary was founded, therefore, there was never any question but that secular knowledge and the English language were essentials to the Rabbinate in America and should be employed in the Seminary. At that time there may have been 500,000 Jews in the United States of whom 400,000 represented the older settlers and 100,000 the van of the new immigration. When the Seminary was founded, therefore, it was the institution of the Orthodox, or Historical, or Conservative school, and there was

practically no question as to the propriety of the union of such forces for the maintenance of the Jewish tradition.

This is not at all a new attitude. It is the normal attitude which the Jews must have followed in the Babylonian academies, in the great schools of Northern Africa and Spain and in more recent times in the whole of Western Europe, where in contact with the various civilizations they maintained their own tradition and their own knowledge and yet partook fully in the knowledge of their day. Our ancient Rabbis knew astronomy and mathematics, those in the middle Ages studied physics and metaphysics and natural history, and therefore the plan that we have applied is not a novelty but a continuous development of nearly two thousand years. It is true that in a section of Eastern Europe, in which the great bulk of the Jews lived for the last few centuries there had grown up a sort of abnormality—an abnormal attitude which, as it were, closed the Jewish mind in and limited it to its own literature, and even to a small section of that; always, of course, excepting a few of the greater minds, which can never be trammelled by any system, however narrowing.

The Coming of Dr. Schechter

It was these conditions, somewhat changed since the days of Dr. Morais, which Dr. Schechter had to meet and, if possible, overcome. The Reform movement was showing a constantly increasing tendency to break away from Jewish History and tradition and base itself upon what it chose to call prophetic Judaism. The Orthodox party was growing more self-conscious and exhibiting the tendency to revert to the abnormal attitude of Eastern Europe. How did Dr. Schechter view the Seminary under these conditions? Here are his own words:

"The religion in which the Jewish ministry should be trained must be specifically and purely Jewish, without any alloy or adulteration. Judaism must stand or fall by that which distinguishes it from other religions as well as by that which it has in common with them.....It permeates the whole of your life. It demands control over all your actions, and interferes with your menu. It sanctifies the season and regulates your history, both in the past and in the future.....Judaism is absolutely incompatible with the abandonment of the Torah. Nay, every prophet or seer must bring his imprimatur from the Torah."

Ten years later he declared:

"Our work has been a hard one, considering....the great divisions among the people engendered by the extreme tendencies of the various parties, be they reform or orthodox, which could never understand a frame of mind that refused to be labeled by the names they wished to attach to it...."

He gave as our ideal:

"The creation of a conservative tendency which was almost entirely absent or lay dormant in this country for a long time. Its aim was to preserve and sustain traditional Judaism in all its integrity and by means of the spoken or written word, to bring back to the consciousness of Jewry its heroic past, which must serve as a model if we were to have a glorious future at all; but, at the same time, to remain in touch with our present surroundings and modern thought, and to adopt what was the best in them and, above all, to make use of modern method and system."

The View of the Seminary of the Authority of Jewish Law

Judaism is a way of life. It has developed to this end a code of law and under this code there are definite and positive acts to be done. A religious Jew believes that he must act in accordance with the Jewish law. The Reform movement held that this Jewish law was in effect abrogated. It was as a protest against

this philosophy that the Seminary was founded.

The Seminary, therefore, insisted in the first instance, that the students must be persons who lived in accordance with the Jewish law. From this tradition the Seminary itself has never varied. It has not modified the prayer book, it has not changed the calendar, it has not altered the dietary laws, it has not abolished the second day of the holidays, and although some of its founders and some of its graduates have, without protest from the Seminary, attempted changes in the ritual, the Seminary itself has never adopted or approved of any of these changes.

Catholic Israel

Within the limits I have described, varying opinions on the part of the Faculty have always existed. It may be that as a result of this broadmindedness a Judaism will develop which is not partisan and may approach to a harmonization of these varying views. I do not mean by this an American Judaism. The Seminary, even before Dr. Schechter invented the phrase "Catholic Israel" still had such an idea in minds.

Dr. Morais, Sephardi that he was, proposed a union of the Sephardic and Ashkenazic and even of the Italian and Yemenite rituals in the hope that the Jewish people might have a book of common prayers, and Dr. Schechter always objected to "provincial" Judaism. The Seminary has always felt that the adoption of secular knowledge and American ideals did not require a change in the prayer book, always in the hope that just as the Hebrew language was the common bond of scattered Israel, so we might possess a uniform service, or at least a reasonably uniform service, which would make a Jew from New York or Philadelphia or Pittsburgh at home in London, or Paris or Constantinople or Jerusalem.

The Seminary recognized that there are and always have been and always will be divisions in Jewry; that there are always people who call themselves conservatives; that there are legal minds and rationalistic minds, philosophers and mystics; that some Rabbis always favor the strict interpretation and others the mild interpretation. This is eternal and in the essence of human nature.

But recognizing all these possibilities of divergence, the Seminary aims still to teach a form of Judaism to which all people could come so far as fundamental values are concerned. A common language, the understanding of a common history and a common literature are the strongest factors for keeping together the Synagogue. Short of the very simple words of our charter, we have laid down no platform and adopted no creed, for we are of the opinion that religious platforms, like party platforms, are more often made to be disregarded than to be lived by and that the surest guarantee for the steady maintenance of an enlightened Judaism based upon the tradition, was the teaching of the accumulated knowledge and wisdom of the Jewish sages through all the ages.

The Value of Differences of Opinion

I cannot wholly deplore the fact that there are differences among us. When have there not been? The differences which have arisen among the Jewish people in the past have not proved a wholly unmixed evil. The Karaite heresy gave a powerful impetus to the study of the Bible, Hebrew grammar and Biblical exegesis. Probably the most distinguished works of the great Gaon Saadya were written under the influence of this agitation. The philosophy of Maimonides was followed by the most bitter quarrel that mediaeval Jewry developed and a powerful party actually destroyed his books, holding that such

rationalism undermined the foundations of Judaism. This view the Seminary has never held. We welcome legalists, rationalists, mystics, always provided that they recognize the validity of the Jewish tradition and the Jewish law and are willing to live under it, even though their explanation thereof may be different. Dr. Schechter, who at one time in his life was accounted a Liberal, and as the years passed became more and more of a Conservative, held the view that the Seminary must always shelter men of different types of mind, that he always expected to have pupils who would berate him for his liberality or berate him for his conservatism, but that the greatest hope for Judaism would be a combination of the rationalist and the mystic, and that any generation which could produce such conditions would indeed produce great men and great Rabbis.

The Seminary, according to those who were authorized to speak for it, is an institution of Jewish Learning. This learning is imparted not solely for scientific purposes; it is not with a view of instilling what is called Jewish culture (I dislike the word); it is not to disseminate the so-called Higher Criticism of the Holy Scriptures, not to reduce the Talmud and the Codes to a dialectic exercise, but to create an educated, and, it is hoped, even a learned Rabbinate who will use this learning to a religious purpose — the promotion of the knowledge and practice of Traditional Judaism.

THE UNITED SYNAGOGUE OF AMERICA

What the Union of American Hebrew Congregations is to Reform Judaism, and the Union of Orthodox Jewish Congregations is to the organization of Orthodox Jewry in America, the United Synagogue is to Conservative Judaism. It was organized June 8th, 1898 and held its first convention at the Seminary Building. Solomon Schechter, founder and first present, was said to have considered it his greatest contribution to American Jewish life.

At the time of the Seventeenth Annual Convention held in New York, May 19-21, 1929 there were 219 congregations in the United States, one in Cuba, and seven in Canada enrolled in the United Synagogue. The strength of the Women's League of the United Synagogue was 275 Sisterhoods and there were 125 groups in the Young People's League.

The work of the United Synagogue may be roughly divided into a number of departments or fields, namely:

1. Extension - the carrying of the message of traditional Judaism into small towns, and the helping of congregations in larger towns to function more smoothly; the building of new synagogues of a conservative temper. "Many a group of men and women about to organize a new congregation waver between traditional Judaism and reform.....The coming of a United Synagogue representative often saves them and they remain loyal. In some instances congregations definitely reform, after studying the work of the United Synagogue accept the traditional prayer books, begin to worship with covered

heads, observe two days holiday when required by our faith, and in this way enter the ranks of traditional Judaism."¹

2. Education - The United Synagogue has published with the help of the Teachers' Institute of the Jewish Theological Seminary a curriculum for Jewish training schools for teachers and a manual for teaching Biblical history by Rabbi Eugene Kohn; two volumes of the Bible Story by Miss Sulamith Ish Kishor; a curriculum for religious schools by Mr. Alter Landesman; a Hebrew grammar by Rabbi Max D. Klein, and a Manual of Curricula for the various types of work done at Jewish centers for adolescents, young people, etc.
3. Religious Observance - At the instance of the United Synagogue pulpit appeals are made for the observance of the ceremonial and festival laws. A calendar is issued and sent to schools and institutions throughout the country. They have issued a list of Kosher food products and a directory of Kosher restaurants. They have co-operated with other organizations in urging legislatures of various states to pass laws permitting Jews who observe the Sabbath to work on Sunday. In a number of ^{boys'} camps they have established a Kosher mess and also conducted Jewish services.
4. Organization - The institution hopes to ultimately "embrace all elements essentially loyal to traditional Judaism and muster all forces necessary to maintain

¹. See article in the U.S. Recorder of Jan. 1922 on "What the United Synagogue of America has Accomplished."

traditional Judaism on this continent."

The sisterhoods, whose main interest is the child and the home, were organized through the Women's League of the United Synagogue, founded by Mrs. Solomon Schechter in 1918. The Young People's League of the United Synagogue was organized on October 30, 1921.

5. Women's League - The arrangement of monthly programs, the furtherance of Jewish knowledge and observance through a lecture bureau, the distribution of cards with the Sabbath blessing and Chanukah blessing among members of the sisterhoods, is part of the contribution of the United Synagogue to its sister organization. The Women's League works among the girls at camp and also aims to keep college students loyal to traditional Judaism. In New York City a Students' House was established originally by the League, which serves as a dormitory for the out-of-town students of the Jewish Theological Seminary and a social center for the Jewish students of Columbia, Barnard and Teachers College. The house serves Kosher meals at very reasonable rates to the college students and in this way enables hundreds of them to observe the dietary laws.

6. Young People's League - This organization holds festival celebrations and carries out Jewish educational programs.

7. Interpretation of Jewish Law - There is a great diversity in the observance of Jewish law by Conservative Congregations throughout the country. This is largely due to the fact that there has been no recognized Jewish authority on Jewish law to guide the congregations and individuals who desire the information as to what the law is on any specific point. The Committee on Interpretation of Jewish Laws has rendered decisions on such important subjects as the introduction of family pews, ^{and} the selling of synagogue buildings for other purposes.
8. Co-operation with the Jewish Theological Seminary - The institution has helped in the obtaining of the necessary support of the Seminary. It further serves as the instrument through which ideals taught in the Seminary are to be carried out in practical life.
9. Co-operation with other Jewish Agencies - It is a member of the American Jewish Committee; has raised funds for the Falashas; and has co-operated with the National Young Men's Hebrew Association and Young Women's Hebrew Association.
10. Safeguarding the Interests of Traditional Judaism - The United Synagogue is especially interested in the laws of kashroth and makes every effort to maintain them. When in 1914 there was a movement in the American Humane Society against the Shechita, Prof. Louis Ginzberg wrote a paper which showed how unfounded are the charges of cruelty levelled against the Shechita.

11. The United Synagogue Recorder - The publication of a quarterly setting forth the viewpoint of the United Synagogue and the Jewish Theological Seminary.

At the time of its organization "not division, but consolidation was the slogan. To unite all elements in Israel, essentially loyal to traditional Judaism, was the means by which conservative Judaism was to be established on a firm foundation in this country and by which future generations were to be saved for traditional Judaism."¹ It is a significant fact that already in 1898 the Union of Orthodox Congregations in America had been established. And yet President Schechter must have felt that this body was not promoting Traditional Judaism in a manner acceptable to those traditionalists who were affected by American culture. "What we intend to accomplish is not to create a new party, but to consolidate an old one....Culture, combined with religion, was the rule with the Jew," are his words. He makes a subtle distinction between those Jewish immigrants who wish to adhere to Old World methods and those Jewish immigrants who have acquired an American education and American ways of conduct. He decries the Orthodox lack of decorum at service and the use of the Yiddish sermon as bitterly as he does the breaking of the Reform Movement with tradition. He wants an American Orthodoxy, or rather ~~he~~ he felt the great need of bringing higher aesthetic values into traditional Judaism if it was to survive on American soil.

The establishment of the United Synagogue "meant among other things the English sermon as the vehicle of instruction, decorum in divine service, pedagogical methods in the instruction of children in Jewish schools, Jewish learning and scientific research, rabbis and teachers trained in accordance with these disciplines.

1. United Synagogue Recorder, Vol. II, No. 1.

It meant the building up of congregations throughout the country, the entry of Jewish women into the active work of propagating the faith and the proper education of Jewish women and provision for such work. It was to help in the organization of Jewish communities and Jewish life by providing the proper Jewish officials; rabbis, teachers, Schochetim, Mohelim, textbooks for schools, devotional books for the home."¹

The United Synagogue was organized with the idea of bringing unity and order into the life of Conservative Synagogues throughout the country. In principle it saw Judaism as a distinct culture, which could grow from within, but ^{which} as a continuous process could not make radical changes and yet retain its identity. On the first page of the first edition of the United Synagogue Recorder the statement is made:- "What we want is integration of faith and people, not the shifting of the foundation, but the building thereon of a spacious and noble edifice in which all Israel may dwell. Judaism, the whole of Torah, nothing less, nothing else than this can be the cornerstone. Judaism continuing its historic development, not diverted from its course, but meeting the issues of the day, guided by its great principles and directed by traditional forces that have been found equal to all emergencies and conditions throughout the ages, will not be found wanting now. Upon this rock, the Jewish Theological Seminary was founded: 'The preservation in America of the knowledge and practice of historical Judaism, as ordained in the Law of Moses and expounded by the Prophet and sages of Israel in Biblical and Talmudical writings'. The United Synagogue stands for 'Catholic Israel as embodied in the universal Synagogue'. It therefore, appeals to no section of the Jewish people, but in the words of the preamble to its constitution, it aims 'to embrace

1. Ibid.

all elements, essentially loyal to traditional Judaism'. To bind up, to consolidate, to unite the great body of Israel on this broad and Jewish platform is the true function."

HISTORICAL JUDAISM

The bandying about of the term "Historical Judaism" in connection with the Conservative Movement, makes it necessary that this term should be defined, in order to understand the basis of the theological principles upon which the movement rests. An editorial in the United Synagogue Recorder of April, 1922 recognizes this fact when it says:-

"It has become important to define the meaning of the expression "historical Judaism." There is no theological copyright connected with the phrase and it is quite possible and indeed an actual practice to attach this label to any particular religious product whose value is thereby to be enhanced. Yet the words have definite content and we ought to endeavor to prevent misunderstanding and to clarify correct usage.

"At different times 'historical Judaism has varied in its meaning. Thus, when used by some in the last century it stood for the integrity of Judaism as it had developed throughout the ages, included the Law of Moses and its exposition by the prophets and sages in Israel in Biblical and Talmudical writings. To the historical school in Germany, as interpreted by Krochmal, Rappaport and Zunz, it meant the established practice as sanctioned "by the collective conscience of Catholic Israel as embodied in the Universal Synagogue." Here, in America, the original basis in the written law received greater emphasis, the oral law, or tradition, marking the growth and modification of these original principles as they had developed throughout the centuries. Thus the union of the written with the oral law was restored.

"These shades of distinction may seem refined, and indeed to all of those who maintained them, the body and substance of historical Judaism were alike; but the little variations were not without their

significance when interpreted in terms of conduct, observance and practical instruction and decision.

"As it appears to us, there is need at all times to ascertain what is the underlying essence of any established law, principle or practice in Judaism. This is the permanent nucleus or germ from which all subsequent development proceeds. Something like the Dorshei Hamurot of antiquity without the practical deductions they made of their method, the school of historical Judaism endeavors to find the original and fundamental pith of the law, principle or institution and traces its growth as developed by tradition in the various conditions and changing situations through which it passes in its course through the centuries. Thus it embodies the two elements of permanence and variability. It maintains continuity and yet allows for growth. It rejects equally the idea of repudiation and repeal and the finality of the status quo. Judaism as thus understood is a magnificent organism and growth, having its roots in the distant past, with its trunk extending heavenwards and crowned with limbs bearing deciduous foliage and fruit, renewed from age to age, but bearing throughout the form and stamp of its original unchangeable divine origin."

To comprehend the application of this understanding and interpretation of the faith, it is necessary to delve into the lives of those men who are definitely associated with the historical school. This school is generally traced to the man who was chosen as the first president of the rabbinical seminary in Breslau, when it was opened in 1854.

Something of the religious status of the Jews in Germany must be set forth here. Since 1840 a great restlessness had been noticeable in the internal affairs of Judaism in Germany. It seems

that the Jews felt they had to revise both their creed and their religious practice in order to prove the justice of their claim to equal rights with their Christian fellow-citizens. It was at this time that the first organized Reform Congregation, the "Tempel" at Hamburg, celebrated the twenty-fifth anniversary of its foundation (1842). On this occasion the trustees had published a second edition of their prayerbook. The rabbi of the orthodox congregation, the Chakam Isaac Bernays, who during the twenty one years of his administration had been unable to check the progress of this reform movement, came forward with a warning to the house of Israel against the use of this dangerous book. The trustees of the "Tempel" thereupon invited various prominent rabbis to render an opinion on this prayer-book. Among them was Frankel.¹ His opinion is characteristic of the man of compromise. Theoretically he considers the change of the traditional form of prayer permissible, practically he condemns it; theoretically he does not believe in a personal Messiah, and in the return of Israel into the promised land, but practically he wishes all the prayers for the return to Palestine to be retained. The reasons which he advances for his theory are interesting. We, he says, who enjoy the privileges of equal rights - this in Saxony, where the Jews were limited to Leipzig and Dresden - have no need of believing in a Messiah who is no more than a metaphor for the kingdom of justice on earth; but in countries where the Jews are oppressed, this expression of hope in Israel's future is still indispensable.

Another incident which occurred at the same time made Frankel the champion of orthodoxy. The government of Saxe-Meiningen felt the Jews ought to be treated like human beings, but the good intentions of the government could not be carried into effect, because

1. Born in Prague, Oct. 1, 1801; died in Breslau Feb. 13, 1875.

"these Jews were so Asiatic" as to consider writing on the Sabbath day a sin. The government informed the grand-ducal Landesrabbiner Joseph Hofmann (1806-1844) of this sad obstacle, and the Landesrabbiner obligingly pointed to the Talmudic principle, "Dina de-Malkutha dina," which he interpreted: The will of the grand duke breaks the religious law, instead of: The law of the country is binding upon the Jews so far as it is civil law. Frankel's strong Jewish sentiment hated such truckling, and he denounced it as it deserved, just as he denounced Holdheim's forgery of the text of the rabbinical law, when he said, the rabbinical law prohibited merely intermarriage with the seven tribes of Canaan, while the law said intermarriage is prohibited only with the seven nations, but the descendants of other nations who have been converted may intermarry with Jews. It was in the first instance the scholar whose honesty rebelled against the tampering with the old sources; it was also the self-respecting Jew who would not brook that time-serving theology which would make an apology for the existence of Judaism; but he was also the romantic son of old historic Prague, in whose heart from his early youth was instilled the love of historic Judaism.¹

The controversy on the new Hamburg prayerbook had added new strength to the reform movement. London had organized a synagogue which united both German and Portugese Jews in the efforts to harmonize Judaism with the spirit of the age. The new continent had followed suit, and the reform congregation of Charleston, S.C. was organized. All educated Jews felt the need of a departure from traditional lines; the only serious objection was that individual efforts lack authority and that they would break up the

1. Zachariah Frankel, Deutsch, p. 10-13.

unity of Judaism. Then it was that Ludwig Phillipson (1811-1889) proposed the organization of annual rabbinical conferences, which, like the Sanhedrin of old, should authoritatively decide the question of religious life. The first of these conferences met in Brunswick, 1844. While denounced by the Orthodox, most of whom, however, were from Hungary; and while ridiculed by the radical reformers who wished to see the abolition of the circumcision and of the Sabbath, and intermarriage sanctioned, it met with considerable success. Frankel, although opposed to some of the views promulgated at Brunswick, was willing to participate, and appeared, much to the surprise of the conservative element, at the second conference, held at Frankfort-on-the Main, in 1845.

According to Graetz, Frankel was looked upon at the Conference as the Orthodox leader. "He somewhat resembled Holdheim. Both were profoundly learned in the Talmud, and both acquired their secular education when advanced in years, but their points of dissimilarity were yet more striking. In Holdheim's character the prominent features were his innate or acquired love of scoffing at, and his utter contempt for, the past. In Frankel one is struck by the moral earnestness which, together with his warm-heartedness rendered him worthy of respect by his true regard for inherited forms, his conscientiousness in every matter, and his firm but somewhat peculiar character. Holdheim loved the present and the practical, Frankel the future and the ideal; the former strove to erase from men's memories all traces of the Talmud and Rabbinical Judaism, if not of Judaism altogether; whilst the latter justified and glorified the Talmud. The main aim of Frankel's scientific activity was to demonstrate that Talmudic tradition was

correct, and that another Talmud had been known even before ours.

Although Frankel labored to maintain the glory of the Talmud and to prove that reverence was due to Jewish antiquity, he was not averse to religious reforms, nor was he blind to the necessities of modern times. However, although he would not recognize the claim of an individual to institute reforms, he was ready to appeal to a scientific tribunal and the voice of the people, the whole Jewish world. He did not desire to revive obsolete forms into a semblance of life, even though they had formerly been of importance, and was willing to abolish such existing customs as scientific inquiry pronounced to be unjustified or hurtful. Frankel wished to see a conference of rabbis, or, more correctly, of notables in the foremost rank of Jewish learning, so that the chasm between the old and the new system might be bridged over. He therefore joined the assembly of rabbis at Frankfurt, hoping to counteract the eager desire for reform by the weight of his name, which, owing to his distinguished position as a writer, was already famous, and to aid in guarding against imprudent measures, or at least in modifying them. Like Holdheim and Geiger, who brought their programmes of reform with them, he brought his, and in it he endeavored to reconcile antiquity with progress.¹

In setting forth Frankel's theological standpoint, Louis Ginzberg says that at the conference Frankel awaited a fitting and striking opportunity to clearly present his divergent standpoint in order to bring it to the attention of that large

1. Graetz, History of the Jews, p. 684-685, Vol. 5.

Jewish audience which in Germany was following the deliberations of the Frankfort conference with the closest attention. His success was attested by the many enthusiastic addresses he received afterwards both from extreme Orthodoxy, as represented by Rabbi Solomon Trier, as well as from the party of moderate progress; in themselves these congratulations were evidence of the gradual growth of a new party of which he was the acknowledged leader, showing that he could have selected no better moment for his public utterance than that in which all eyes were riveted upon Frankfort. It was here that he first gave expression to the designation, "historic-positive Judaism" as his religious standpoint - an expression which, for half a century, became the shibboleth of the party.¹

"This 'historic positive' school," says Ginzberg, "has demonstrated its strength and vitality in the last fifty years, especially by the fact that from it has sprung Jewish 'science', and no one would care to seek the origin of all that it has produced in the psychological tendency of one man. The best and only correct answer to the question, 'What is positive historic Judaism?' was given by Frankel himself- 'Judaism is the religion of the Jews.' The best illustration for his conception of Judaism is precisely the instance which induced Frankel to leave the Frankfort conference, on which opportunity he, for the first time, made use of the expression, 'positive historic.' The matter in hand was the discussion of the question whether, and to what extent, the Hebrew language should be retained in the synagogue; and when the majority decided that Hebrew must be kept there only out of consideration for the feelings of the old people, Frankel took his departure. It may at first seem 'Zachariah Frankel', by Louis Ginzberg bound with essay of the same name by Dr. Deutsch, pages 20-35; also included in "Students, Scholars and Saints," Ginzberg, pages 195-216.

somewhat strange that he calmly sat through all the radical discussion concerning Sabbath and marriage laws, while he perceived danger to the Jewish religion in such a matter as the abolition of the Hebrew language. Indeed, the very lively debate which followed Frankel's address concerning the great importance of the Hebrew language for the Jewish synagogue worship, serves to show how few of those present understood him. Of his opponenets, only Geiger hit the nail upon the head with his remark that language was a national thing, and as such only should it be allowed importance. The underlying principle at stake is this: does the essence of Judaism lie exclusively in the Jewish religion - that is, in ethical monotheism, or is Judaism the historical product of the Jewish mind and spirit? The Hebrew language is, of course, naturally not a religious factor, and, even from the strictest standpoint of the Shulhan Aruch, it would be difficult to adduce any fundamental objection to the use of any other language in prayer. Still it is true that in the centuried development of the synagogue service, the Hebrew tongue became that which the sensuous cult of classic nations^{or}/of Catholicism was to those creeds, or church music to Protestantism, only an instrument conducing to loftier impressiveness and edification. The recollection that it was the Hebrew language in which the Revelation was given, in which the prophets expressed their high ideals, in which generations of our fathers breathed forth their suffering and their joys, makes this language a holy one for us, the tones of which re-echo in our heart and awaken lofty sentiments. In a word, Hebrew is the language of the Jewish spirit, and insofar an essential componenet of our devotional sentiment. It is true, indeed that pictorial representations

working upon the eye, or musical sounds, may move our sentiment and attune us devotionally; but ^{this} is as true as well of mankind in general and not only specifically of the Jews. The Jewish divine service must therefore specifically influence Jewish minds, hence Frankel considered the Hebrew language as the sole instrument to give it this Jewish tinge. In this sense Geiger was consistent in opposing its use as the expression of Jewish nationalism and in opposing Frankel."¹

Ginzberg further says that the same conception of Judaism underlay Frankel's attitude toward the Law, and that it is not true, as is sometimes said, that he allowed his critical spirit free rein until he came to some topic of important theological meaning and then refused to allow criticism to carry him further. Frankel did not deduce the authority of the Law from the Bible itself, and the foremost representative of the positive historical school next to Frankel was a man who, upon this point, may fairly be styled almost radical. Neither for Frankel nor for Graetz was Law identical with Bible; but in the course of time, whether for weal or for woe, in the development of Jewish history, the former became the specifically Jewish expression of religiousness. "The dietary laws are not incumbent simply because they conduce to moderation, nor the sexual laws because they further chastity and purity of morals. The Law as a whole is not the means to an end, but the end itself; the Law is active religiousness, and in active religion must lie what is specifically Jewish. All men need tangible expressions to grasp the highest ideas, to keep them personally and clearly before them; to say nothing of the

1. "Zechariah Frankel", bound with the essay by Deutsch, p. 27-28.

ordinary masses for whom abstract ideas are merely empty words. Our need of sensuous expressions and practical ceremonies brings with it the necessity for the material incorporation of such conceptions, and all peoples have given them varying forms. The Law is the form in which the Jewish spirit satisfies this need. In the precepts in which practical reminders of deity are thus embodied, Judaism found the material expression of its religious ideas; through them its abstractions became actualities, and in them, essential needs themselves, reverence and recognition of the Divine Will were expressed. And every form became thus spiritualized, something living bearing within itself some lofty conception."¹

To continue with Ginzberg's exposition of the religious standpoint of Frankel:- It is in this light that the apparent contradiction between the theory and practice of the positive historical school may be understood. One may conceive of the idea of Sabbath rest and its origin just as the professor of theology at the German university would, and still minutely observe the smallest detail of the Sabbath observances known to strict Orthodoxy. For such a one the sanctity of the Sabbath reposes, not upon the fact that it was proclaimed at Sinai, but on this that Sabbath repose found for thousands of years its expression in Jewish souls. It is the duty of the historian to examine into the beginnings and causes of many customs and observances of the Jews; practical Judaism, on the other hand, does not ask as to these, but regards them as they have come to be. If we are convinced that Judaism is a religion of deed, expressing itself in observances which are designed to achieve the moral elevation of man and also maintain a proper reminder of Deity, we have a principle in obedience to

1. Ibid, p. 29.

which reforms in Judaism are possible.

"The Law" is essential to the Jewish religion, but not the individual laws; although, of course, seeing that the former presumes the later, if Reform is to be a forward development of Judaism, a norm must be maintained, lest Judaism suffer like the bundle of arrows in the fable, and each individual arrow being broken, the whole bundle be shattered. This norm according to Frankel, was the Talmudical position that whatever observance is spread through the whole community must not be abrogated by any authority. Frankel, according to his conception of Judaism, could not well arrive at any other conclusion. That which the whole community had adopted and recognized may not, and can not be repealed; to do so would be to dissolve Judaism, which itself is nothing else than the sum of the sentiments and views which dominate Jewish consciousness. In reply to the interrogation as to who must be taken as the representatives of Jewish consciousness, Frankel could but make the reply that only those who saw in Judaism this expression of the Jewish belief, only those who recognized the law as specifically Jewish, could have the right to decide what portions of it had incorporated themselves into the national consciousness.

Theoretically, Frankel's definition of Judaism abdicates a large field to Reform; practically, however, Frankel did not follow up the consequences of his doctrine, which partially must be ascribed to the fact that in the proceedings of the radical reformers he recognized only a species of religious indifferentism totally repugnant to him, which inclined him to side with Orthodoxy. Ginzberg does not agree with Deutsch and holds that Franklin was strictly orthodox in the question of the belief in the Messiah,

as was evident in his early days in his letter to the Hamburg Tempel Verein; and, in view of the present conspicuous Zionist movement, it will probably be of interest to recall the following utterance of his: He says that the desire that in a certain corner of the globe - naturally, of course, in the land of our ancestors - so full of the holiest recollections, that our nationality should again appear, and that we should enjoy the respect which sad experience teaches us falls to the lot only of those who possess worldly might, contains in itself nothing wrong; we only evidence thereby that in spite of centuries of suffering and misfortune, we do not despair of ourselves and cherish the idea of a self-dependent and a self-reliant reanimation. The warmth with which Frankel in this letter posits the firm belief in the restoration of the Jewish nation, and his sharp and bitter criticism of the attenuation and the spiritless superficiality which avoided any expression of national character, show clearly that Frankel realized that Judaism possessed a far broader basis than that of a mere religious community. These words contain a germ for the conception of Judaism as purely national as finds expression in many a Zionist tendency of to-day.

In Jewish science, Frankel is the important historian of the Halachic period, Judaism being for him a historic fact and not merely a theological doctrine. His strength as a scholar consisted, not in following up the individual phases, and the inward development of the Halaka, but in that he, with extraordinary acumen and a very happy gift of combination, recognized the result of the various tendencies of the Halakah just as soon as they evidenced themselves in literary form.

It is a striking fact that Graetz¹, like Frankel, made his debut practically as the champion of orthodoxy. This attitude, when contrasted with the view presented in the fourth volume of his history (1853), seems to betray a glaring contradiction. But it must be remembered that the real and fundamental divergence, which existed ab initio between the schools of Frankel and Hirsch, only gradually revealed itself. At first, all who felt an attraction towards traditional Judaism were ranged on one side. In the presence of the common enemy, their private differences were ignored, or rather, were overlooked, for reform was laying the axe at the very root of the tree. But it was not long before the allies settled in separate camps. "Orthodoxy" and "Historical Judaism", which had at the outset seemed synonymous, were found to constitute very different things, for while the one party became ever more orthodox, the other became ever more historical. On the theoretical side, the historical school recognized no fixed dogmas; on the practical side, the oral law consisted of a series of customs or minhagim. This attitude became very clear when Frankel, in his Darke Hammishnah (1859), explained halachah le-Moshe Missinai to mean old halachoth dating from immemorial times. Hirsch, Auerbach, and others of his party instantly proclaimed Frankel a heretic, for with them these halachoth were actually revealed to Moses on Mount Sinai, and were as divine as the Decalogue itself.

Graetz took part in the Dresden conference of March 1853, at which time the organization and programme of the Seminary were settled. To the end of his life Graetz was the man, who in an especial sense, was identified with the high reputation that the Breslau Seminary gained. Of all the original staff of the Seminary,

1. Born Oct. 31, 1817 at Xions, province of Posen, died at Munich, Sept. 7, 1891.

he remained longest at his post. Death claimed Frankel in 1874, and between that time and the present year several distinguished men have provisionally or regularly occupied the vacant headship. It was Graetz's presence, his name and fame, that secured the continuity which was so essential to the growth and development of the institution.¹

The "Breslau Judaism" was, indeed a curious product of compromise; it would examine Jewish tradition, piece it out into its component parts, show how it developed, date it, but still loyally go on observing all that it enjoined as though Jewish science had never applied the crucible. In religious matters Graetz was fond of talking of the juste milieu; and for the Judaism of to-day extremes are no doubt dangerous. But Graetz, while equally condemning unbending conservatism and extravagant liberalism, found his juste milieu in both extremes, binding his conduct to the one and abandoning his thought to the other. There was originality no doubt in this species of compromise, but it need hardly be added it had no elements of permanency. It served its purpose of reconciling the old with the new for nearly half a century. But new phases of spiritual vacillation need ever new varieties of practical compromise, and these saving waters will be drawn by future generations of Jews from the deep unfailing well of truth that Graetz dug out, though it may be necessary to remove the stone ^{with} which he himself covered its mouth.²

1. Article in the Jewish Quarterly Review on H. Graetz, the Jewish Historian, p. 165-168.

2. Ibid, p. 182-183.

The Historical School claims such men as Zunz, Luzzatto, Kröchmal, and Rapoport, to whom may be ascribed the Renaissance of Jewish Scholarship which took place between the years 1819 and 1868.

The writings of Leopold Yom Tob Lipmann Zunz may be summed up in the following bibliography:

Etwas ueber die rabbinische Literatur, Berlin, 1818.

Die gottesdienstlichen Vortraege der Juden, Berlin, 1832.

Die synagogale Poesie des Mittelalters, Berlin, 1855.

Die Ritus des synagogalen Gottesdienstes geschichtlich entwickelt, Berlin, 1859.

("Die Ritus" is the second part of Die synagogalen Poesie).

Literaturgeschichte der synagogalen Poesie, Berlin, 1865.

Nachtrag zur Literaturgeschichte der, synagog. Poesie, Berlin, 1867.

There was unflagging industry and fervid genius of research involved in the creation of these works. They represent the key to rabbinical literature. They brought order out of the chaos of liturgical and poetical writings of the Jews. All Semitic scholars are to some extent his pupils....With all his profound learning, Zunz was a Jew, staunch, steadfast, and unpartisan. No reform eccentricities could lure him from his firm position. His pages glow with the fervor of his adhesion to Historical Judaism. Brilliant^{as}/is his essay on Rashi, or his celebrated chapter on "Leiden," is his article on Thephilin, which appeared in the Jahrbuch fuer Israeliten.¹

1. Editorial in American Hebrew, March 26, 1886.

Zunz was given to the re-discovery of forgotten authors. Fifteen hundred Jewish religious poets, most of them entirely unknown, others known only to a few initiated scholars, has Leopold Zunz in one of his works re-introduced into humanity's treasures of literature.

Dr. M. Jastrow, Sr. says that Zunz does not belong to either the Orthodox or the Reform camp. "The prince of the hosts of truth belongs to neither of the contending parties, for he sees error and passion on both sides; the lover of the past cannot be in sympathy with the grave-diggers of the past and their rude jests; the lover of ever living truth can have no admiration for those painting skeletons with the romantic colors of pseudo-life."¹

From the start Zunz favored a reform of the worship which should admit commendable innovations, like music and choral singing, and such changes as pertained to content, mode of recitation and language of the prayers. Above all he sponsored the idea of rectifying abuses by restoring the original and vital customs in the place of decrepit and lifeless usages. As Zunz grew older and the havoc wrought in Jewish life stood revealed, he raised his voice in protest against the suicidal breaking with Talmud, the Messianic hope, and fundamental institutions like the sabbath and the Abrahamic covenant.²

The man who made the school at Padua renowned was its principle professor, Samuel David Luzzatto (1800-1865). Scion of an ancient family (Moses Hayim Luzzatto was his great-grandfather's brother), he possessed a wide range of Jewish and secular information, and wrote Hebrew with masterly skill. His life's work

1. American Hebrew, Apr. 23, 1886, page 162.

2. A History of the Jewish People, Margolis and Marx, p. 639.

encompassed original and penetrating contributions to the grammar of Hebrew and Aramaic and to an understanding of the Scriptures (commentaries on Isaiah, the Pentateuch and other books). Luzzatto raised biblical studies among the Jews to the dignity of a specialty, requiring the major part of a man's time and pursued as a profession. Other branches of Jewish literature, especially Hebrew poetry, found in him a zealous student who brought to light unpublished works and made clear many an obscurity. He was an uncompromising foe of the innovations among the northern Jews. Again and again he assailed the surrender of the Jewish spirit to the Hellenic, and he was equally severe on medieval worthies, such as Ibn Ezra and Maimonides, for coming to terms with the alien wisdom.

By the side of Zunz, the creator of the history of Jewish literature, and Luzzatto, the restorer of the study of the Hebrew language and Scriptural interpretation, it was the gift of the Galician lay scholar, Nahman Krochmal (1785-1840), to grasp the philosophic meaning of Jewish history with its periods of rise and decline constantly repeating themselves. Under the influence of Hegel's system of philosophy, he saw in Judaism the synthesis of opposing movements making for a consecration to the spiritual in the absolute. The progress of the life-story of the 'everlasting people' presented itself to him as bound up with every movement in the large world. His chief, but unfinished work, posthumously published by Zunz (1851) was characteristically named a 'Guide of the Perplexed of our Generation.' It signified a strengthening of the Jewish consciousness and a reinterpretation of the essence of Judaism in which unreasoned enthusiasm and cold logic are reconciled to form a 'faith refined'.

The Galician student Solomon Judah Loeb Rappaport (1790-1868) pointed the way in a number of historical essays to the recovery of creative periods long forgotten or little understood. By dint of a profound knowledge of the talmudic literature, and its sequel in the tenth and eleventh centuries, coupled with critical acumen, he reassembled the scattered data from sources known or recently discovered. Thus he vitalized eminent figures in the past by evaluating their significance in the nexus of events and introducing into Jewish history the notion of development. Rapoport's writings were all in Hebrew; Zunz acknowledged them as stimulating; Christian scholars lauded them as mines of information. In richness of content and methodical penetration they were incomparably superior to the shallow rationalism and cold detachment which dominated the historical work of Isaac Marcus Jost (1793-1860), teacher in the Frankfort Philanthropin. It was exactly what Jost signally failed in understanding and Rapoport fully comprehended, that the past must be judged by its own standards, that each age developed that which was necessary to the safeguarding of Jewish life and existence, and that history was a sequence of unfoldments each standing in relation to that which preceded it. Rapoport approached the story of his people from within, even as he repudiated the vagaries of those leaders in his own day who made ready to sacrifice the rich past for the baggerly crumbs of ease in the present surroundings.¹

Sabato Morais was born at Leghorn, Italy, April 13th, 1823. He died in Philadelphia, November 11th, 1897. He was minister of Congregation Mikveh Israel 1851-1897, and his chief importance

1. Ibid, p. 640-641.

lies in the fact that he was founder of the Jewish Theological Seminary of America. In a sense, Morais stood for strict and except insofar as he laid no stress on the Talmud. unyielding Orthodoxy,¹ This we may see from a sermon² delivered at Baltimore before the Chizzuk Emunah Congregation just prior to the founding of the Seminary in which he says:- "The proposed seminary shall be hallowed to one predominating purpose - to the upholding of the principles by which my ancestors lived and for which many have died. From that nursery of learning shall issue forth men whose utterances will kindle enthusiasm for the literature of Holy Writ, but whose every-day conduct will mirror forth a sincere devotion to the tenets of Holy Writ. The language in which the poetry of the soul chose to be clothed; the language which has in all truth annihilated distance and held a people scattered throughout the habitable globe, in one fraternal embrace, the language unexcelled in terseness and vigor, must be revived. The future ministers in Israel shall become distinguished for their mastery of that grand language. Enamored with it they will not encourage or palliate a sin which aroused the righteous indignation of Nehemiah - I mean, our youths' reprehensible ignorance of Hebrew, the language of our national prayers. They will on the contrary, shame our sons and daughters into a study which is now sedulously cultivated by Christians, to the end of gaining familiarity with the text, as written by the heaven gifted beings who dipped their pens in inspiration.

"As far as it lies in my power, the proposed seminary shall vindicate the right of the Hebrew Bible to a precedence over all theological studies. It shall be the boast of that institute hereafter that the attendants are surpassing Scripturalists -

1. Rabbi Charles I. Hoffman expressed this view to the students of the seminary at the centennial anniversary of the birth of Morais.

2. American Hebrew, Feb. 19, 1886, p. 19.

though they may not rank foremost among skilled Talmudists. The latter, have at times, degenerated into hair splitting disputants-pilpulists - but the Jew who has imbibed a correct knowledge of the word of prophecy, the Jew whose heart is thrilled by the lessons of wisdom, of goodness, of godliness, unfolded in the oldest and most venerable of old books; the Jew who has been made to realize the truth enunciated by the illustrious Hillel, that in the Bible lies the germ of our traditional traditions, such a Jew will not work out his learning into a crown of self-aggrandizement, as Mishnaic sages would say; he will not go in quest of a popularity based upon a supposed originality which jars with the combined judgment of all the ancients. He will modestly cling to the tradition of the past, he will eagerly wish to create standard bearers to the Torah that it may be uplifted by unpolluted hands..."

Morais decries the lack of religious observance in American life. He stands upon the grounds of Mosaic law and the enforcement of obedience to that law.

Solomon Schechter who followed Morais as president of the Jewish Theological Seminary, points out that the Historical School inaugurated by Krochmal, Rapoport and Zunz ignore 'the simple meaning' and interpret scripture in the light of its historical significance. Revelation, or the Written Word, is reduced to the level of history, and tradition takes the place of the Bible. The historical school makes use of philology and archaeology in order to have a scientific understanding of scriptures. In their study of tradition this school turned to the works of the Rabbis and their subsequent followers during the middle ages. "Hence the zeal and the energy with which the historical school applied itself to the Jewish post-biblical

literature, not only elucidating its texts by means of new critical editions, dictionaries, and commentaries, but also trying to trace its origin and to pursue its history through its gradual development."¹

"The historical school", says Schechter, "has never to my knowledge offered to the world a theological programme of its own. By the nature of its task, its labours are mostly conducted in the field of philology and archaeology, and it pays but little attention to purely dogmatic questions. On the whole, its attitude towards religion may be defined as an enlightened Scepticism combined with a staunch conservatism which is not even wholly devoid of a certain mystical touch. As far as we may gather from vague remarks and hints thrown out now and then, its theological position may perhaps be thus defined:- It is not the mere revealed Bible as it repeats itself in history, in other words, as it is interpreted by Tradition. The Talmud, that wonderful mine of religious ideas from which it would be just as easy to draw up a manual for the most orthodox as to extract a vade-mecum for the most sceptical, lends some countenance to this view by certain controversial passages - not to be taken seriously - in which "the words of the scribes" are placed almost above the words of the Torah."²

"Solomon Schechter"³, says Ginzberg, "was a new soul, permeated with the best of modern thought, yet deeply rooted in the Jewish past.....Catholic Israel was with him more than a happy phrase - it reflected his soul. Hence the marvellously wide range of his

1. Schechter, Vol. I, Studies in Judaism, Introd. XV.

2. Ibid, pages XVII-XVIII.

3. Born in Rumania 1847; died in New York, 1915.

of his contribution to Jewish learning. It is no exaggeration to say that there is hardly any branch of Jewish literature, the knowledge of which was not enriched, hardly any period of Jewish history upon which new light was not thrown by Dr. Schechter's studies and discoveries. We owe him gratitude for both, for the original way of interpreting the old, as well as the discovery of new facts."¹

Schechter established for himself an international reputation through the identification of a leaf of the Hebrew Ben Sira which reached Cambridge, and subsequently through the find of the hoard of ancient manuscript fragments in the store-room of a Cairo synagogue. He was singularly prepared to take the lead in sifting and editing the numerous treatises and documents, through which a flood of light was shed upon obscure chapters of Jewish history.

Painstaking and accurate a scholar as Schechter was, he was far too human to withdraw himself cloistrally into the domain of pure knowledge. Out of the prodigious store of his information and reading he had something to tell to English-speaking Jewry. He was an eastern Hasid transplanted to the West; he abhorred middle-class religious smugness no less than official formalism. The show of religion was for him no substitute for genuine piety, nor the subversive estimates of Judaism by modern Christian scholars a measure of the true worth of the Torah. He pleaded for a liberalism which was Jewish, not borrowed, for a ministry well-prepared, for an orientation consummately thought out, for the historical continuity of Jewish life, for fealty to the whole of Israel-'catholic' Israel- rather than to provincial Judaism, for the revival of Jewish nationalism in complete attachment to the inherited religious values.²

1. Students, Scholars and Saints, Ginzberg, p. 242-243.

2. History of the Jews, Margolis and Marx, p. 722-723.

A Revaluation - Mordecai Kaplan

The view-points of Mordecai Kaplan, at present Professor of Homiletics at the Jewish Theological Seminary, are for the most part set forth in the S.A.J. Review, the official organ of the Society for the Advancement of Judaism. The Review is dedicated to the Advancement of Judaism as a Modern Religious Civilization, and the Society sets forth the following as its aims:¹

1. We want Judaism to help us overcome temptation, doubt and discouragement.
2. We want Judaism to imbue us with a sense of responsibility for the righteous use of the blessings which God confers upon us.
3. We want the Jew so to be trusted that his year will be taken as yea, and his nay as nay.
4. We want to learn how to utilize our leisure to best advantage physically, intellectually and spiritually.
5. We want the Jewish home to live up to its traditional standards of virtue and piety.
6. We want the Jewish upbringing of our children to further their moral and spiritual growth and to enable them to accept with joy their heritage as Jews.
7. We want the synagogue to enable us to worship God in sincerity and in truth.
8. We want our religious traditions to be interpreted in terms of understandable experience and to be made relevant to our present day needs.
9. We want to participate in the upbuilding of Erez Yisrael as a means to the renaissance of the Jewish spirit.

1. To be found on the inside front cover of every issue of the Review.

10. We want Judaism to find rich, manifold and ever new expression in philosophy, in letters, and in the arts.

11. We want all forms of Jewish organization to make for spiritual purpose and ethical endeavor.

12. We want the unity of Israel throughout the world to be fostered through mutual help in time of need, and through co-operation in the furtherance of Judaism at all times.

13. We want Judaism to function as a potent influence for justice, freedom and peace in the life of men and nations.

In Kaplan's concept of Judaism as a modern religious civilization the national element is not absent, however it takes on a spiritual as well as a physical form. "Judaism, as a religion commingled with nationalism, serves precisely this purpose of demonstrating that nationhood is a spiritual concept, and should serve spiritual ends. In order to serve this purpose more effectively, we must of course reinterpret Jewish nationalism in terms compatible with the modern spirit. But we negate rather than fulfill the purpose, if we desert our membership in a spiritual nationhood which attempts to translate into reality the 'sanctified sociological dream' of the prophets. America working also toward this end gains from every living example of its possible reality and does not lose. The end is the more an immediate reality when we keep rather than leave Judaism."¹

The survival of the group is to him a matter of deep concern. The law of group survival calls for a homogeneity of interests, and in Israel these interests have not always remained the same. Up until the time of King David, the Israelites living in the land of Canaan can hardly be thought of as an integrated whole. It was the establishment of the cult of YHWH that gave the members of all

1. S.A.J. Review, Vol. 7, No. 32, pages 1 and 2.

the tribes an identical interest. Among the southern tribes "the greater degree of homogeneity which enabled them to survive was due to, (a) a greater homogeneity of an economic and political character, and to (b) a new type of interest, together with its corresponding expression in religion, that new type of interest owing its development to the activity of the prophets and their party. This new type of interest made it possible for the Jews to survive the Babylonian captivity and to reestablish themselves as the Second Jewish Commonwealth. Stated in terms of the prophets, this newly developed interest which was accepted by the people, consisted in proclaiming the supremacy of YHWH and living in accordance with His Torah. This purpose rendered the Jews capable of maintaining their group life during the few decades that they were uprooted from their soil. Nevertheless, it is doubtful whether even that purpose would have been sufficient to exercise this effect, were it not that Babylon permitted the Jews to retain their group organization."¹ While the great majority of the Jewish nation rallied to the defense of the Torah during the period of Hellenism, another uniting force arose in the belief in another world. Throughout the eighteen and a half centuries that the Jews were scattered among other nations, "each individual^{Jew} believed in the reality of Olam Habba, and regarded the observance of the Mizwot of the Torah as the primary requisite for eligibility to Olam Habba. That is to say, all Jews held to a common conception of salvation and lived by it. Moreover the conception of salvation which they universally held made for a high degree of uniformity in the content and style of life, so that although there were always rich and poor among the Jews, learned and unlearned, the social manners, social interests, and social aspirations of all Jews were fundamentally the same. Philosophical dissent or social ambition never carried the Jew

1. The Law of Group Survival as Applied to the Jew, M. Kaplan in the S.A.J. Review, Vol. 8, No. 2, p. 7

away from his group because the only salvation he conceived could be won only by participating in the established life of the group. Thus did the belief in other-worldliness further the solidarity of the Jewish people."¹ With the period of Enlightenment and the growth of humanism other-worldliness has lost its grip upon the Jew. Furthermore "the Jewish group has neglected or rejected the opportunity to substitute for the traditional salvation - Olam Habba - a humanistic conception that might again serve to make for group solidarity. The prospect is, then, that those who by virtue of their sharp need (socially oppressed Jews) and those who by virtue of their ability to find an immediate and significant salvation elsewhere (artists, scientists, the successful) have become specially aware of the separation of their interests from the interests of the group, are sooner or later bound to merge with the non-Jewish population."²

There is then the great need for the development of group interests "whose intrinsic worth will make for Jewish group survival". For Kaplan the establishment of a national homeland is of vital importance. The reasons he gives for this stand are two-fold:- "First, only by establishing such a homeland can we dramatically call the Jewish people's attention to the law of group survival, and in a world where the Jews seem to have forgotten the only conditions of their survival this needs to be done. Second, only the restoration of such a homeland will demonstrate to diaspora Jewry the possibility of creating group interests that shall also be the vital interests of all the members of the group."³

1. Ibid, p. 8-9.
2. Ibid, p. 9.
3. Ibid, p. 10.

He recognizes, however, the fact that the establishment of Palestine as a homeland is a slow process, and that in the meantime there must be found ways "to transform the Jewish habit of wishing to survive into an effective force that shall make for his survival." He advocates the maintaining of all the types of activity (synagogue, center, Zionist groups, etc.) as the first positive step toward guaranteeing the survival of the Jewish group. He sets forth the following two types of activity in order to maintain Jewish group consciousness in our present day environment:- ¹

1. The revaluation of the cultural residuum of the Jewish past in terms of present-day thought so as to show the relevance of that residuum to modern social aspirations. Such revaluation would, among other things, render a man's Jewish interests means for correlating his interests as citizen with his interests as a believer in human brotherhood. In such a revaluation schemes for social transformation might speak with the voice of Judaism.

2. The encouragement of Jewish creative activity, in religion, ethics, and art.

I. The Method of Revaluation²

Revaluation has for its motive "a natural desire to continue in operation any set of ideas which we were taught in youth to regard as embodying life's most worthwhile aims, and any set of habits we have acquired to correspond with those aims." Since however ethical values in the last resort are based on faith, it is necessary to have as a more objective motive, "the momentum of those generations which have lived by those ethical values." For Judaism to function ethically today, it is necessary to furnish the individual Jew with evidence that

¹, Ibid, p. 11.

². Mordecai Kaplan, Revaluation of Jewish Values in Vol. 8, No. 3, S.A.J. Review, pages 4-12.

the highest ideals of today were the ethics of our Jewish forbears, and that life is lived to its fullest when we are guided by Jewish principle.

Revaluation is not new to Judaism. The Jewish social heritage has been kept alive by means of the process of reinterpretation. Thus when Judaism clashed with Hellenistic thought, the allegorical method of interpretation was used in order that the Bible might retain its authority. Of the Alexandrian school Philo is the most noteworthy representative and "he gave to Judaism a new significance, and set it on a career of proselytizing. The revaluation consisted in making of Judaism a philosophy. 'Philosophy is the soul, and ceremonies the body of Judaism', said Philo, in his attempt to establish the validity of ceremonies."¹ In the Medieval world Saadiah in the tenth century, with his *Emunot w'Deot* showed that the intellectual values in philosophic thought were anticipated in the Torah; while Maimonides in the twelfth century reinterpreted the God conception of the Torah "in the light of philosophic thinking that prevailed until the scientific age."

With the advent of scientific thinking, however, the Bible ceased to be looked upon as a divinely revealed work. The allegorical method could serve its purpose only as long as the Bible was believed to be a supernatural phenomenon. A new method of interpretation was necessary. In the nineteenth century "Samson Raphael Hirsch, a disciple of the Hegelian school, attempted to introduce Hegelian categories of thought into his commentaries on the Bible, and to interpret symbolically every one of the rites and ceremonies of Jewish life."² His attempt to revive the allegorical method failed "because the allegorical method comes into conflict with the modern man's adherence to historic fact." The philosophers lacked the realization of the historic point that ancient peoples had crude ideas about human society and the world

1. Ibid, p. 5.

2. Ibid, p. 6.

order and that these ideas found their way into the religious beliefs and practices of their time.

"Science has undermined the theurgic conception of the world... Humanism has set up as the conscious objectives of all higher human strivings the complete development of the individual human being and the unification of society."¹ With this in mind, he holds that the Torah should be treated as a human product and an attempt made "to discover to what extent the values of the Jewish social heritage have made for the complete development of the individual and the unification of society." Accepting the Torah as a human product, we may see from it the limitations of the period it covers, and in determining this the historical method should be employed. To understand the social order of those times the approach must be both historical and psychological. The Historical School in Judaism was founded by Rappaport, Frankel, Zunz, Geiger and Graetz. "The principle underlying the work of the Historical School is that Judaism is not a static compendium of beliefs and practices completely formulated at some distant time, and handed down intact from generation to generation, but represents the changing, growing, spiritual life of a people subject to the vicissitudes of time and place. The Historical School expected to put new life into Judaism by interpreting it as a series of natural phenomena subject to the natural laws of change that apply to everything else in the universe."²

Historical

Kaplan sees the method of interpretation as so far developed and applied to the Jewish social heritage as falling short in two respects:- Firstly, the material which has been subjected to the Historical method of interpretation belongs for the most part to the rabbinic period in Judaism. To the Historical School the Bible remains as the Jews' "holy of holies"; while Rabbinic Judaism is

1. Ibid, p. 7.

2. Ibid, p. 8.

held not to be entirely dependent upon the written word of the Torah, and therefore may be submitted to the light of scientific investigation. As long as the Torah is held to be a divine work, "any attempt to study the Bible from the Historical point of view is bound to be regarded as striking at the very vitals of Judaism. But that reason no longer holds good, inasmuch as the negative implications for the Jewish social heritage derived from Biblical criticism have already percolated even to the masses of our people, and unless counteracted by a positive intellectual readjustment, these implications are bound to render the Jewish social heritage even more inoperative than it is already."¹ Secondly, its approach to the problem of values is false; inasmuch as it fails to recognize the consequences in conduct to which ideas and institutions lead, and their formation into mental attitudes. "The Historical method will prove a means to the revaluation of Jewish values only when it will accept the pragmatic test of judging the significance of ideas by their consequences, and utilize the psychological method to determine the consequences in conduct of the ideas and institutions that go to make up the Jewish social heritage."² The historico-psychological method of interpretation is "to give back to the Jew the living spirit behind the dead letter of the written word, and the outward form of the social institution."

The aim of such a revaluation is not a particularistic one, but rather an attempt to establish values which "are themselves the product not of any single religious philosophy, or ethical tendency, but of the various social and intellectual forces that have entered into the shaping of modern civilization."³ However the method of valuation prescribed is rooted in the past. "Psychologic interpretation is reconstructing as far as possible the psychological background

1. Ibid, p. 9.

2. Ibid.

3. Ibid.

to an idea....The revaluation of the Jewish social heritage will consist, therefore, in throwing the emphasis upon those uses or pragmatic consequences of the traditional ideas and practices of the past which can become a means of furthering the spiritual life of the present, those uses which by their momentum can impel human life in the direction of the goal that is coming to be more and more recognized as capable of being adopted by all human beings, regardless of all differences of race, history or nationality - the goal of fully developed personality in each individual human being, and of a united social order embracing the whole of mankind."¹ To such a method of revaluation there is objection on the part of "all the orthodoxies that have acted as a deadweight upon human progress." They would have us get into the frame of mind of the founders of Jewish laws and institutions, and they are unwilling to utilize modern categories of thought. They are wrong "because the only ones to decide whether the continuity of a culture is maintained are those who are actually confronted with the problem. The past or its proxies can no more pass judgment upon the present than the child can sit in judgment upon the man."² A true revaluation can only come by exposing traditional values to the critical light of modern thought and usage.

II. The God Idea in the Problem of Revaluation³.

Kaplan holds that the important thing about the God Idea is not the content, but the way it functioned in Jewish life. He starts out with the premise that although there is a "necessary relationship between the traditional ideas of God in the Jewish social heritage and the religious behavior of the Jewish people", the religious behavior of the Jew ^{was a} ₃ Constant (functioning always for the same ends) while the idea of God varied.

1. Ibid, p. 11

2. Ibid.

3. S.A.J. Review, Vol. 8, No. 5, pages 8-18.

From this premise he comes to the conclusion that "a perpetuation of the Jewish social heritage demands that Judaism have an idea of God, but does not require that it have a certain stated idea of God."

He points out that the God Idea has not been constant in Israel. From the worship of sheep as a deity (deduced from the paschal lamb) and YHWH in the wilderness in the form of a bull, the perceptual characteristic of Israel's God Idea gradually took on a more conceptual and spiritual tone. Today, Israel's God conception should be re-valued in accordance with the spirit and the needs of our time. But the change in Israel's God idea should not affect our Social Heritage, the continuity of which has never been broken.

Dr. Kaplan does not spare the traditional Jewish God ideal in his desire for a re-valuation of Judaism. When he speaks of the continuity of the Jewish social heritage he is in harmony with the leaders in the Conservative movement; but in his God conception, which calls for the re-construction of a God Idea along humanistic lines, he is out of tune with the general spirit of the movement.

III. The Revaluation of the Concept "Torah"¹

"Judaism as a civilization" is Kaplan's way of defining the standpoint of those of our faith who have not lined themselves up with either Orthodoxy or Reform. Orthodoxy is not pragmatic and fails because of its first premise that "Judaism was long ago summarily defined by God in terms that are eternally valid." Reform, he claims, has failed to arrive at a true appraisal of the spiritual heritage of the Jew, and by removing the "element of Jewish nationalism has broken up the continuity which it strove to establish." "Reform may thus have created an estimable creed in the shape of

1. Kaplan, S.A.J. Review, Vol. 8, No. 34, pages 9-19.

'ethical monotheism' but by having, avowedly, abstracted that from a social complex which included many other things, Torah and nationalism, for example, it has left the abstraction without any real relationship with Judaism. Ethical monotheism, in short is not Judaism."¹ Between those who have lined themselves up with Orthodoxy and those of the Reform Movement there are unclassified masses of Jews who have begun to develop a "tendency toward adjustment which promises well to become the most pertinent and the most vigorous effort yet made." These Jews wish to perpetuate the spiritual heritage as a social whole. Here again we see Kaplan's departure from the tenets of the historical school, for he says of the group to which he belongs:- "Their attitude toward the spiritual heritage may be denoted by the term humanist, to differentiate it from both the theocentric and the secularist attitude, the one holding that the spiritual heriage is not susceptible to interpretation or change, the other holding that it will in all events make little difference in human destiny. But the humanist attitude holds that in the spiritual heritage we may find that which ^{will} enable us to account for life and that which may enable us to live well."²

He further says of his group that they want as much body and substance in Jewish life as possible, and that they are guided in their approach to the problem of Judaism "by the intuition that the reconstruction of Palestine is an indispensable condition to the adjustment of Judaism to its environment in any part of the world." Judaism as a civilization, then, calls for an interest in Erez Yisrael as a uniting force, the establishment of Hebrew as a common language, social interaction, common social habits, common social values, and common aesthetic values.

1. S.A.J. Review, Vol. 8, No. 29, p. 14.

2. Ibid, p. 15.

He sets forth three stages of Judaism, as constituting the Jewish past:-¹ (1) the theophanic, in which stage the people relied upon the self-revelation of the deity; (2) the theocratic, when theophany ceases as a normal experience, and there arises a "supreme theophany, the Torah — given by God, and regulating the whole of life;" (3) the other-worldly, in which the hereafter is the center of gravity and there arises a system of rewards and punishments. The fourth stage upon which Judaism is to enter will be 'humanistic' and 'spiritual'.

The Torah, as a way of life, constitutes the Jewish civilization. "That Judaism is identified in the minds of some merely with a system of beliefs dealing directly with the idea of God and consisting of practices intended to bring the human being into conscious relationship with God, is due no doubt to the circumstances that in the past every element of Jewish life was related to the God Idea. Does it follow, however, that because the Jewish people related all of its social habits to the God-idea, its main interest in living its Torah or civilization was God-idea? We might as well argue that because a

person would not think of concluding a meal without reciting grace, we are to infer that his main purpose in eating his meal is to recite grace. The main object of the Jewish people in maintaining the Torah is summed up in the Torah itself, "Ye shall ^{therefore} keep My statutes, and mine ordinances, which if a man do he shall live by them." (Leviticus 18:5).

Hence, Judaism functions only so long as it is coextensive with the whole of the Jew's life. To be that, it has to consist of the entire range of social habits, from the most artless folkways to the most formal legislative decree and the most self-conscious ethical standards. ^{"2}

1. See S.A.J. Review, vol. 8, No. 32, p. 4-15 and Ibid, No. 33, p.4-15.

2. Ibid, No. 30, p. 15.

Reverence is attached to the Torah, because it is the revelation of an undefined deity, who is yet the creator of the world. Were God defined, Judaism would be a religious philosophy rather than a civilization. The concept of God as creator gives to Judaism the task of finding purpose and order in the universe, and makes for progress. "The revolution of Torah demands that we make Torah synonymous with the whole of a civilization necessary to civilize or humanize the individual."¹ Through the Torah individual self-fulfillment is to be realized, and thus all human relationships are affected. Valent

"Individual self-fulfillment is possible only through the affirmative and creative adjustments to a series of concentric and overlapping human relationships included within and supplemented by the relationship to the cosmos as a whole. We may classify these relationships, representing, as it were, the 'opportunities' for the affirmative and creative adjustments which make possible individual self-fulfillment, as follows: family, sex, economic, friendship, civic or national, human (pertaining to humanity), and, supplementing and including them all, cosmic.....The received forms of Jewish religious worship constitute a complex of affirmative reactions to the universe and the God of that universe. A creative participation in this relationship, for the Jew today, would take the form of cultivating the traditional affirmative reactions with reference to the enlarged cosmos which enlarged experience has enabled the modern Jew to apprehend. This may involve reinterpretation or revaluation of the particular elements in the traditional reactions; it may even require the substitution of new elements -- new prayer, forms of worship, religious ceremonies; but that is what is meant by creative adjustment to the relationships through which a civilization functions.

Again, it may be that a Jew will find it difficult or impossible for
L. S.A.J. Review, Vol. 8, No. 34, page 17

him to participate affirmatively in the traditional forms of reaction to the meaning of the cosmos. The intellectual effort involved may seem to him disproportionate. But in that case it has to be remembered that these relationships are concentric and overlapping—that is to say, a relationship to the cosmos includes also the national, family, human and all other relationships. If, then, a man cannot accept the traditional relationship to the cosmos, or give it such creative revaluation as to render it acceptable, he may utilize that same relationship for a creative and affirmative adjustment to the Jewish people, or to his Jewish friendships, or to general human problems.

This process, in each and all of the relationships that apply to a Jew, is the career of Torah, or the career of the Jewish civilization. Torah is equivalent to nothing less than a civilization which can help the individual to effect affirmative and creative adjustments in each and every one of his living relationships with reality."¹

IV. The Revaluation of the Concept "Israel"

God, Israel and the Torah are the three fundamental values in Judaism which we strive to preserve. The preservation of Israel's group life is of utmost importance. A re-valuation of Israel must not stop with the present, but must also concern itself with what the group aims to become.

Kaplan seeks to set up a humanist conception of the Jewish people. He recognizes a great gap between the humanistic conception and the traditional conception of Israel. He turns to Judah Halevi as the Jewish philosopher"who gives not only the most systematic and complete conception of Israel but also the one that proved acceptable to all classes of Jews throughout the pre-Emancipation centuries, from the philosophers to the most unphilosophic or anti-philosophic rabbinite."²

¹ S.A.J. Review, Vol. 8, No. 34, pages 17-18.
² Ibid, No. 35, page 12.

It is not difficult to understand why Kaplan should have chosen Halevi as the philosopher who best sets forth the traditional conception of Israel, because of the national temper which Halevi strikes. Israel stands at the pinnacle of creation; God has revealed Himself to its forefathers and with the acceptance of the law has taken the whole nation unto himself as his chosen people; prophecy belongs only to the land of Israel; dispersed from the land, Israel continues to obey the divine laws and will some day be redeemed from its suffering.

Kaplan holds that the theurgic element must be removed from the traditional conception of Israel and a humanistic one put in its place. "Orthodoxy dispenses with the need of troubling itself about the social and political arrangements involved in the question of practical social adjustments." While Reform has taken cognizance of the political and civic arrangements of the present-day world, it has "repudiated the status of the Jews as a nation and declared them to be a religious group". He says of Reform that, "the most superficial observation would have led it to note that with the acceptance of the humanist point of view, religion becomes a divisive instead of a uniting force, unless it be associated with other social forces that are more elementary in social experience than religion."¹

He ends his thesis on the revaluation of the concept of Israel by saying:- The kind of collective being for the Jewish people which, we believe, is compatible with the reason and justice by which humanity seeks to guide its life today, and with the actual possibilities of continued life and growth as a group, is that of an inter-nation with Palestine as the national homeland. The task of finding a suitable social mold for the Jewish people consists

1. S.A. J. Review, Vol. 8, No. 35, p. 19.

in envisaging Palestine restored as the national Jewish homeland and the Jews outside of Palestine as so organized that they could retrieve their nationhood without prejudice to their status and loyalty as citizens of other lands. But before we proceed to this task, we must be convinced:

1. That it is only in terms of nationhood that Judaism has always contemplated the function and destiny of Israel.

2. That the call of nationhood is the call of the spirit, and that, therefore, the development of Judaism as a spiritual civilization will be furthered by enabling Jewish nationhood to function again."¹

Kaplan, in defining Judaism as a spiritual civilization, has overlooked the fact that, even ^{if} we are to accept the idea of^a Jewish civilization, that civilization can hardly be divorced from the God Idea and Ideal which is the core of that civilization. He fails to take into account the function of the God Idea in the every-day life of the Jewish people, and how God has functioned as the unifying force of the people of Israel throughout the ages. The views set forth by him form a new departure in the ranks of the Conservative Element. In some points he is in line with the other leaders of the Conservative Movement, e.g. the ideals of nationalism; but in employing the historico-psychological method of interpretation of Judaism, he is out of harmony with the treatment of the founders of the Historical Movement in Judaism.

1. S.A.J. Review, Vol. 8, No. 35, p. 20.

THE PLATFORM OF THE CONSERVATIVE MOVEMENT

The name "Conservative" is very confusing because this term is usually applied to those groups which oppose progress. Orthodoxy may be spoken of as conservative Judaism since it follows a policy of adherence to traditional modes of conduct. And yet Rabbi Max Kadushin tells us that the movement has tried to summarize the principles for which his party stands in the names that have been given to it: Conservative, Traditional and Historical Judaism. In his article the "Historical Background of 'Conservative Judaism'"¹ he tells us that "to the popular mind these names were not sufficiently specific; and, it therefore proceeded to distinguish us by appellations which, if more crude, were also more descriptive. Some of our members, who, though admiring Reform with its social and aesthetic advantages, have not yet the heart to break entirely with the old customs, translate "Conservative" to their friends as "semi-Reform" ; and others, who, by virtue of their insisting on the ancient ritual on those few occasions when they do attend services, style themselves "Orthodox," insist also on calling our synagogue "Modern Orthodox."

What is true of the name is of course equally true of the program of this movement, due to the lack of a definite platform to which its leaders may turn in shaping the policy of the individual synagogues which represent this movement. Such questions as these are often levelled at Conservative leaders in connection with the Judaism for which they stand:- "Who are you? What do you offer? What right do you have to exist?"

1. Article. "Historical Background of 'Conservative Judaism'" by Rabbi Max Kadushin. The Sentinel, Jan. 21, 1927

While "it is true that the Conservative may claim that Orthodox and Reform are misnomers, nevertheless, they are relatively old and can exist for the time at least - on the momentum of the past. But the Conservative must explain his position. Many attempts have therefore recently been made to define Conservative Judaism."

Leaders in the movement are very conscious of the fact that they are on the defensive.¹ To quote from one of the many articles in which this dilemma is recognized: "Every time a Conservative rabbi essays a public definition of the Conservative 'credo,' he invariably confirms the current understanding of Conservatism as something that is decidedly neither here nor there. The matter is beautifully illustrated in the recent dedication services of a conservative Temple, where the rabbi explained that the 'principles' of the Temple constituted 'a blending of tradition and piety with progress and modernity.' These are indeed fine principles; one needs only to understand them, which is not easy.....The Temple is described as 'orthodox in all ways but three. These three are the use of the organ, a mixed choir, and mixed pews.' There is of course nothing wrong or exceptional in any of these three properties of a service, but what is to be said of a religion which can be characterized in these terms.' This state of affairs will probably prevail until Conservatism makes for itself a philosophy, and it is not likely to do so until it finds for itself a new and less paralyzing name."²

1. Article. "A Rabbi Takes Stock" by Rabbi Solomon Goldman, Menorah Journal, Feb. 1928. Editorial in the S.A.J. Review, vol. 7, #32, pp. 4-7. Editorial in S.A.J. Review, vol. 7, #37. Article. "Historical Background of Conservative Judaism." P. 8, The Sentinel, Jan. 21, 1927

2. S.A.J. Review, vol. 7, #37, editorial

An attempt to formulate a platform for the movement was made by Dr. Louis Finkelstein in his paper "The Things That Unite Us,"¹ which he read at the 1927 convention of the Rabbinical Assembly of America. The program follows:

"We are all, members of the Rabbinical Assembly, vaguely aware of our fundamental unity of aim and point of view. We have our differences but, even without analyzing them, we know that they are slight in comparison with our basic agreement in essentials. Taking this agreement for granted, we prefer to discuss, when we meet, those aspects of our work and faith which divide us. This is stimulating to the mind and it emphasizes our individuality, but may tend to obscure in our own minds our basic unity. We are apt to develop the psychology of brothers in a large family, who to all outsiders look and act alike, and yet are continually bickering with one another about their minute differences of taste and manner. Who know better than we rabbis how frequently families are disrupted because a husband or wife suddenly discovers an affinity with some stranger with whom only a few casual commonplaces have been exchanged? It is only later when the harm has been done and cannot be remedied, that the realization comes that "then was it better with me than now."

As I have been listening to the papers read at our Convention and following the activities of our members I have been profoundly impressed with the need of analyzing and reducing to a rational basis our indefinite consciousness of unity. In

1. Proceedings of the Rabbinical Assembly of America, 1927. pp. 42-53.

this paper I could attempt nothing more than to take the first steps toward such an analysis. Only the more obvious truisms about our relations are pointed out; the more difficult task of studying them and clarifying them must be left to further discussion. Hence you must not expect to hear what you do not already know; the purpose of this paper is not to reveal the hidden but to summarize the known.

The subject inevitably divides itself into a number of headings regarding each of which there is among us fundamental agreement as well as difference in shade of opinion. I shall point out under each title as clearly as I can the extent of likeness as well as of disagreement.

I. The Conception of God

So far as I can see we all agree that the visible world of which man is part is but an island in the sea of truth which transcends it, and which is most clearly reflected in the human mind and conscience. The evils and cruelty which form an integral part of the material world are for us not the final reality; behind them and giving them meaning is the Ultimate Good, whose validity is testified to by the human mind though not dependent on it. The spiritual truths which have always been associated with the name of God are valid independently of man's knowledge or practice of them. The prophets and lawgivers of Israel were men who more clearly than any others felt the presence of God and came most directly in contact with His spiritual being. They knew less than we about the actions and movements of physical being, but incomparably more about the laws that govern spiritual life. They felt constantly in their daily lives the presence of God that we sense

only in moments of ecstasy and under particularly favorable conditions. They knew what was right by intuition, by meta-logic if you will. Their works are therefore inspired in the sense in which no other literature, no matter how great or how beautiful, is inspired. To see the beauty of the world as Homer or Dante or Shakespeare saw it, is an approach to an understanding of its deeper meaning; but it is not the whole of it. The prophet was not merely a poet, he was also a man of God.

God thus revealed himself to Israel through the Torah and the prophets. We say He chose Israel in the sense that Israel was more keenly aware of his Being than other people. In Israel's recognition of God we become aware of the Divine selection of Israel. It is therefore literally true that the inspiration of the Torah and the Prophets is the expression of God's choice of Israel as His people.

For the God who revealed Himself to us through the Torah and the prophets we have the same love that the prophets and sages felt for Him. Our heart yearns for Him like that of the psalmist whose soul "thirsted for God." We are not talking empty metaphors when we say that we feel the presence of God in the synagogue, especially on the High Holidays like Yom Kippur when our people are assembled there in greatest numbers; that at times when our minds are properly attuned we feel the exaltation of His inspiration when we read the Bible or study the Talmud or recite prayers. But on the other hand, with all the great Jewish thinkers of the past from the writer of the Book of Chronicles, the authors of the Septuagint, and the

Targumim, and with the authorities of the Talmud to Maimonides and Jehuda Ha-levi, we feel that if God is to be made intelligible to men of intelligence as well as to others, the conception of Him must be stripped of its anthropomorphisms which satisfy only the needs of the uninitiate. We fear that the last three or four centuries have produced in Israel a deterioration of the conception of God just as they resulted in a deadening of the feeling of the Torah. And we must teach our children and our following to feel the presence of God and, at the same time, not to think of Him merely in human terms. We can as little reconcile ourselves to reducing Judaism to a cold and dispassionate doctrinism as we can hope to maintain in an age of widespread education a conception of God that marks a definite retrogression from that attained by Jehuda Ha-levi and Joseph Albo. We are thus a unit even in our understanding of the ultimate basis of all religious life and insist that only in our faith, which is frankly based on our emotions and intuition, but which we seek to formulate with proper recognition of the scientific facts that have been established, is there room for the conception of God that can remain living and effective in our children's minds.

II. Our Attitude Toward the Torah

Our attitude toward the Torah differs from that of other schools in our application to the practical life of religion of the principles and feelings which find their theoretical expression in the historical school of Jewish studies. The fundamental premises of this school may be summed up in two statements; (1) that Judaism is^a developing religion, which has undergone an historical and definable change through the

periods of the prophets and the rabbis; (2) that this change was not one of deterioration and ossification but of growth, self-expression, and foliation.

No student of history can fail to see that the Judaism of the Second Commonwealth developed, particularly toward the end, a new and widespread affection for the ceremonial observance of the Torah as well as for its study and exposition. It is in vain that we search the prophets, especially those who lived before the exile, for anything like Hillel's or R. Akiba's devotion to study for its own sake, or their readiness to sacrifice everything in order to observe the commandments. The leaders of Jewish thought in the Second Commonwealth were legalists and legislators; those who had prepared the way for them were primarily poets, prophets, visionaries, and critics of the existing order.

Even in the First Commonwealth the legislator and prophet were closely associated. The codes of law in Exodus, Leviticus, and Deuteronomy, though expressed in prosaic form, are so far above all contemporary codes that they can only be recognized as prophetic and divine, in the same sense that the fiery words of Isaiah and Jeremiah are prophetic and divine. But there was a change of emphasis from the First Commonwealth to the Second, and perhaps it can be best summarized by saying that in prophecy Judaism was in its twenties, and in Rabbinism it had reached its forties. This change does not warrant the use of a different terminology for the two periods. We regard it as preposterous and unscientific to distinguish the Judaism of the Second Commonwealth from that of the First by calling the faith of the

prophets the religion of Israel rather than Judaism. It would be just as fair and correct to call America before 1860 by some other name, say Columbia or Indiana, because during the Civil War American opinion underwent a profound change. Pharisaism and Rabbinism are for us the legitimate and natural outgrowth of prophetic Judaism; they are more - they are its fullest expression.

Because on the one hand we regard the laws of the Torah as prophetically inspired, and because on the other we regard the legalism of the rabbis as the finest and highest expression of human ethics, we accept both the written and oral Law as binding and authoritative on ourselves and our children after us. The Torah is for us the way of life, and Rabbinism merely the fruit into which the blossoms of prophecy ripened.

But, and here our modern outlook asserts itself, we do not regard the observance of either the written or oral Torah as an alternative to eternal perdition. The punishments with which our fathers threatened us for deviating from the ways of the Torah, seem to us too naive and unsophisticated. The conception of God that lies at their basis is too immature for us and for our children. We are rather prepared to accept the dictum of the rabbis that "the punishment for a transgression is the transgression itself." If by salvation is meant spiritual peace, the satisfaction of living a worthy and good life, certainly salvation can be attained only through the observance of the commandments. But we are entirely unwilling to cajole or intimidate our following or our children into being loyal to the Torah through threats and the fear of punishment.

We are drawn to the Torah with the bonds of love for it and for its norms. We love its ceremonies, its commandments, its rules, and its spirit. We delight in its study, and find in it comfort and consolation, discipline and guidance. And it is this response to it that we want to hand down to our children. We ^{owe} our affection for it to our ancestors who have guarded it through 2000 years of suffering, and we feel that it would be a betrayal of them to yield in our adhesion to it now when we have at last attained freedom and emancipation.

These were doubtless the forces that kept our ancestors loyal to the Torah. Their fear of punishment was merely a rationalization of what was essentially emotional. We are conscious of the real urge that animates us and we are unwilling to deceive ourselves as to its essential quality. We certainly dare not, even for the sake of the Torah, establish its observance on the basis of what has come to seem to us a false rationale.

Our love for the Torah is only in part rationalistic; in the main, we need not be ashamed to confess it, it is emotional, intuitive and mystic. We find much in the Torah of which the validity can be established by science and logic. But we do not base our observance of it on mere intellectualism. We can give no mathematical reason for the joy which the Sabbath brings us. If our neighbor does not feel it he lacks the 'Neshamah Yeterah' which he can better obtain by living our life than by listening to our arguments. Doubtless had we been born Hottentots, we could not have discovered the Torah of our own will and accord. But we are not Hottentots, and have behind us our Jewish individual and racial memories. It is these memories that are part and parcel of us and that bind us to the Torah with ties which we have

no desire to sever.

III. Our Attitude Toward Change in Ceremonial

The Torah is for us not merely a joy; it is Israel's most effective protection from disintegration and assimilation. With this fact in mind, we cannot overlook the multitudes of our people who regard what ^{are} for us garlands of roses and chains of love as shackles of steel and iron. With an effort they break themselves free of these fetters, and like Spinto in Shaw's play run straight into the mouth of the lion.

In order to hold these men within the comity of Judaism it has been proposed to lighten their burden. Obviously if a breach is to be made in the levee it is better to make it deliberately, thoughtfully, intentionally, and intelligently so that we may control the waters. Far better that than to permit the flood to carry away home and farm, hamlet and village. Such voluntary breaches in the wall of Judaism have been made heretofore, but always their utility was first demonstrated to the satisfaction of the scholars and leaders. Today there is such a lack of authority in Judaism and the rabbis are so hopelessly divided, that it appears impossible to convince even an appreciable fraction of them of the necessity of concerted action. Some of our number have felt that these conditions demand urgent and immediate steps. They simply could not wait for the "blind mouths" to become seers and feeders and they have taken matters into their own hands.

To change the established law, even by interpretation, without concerted action of wisely recognized authorities is admittedly a revolutionary process. Yet the purpose that fills the minds of all of us is to maintain the Torah. None proposes to yield the marriage law or the Sabbath; the most rash among us have suggested only the abrogation of some customs, ceremonies and prohibitions that have arisen in the course of time, and of which the value is no longer evident to all. After ^{all} Resh Lakish did say, "Sometimes the transgression

of part of the law is the saving of the whole of it." There is all the difference in the world between proposing a change in a single law for the sake of saving the Torah and disregarding the whole of the Torah.

Still, it cannot be denied that the attitude of permitting changes in the usage of Israel by individual congregations and rabbis is untraditional and revolutionary. Revolutions can be justified in only one way - by being successful. It was revolutionary for the Babylonian Amoraim to set themselves up as judges and rabbis without the traditional Palestinianian Semicha; it was revolutionary for R. Gershom to gather a synod for the purpose of making new enactments; it was revolutionary to write down the prayers and codify the law. All these changes, of which the least is far more radical than any proposed among us, were justified by the fact that they helped to save Judaism in crucial periods. The necessity was recognized by Klal Yisrael, and what had been a break with tradition became itself tradition. The American Declaration of Independence was adopted in violation of the established political order, but that did not prevent it from becoming the basis of a new order in whose tradition it is the most precious document. The will of the American people made regular what was essentially irregular, and so the living will of the Jewish people has often made proper what was at first and in essence improperly done.

If the shifting of values and the introduction of new devices will actually bring Jews back to God, to the Torah, and to the synagogue, they will doubtless be accepted. They will then take their place besides the Maccabean innovation which permitted war in self-defense on the Sabbath day; beside the Tosafistic leniencies in regard to the wine of Gentiles; besides R. Isaac Elhanan's new interpretation permitting the remarriage of a woman whose husband was

drowned at sea.

But pending such proof of the value of these changes, and pending their acceptance by all Israel, some of us prefer to stand aside and watch like Eliezer at the well "steadfastly, holding our peace, to know whether the Lord hath made their way successful or not."

As to the proposed innovations and new interpretations, there is none of us so bigoted as to refuse to cooperate with those who are attempting them, provided always that the ultimate purpose of the change is to strengthen the attachment of Israel to the whole of the Torah, and that it does not defeat its own end by striking at the fundamentals of Judaism. We could not countenance, for instance, the substitution of Sunday for the Sabbath as the main day of worship, although most of us have acquiesced in the alteration of our school curricula so as to place primary emphasis on conversational Hebrew rather than on prayers and mechanical reading, and have in one form or another accepted the late Friday evening synagogue assembly, which frankly aims to meet the religious needs of those who do not attend on Sabbath morning. To permit Sunday to supersede the Sabbath would be such a clear break with all of our past that no gain could justify it, but Judaism is definitely strengthened in this land whenever Jews who do not attend the traditional service, do come to some Sabbath gathering.

We are a unit in opposition to any attempt to put Judaism in a strait-jacket. Many, through ignorance or lack of vision, do not hesitate to insist that a practice once established shall always be retained. One is reminded of the retort made to a group of such bigoted stereotypists by the famous saint and scholar R. Israel Lipkin-Salant, half a century ago. The synagogue in Kovno which had been built a century earlier had like all Lithuanian synagogues never

had a stove. When someone proposed to install some heating apparatus, opposition was raised on the ground that it would be untraditional, "It has never been done," the intransigents argued. "Why depart from the ways of our fathers?" R. Israel overwhelmed them in a moment. "Do you mean to say," he asked those who preferred to shiver traditionally rather than be comfortable in a new way, "do you think, that because our ancestors have done a foolish thing for a hundred years, we must continue their folly forever?" And the stove was installed.

IV. Our Attitude Toward Israel

Much of the difficulty about change in the law is due to a lack of faith on the part of the Jews whose lives were narrowed by persecution. The study of Jewish history has been much neglected, and thus it has occurred that even students have grown up unaware of the accomplishments of Israel in the past. To us the development of prophecy, of the Talmud with its system of law, its codes and commentaries, of mediaeval philosophy and of Jewish poetry, are all evidences of the creative spirit of Israel. We believe with Hillel, that if the children of Israel are "not themselves prophets, they are descendants of prophets," and have in themselves potentialities of return to their ancient exalted state.

What future creations lie latent in the still growing mind of Israel we do not know. But we would encourage every attempt to create the new, provided it is not positively self-destructive. Jewish art, Jewish music, the renaissance of the Hebrew language as medium of daily intercourse, and above all the rebuilding of the Jewish homeland, have all our enthusiastic support. We cannot accept the formula that Israel lives only for the sake of its mission of monotheism; we believe that great as monotheism is, and greater still as are the ethics of Israel, there may be yet other creations in the spirit of this people.

In this we disagree also with those, who, while exalting God and the Torah, deny the power of Israel's creativity. Does not the Talmud say that Elijah was rejected as a prophet because he sought the honor of God but had neither faith nor patience with Israel?

On the other hand, we cannot agree with the various secularist groups even in the conception of Israel which they hold in common with us. We cannot, with our knowledge of anthropology and sociology, and our awareness of the infinite harm that such claims have done to other peoples, insist or even admit that the Jewish people has a superior germplasm. We refuse to be jingoistic, chauvinistic, or bigoted in weighing our own personality. Israel is a great and ancient people; it has done great things and there is no reason for doubting its ability to create further. We love it as our people. We recognize that it has weaknesses of which we are aware, and may have more of which we are unconscious. In any event, our loyalty to it does not depend on our belief in its singular excellence. We decry any attempt to establish loyalty to it on such basis, firstly, because it is building on quicksand, and secondly, because it is like the exaggerated and preposterous claims of Teutonic and Nordic superiority.

V. Our Attitude Toward Palestine

From what has been said, it is evident how closely we are related to each other, in opposition to other groups, in our attitude toward Palestine. We want to see Palestine rebuilt; we have for it too an intuition, unreasoning and mystic love. We want to see Palestine rebuilt as the spiritual center of Israel, for in that way it can serve our people best and help solve some of our pressing problems. But aside from its help in maintaining the spiritual integrity of our dispersed communities, we look on Palestine as we do on the Torah-- as an ultimate, a thing^g that is good in itself, whose welfare we seek for its own sake. Our formula therefore may be expressed

thus: We want Erez Yisrael established as a Jewish community; if possible as an autonomous one. We should like to persuade its present generation of colonists and workers that the interests of their people demand their observance of the Torah, and the interests of Truth their recognition of God. And yet if our arguments should prove of no avail, we, unlike all other religious groups who accept Zionism, are willing to trust the future to God and to His people.

VI. Our Attitude Toward the Hebrew Language

Every Jewish renaissance from that of the Maccabees until our own time has been accompanied by a revival of interest in Hebrew as a language. The Book of Jubilees, written in the first half century of Maccabean independence, stresses again and again the fact that Hebrew was the language of creation and of the patriarchs. One of the effects of the Revolution of '70, and also of the Bar Kokba rebellion, was to stimulate the use of Hebrew so that in the household of Rabbi Hebrew was the vernacular. R. Meir insisted that just as one must teach one's child the Shema, so must one teach it to speak Hebrew. We are therefore entirely sympathetic to the establishment of Hebrew as the language of conversation, Jewish literature and learning. We wish to encourage in every way, again as a means of maintaining the integrity of the Jewish people and the Jewish spirit, and also because, like the Torah, Israel and Palestine, is an end in itself. We find ourselves in opposition to those who have permitted the excision of Hebrew from their prayer book, and have dropped it as a subject for instruction in their schools. A Hebrewless Judaism we conceive to be an impossibility, or, rather, as Dr. Hertz states in his recent work, "A Hebrew-less Judaism has no future because it cannot be justly said to have a present."

On the other hand we feel that Hebrew will always remain a holy language-- that is to say, its use ought to be a religious duty rather

than a chauvinistic whim. Nor can we agree ^{with} those Hebrew writers who neglect the literature of the last 1800 years from the Mishna to our own times, and prefer phrases constructed on the basis of modern Arabic to those of traditional Hebrew. We regard some of the modern Hebraisms as sterile mongrels and oppose them because they desecrate the language which is to us as sacred as the books which were written in it. We desire in every part of our spirituality to keep alive the traditions of our people.

VII. The Seminary

We thus find ourselves united in a number of important conceptions in which we all believe. Within our ranks there is wide differences of opinion as to the exact meaning of some of them. And yet one cannot believe that these slight differences among us would justify any separation in our ranks, in view of our substantial unity of outlook and the difficulty of serving our cause even when we are together. After all, to put the whole matter in a word, we are the only group in Israel who have a modern mind and a Jewish heart, prophetic passion and western science. It is because we have all these that we ⁺ Judaism so broadly, that we can agree with almost all elements in the constructive suggestions proposed them them, but break away from them in their arrogance and lack of foresight. And it is because we are alone in combining the two elements that can make a rational religion, that we may rest convinced that, given due sacrifice and willingness on our part, the Judaism of the next generation will be saved by us. Certainly it can be saved by no other group. We have then before us both the highest of challenges and the greatest of opportunities. It is the knowledge of this, above all, that unites ^{us} and makes us one.

Our unity is symbolized for us by the Seminary, that institution of which we are all either the natural or adopted children.

In its diversified faculty, we find our own differences ably reflected. As our Alma Mater we all owe it loyalty and gratitude, and these we give the more willingly because it serves as a source of encouragement for us when sometimes we falter, and as a center around which we can always gather.

Through it we become not only comrades in arms, but also brothers. After we have said everything about our similarities and likenesses, there remains but one thing to be said, and that is we are all of us "Seminary men."

CONCLUSION

A distinct philosophy for the Conservative Movement has not been formulated, perhaps because of the youth of the movement; more likely because it has taken up middle ground somewhere between Orthodoxy and Reform, and like the middle class in society it forms a feeding ground for either pole. Orthodoxy today is taking on the little refinements of Conservatism - such as decorum in service and the conducting of the sermon in English - Reform is taking on more of a national note. Conservative Judaism attempts to strike a modern note, but still claims to be traditional Judaism:- Again and again conservative leaders make assertions that they are bound up with traditional Judaism and are not conscious of a third party in American Jewry. Thus did Max Drob speak at the last Rabbinical Assembly:-

"Dr. Schechter of blessed memory repeatedly stated that the Seminary is not the center nor even the nucleus of a third party in Judaism. The Seminary, he insisted, has no desire to promulgate a new Schulchan Aruch or even to amend the old one, and it certainly presents no new Theology. Higher criticism he decried as "higher anti-semitism" and he cautioned us against adopting its conclusions. He required the professors and the students to observe traditional Judaism, a requirement which can be found in every Register of the institution. He saw to it that the model synagogue at the Seminary was conducted in strict accordance with tradition and its beautiful service reflected the spirit of loyalty that animated the institution. When the United Synagogue was founded, its constitution distinctly stated that it did not sanction the innovations made by some of its constituent synagogues. If there has ever been a change of front, no statement to that

effect has ever been made. I look in vain for any record that the United Synagogue ever ceased to be loyal to the avowed purpose of the founder. In preaching and teaching traditional Judaism, I therefore feel that I am loyal to the charge given me at my ordination eighteen years ago."

But there is little unity of opinion in Conservative ranks, and that the conservative wing of Judaism owes something to Reform and has no definite claim to being pure Orthodoxy is well summed up by Tobias Schanfarber's review of Drob's address:- When Rabbi Drob has the effrontery to say that 'traditional Judaism as expounded by the Jewish Theological Seminary does not differ fundamentally from so-called Orthodox Judaism. In fact they are identical except for the method used.' he is saying what he knows does not harmonize with the facts. Certainly the authorities of the Elchanan Spector Seminary would repudiate such a statement. When the rabbi of the B'nai Jeshurun Congregation of New York sanctions the introduction of a Sunday lecture in his congregation is he acting in harmony with the spirit of simon-pure orthodoxy? When a large number of the graduates of the Theological Seminary introduce confirmation of girls are they acting true to the spirit of the Schulchan Aruch? When they hold these confirmation services on a Sunday instead of the traditional day of the giving of the Ten Commandments on Mt. Sinai are they simply deviating in method and not in the fundamentals of Orthodox Judaism? When the graduates of the Theological Seminary permit men and women to sit in the same pew at worship again is this merely difference of method or is it breaking fundamentally with the traditions of orthodoxy? We are afraid that the real genuine orthodox believer will not want to form any compact with the graduates of the Theological Seminary even if the graduates of the Jewish Theological Seminary

say that their Judaism and the Judaism of Orthodoxy are 'identical.'"¹

The Conservative Wing has not only failed thus far to accomplish the very thing which it started out to bring about - the uniting of all the forces of Jewry; but there is no unity within its own ranks. Of Dr. Finkelstein's attempt to formulate a platform, Rabbi Eugene Kohn says:- "Dr. Finkelstein sums up as the things that unite us: our conception of God, our attitude toward Israel, our attitude toward the Hebrew language, and our loyalty to the Jewish Theological Seminary. He gives the impression that these common attitudes not only unite us, but differentiate us from other groups in Israel which rally about the Orthodox Yeshivah or the Reform Hebrew Union College; that, in a word they constitute the spiritual platform, so to speak, of the Jewish Theological Seminary and the Rabbinical Assembly. Dr. Finkelstein does not, however, seem to me to have proved the thesis that he maintains. In saying this I do not mean to imply that we hold none of these things in common, but that the things which we hold in common we also share with the great mass of loyal Jews in Orthodox and Reform ranks as well and that, as to the things that we do not share in common with all loyal Jews, we find that we too are divided with regard to them."²

The unifying forces in American Jewish life have been set forth in the following manner:

1. Native and immigrant are merging together. The fixing of the quota has helped this.
2. Common efforts for European Relief.
3. The feeling of Jewish comradeship is constantly intensified by the persecutions of different Jewries in Europe. The anti-Jewish laws in Hungary, the riots in Roumania, the boycotts in

Poland, emphasize and mark articulate Jewish consciousness and create Jewish solidarity.

4. The Center as a communal institution.

5. Zionism no longer is a theory, thanks to the Balfour Declaration.

The establishment of the Jewish agency, which is an all-inclusive non-partisan body for the upbuilding of Palestine.

6. New interests in Jewish education. However, there is still a great need for adult Jewish education.

7. Awakened interest of the American Jewish intellectuals in Jewish life.

8. Increasing significance of Palestine, not as the object of drives and appeals, but the influence Palestine has begun to exert on the life of the Diaspora Jewry - the spread of Jewish culture.

The Conservative Movement has helped to nourish these budding influences. It has sought after things Jewish, and therefore, has done much towards keeping alive and promoting the growth of Jewish culture. In lining itself up with the historical school it has helped to keep alive the spirit of Judaism as expressed in Jewish literature and learning. It has produced a number of scholars, working in the field of Jewish Science. As a group endeavoring to keep alive the continuity of Israel's traditions and Israel's literature it has played a large roll in the place of American Judaism. However, as a distinct movement in Judaism it stands on rather uncertain grounds, and if it is to serve as a unifying force; it would seem ^{that this must be accomplished} ~~by~~ influencing the other groups rather than by expecting American Jewry to accept the Conservative viewpoint as the Judaism.

It is because of the attempt to strike a happy medium between Orthodoxy and Reform that there is so much confusion in the Conservative Camp. "The average layman," says Eugene Kohn, "is impatient of doctrinaire discussion and feels that every issue is capable of solution by a compromise that seeks the middle ground between two extremes. Nothing seems easier than the establishment of this golden mean. In truth, however, nothing is more difficult. We may take an historical example from the controversy between the schools of Hillel and Shammai. The Talmudic verdict with regard to the controversy is to the effect that "the words of both are the words of the living God, but the decision is in accordance with the school of Hillel." But, if both schools taught inspired doctrine, "the words of the living God," why not have taken a middle road between the two paths? The answer is, because there was no middle-of-the-road attitude that was logically tenable. So long, however, as the issue was still open between the two schools one could be a good Jew by being a consistent follower either of Hillel or of Shammai. If, before the controversy was closed, a man acted in each instance according to whichever of the two schools gave the more lenient decision he was considered by the rabbis a rasha or rogue. If, on the other hand, he conforms in every case to the more rigid decision of either school, they apply to him the words of Koheleth, "The fool walketh in darkness." Yet, be it observed, both the course of the rogue and that of the fool were middle-of-the-road courses between the divinely inspired teachings of Hillel and Shammai. And these middle-of-the-road courses were closed by the rabbis as morally dangerous ways.

"Such unintelligent compromises, often hailed as welcome manifestations of the spirit of harmony, are not uncommon in our day.

Indeed, the whole Conservative Movement, if it may be called a movement, is in danger of forfeiting the serious consideration of thinking Jews by its frequently grotesque 'fifty-fifty' compromises between Orthodoxy and Reform. Take for instance, the action of certain congregations in regard to the use of an organ at services. There are Conservative congregations that have an organ but insist that the organist must be a Gentile since a Jew is forbidden to play a musical instrument on the Sabbath. Now there are reasonable and sensible considerations in favor of breaking with this tradition. It may be urged, for example, that music is an aid to devotion, that the musical rendition of the service can be greatly improved by the use of the organ, and that these advantages are of sufficient importance to outweigh the traditional objections to the organ's use. But, if we are to introduce organ music in our service, the playing of the organ should obviously be viewed as a ritual act. The organist should be a man who is steeped in the musical tradition of the synagogue and in sympathy with the religious motifs that find expression in synagogue music. To employ a non-Jew to play the organ at a Jewish service is hardly less absurd than to employ a Christian to blow the Shofar on Rosh Hashanah or to sing in the choir at a Jewish service. But 'practical' men, who regard the organ not as a means of improving the services - for they have little genuine interest in worship as such - but as a means of 'attracting' the more modernistically inclined to the synagogue and those who respect the legalistic objections to a Jew's playing a musical instrument on the sabbath not merely as a matter of principle for they violate many more important injunctions without any qualms - but merely as a concession to 'the older element', accept such a

compromise as a reasonable 'fifty-fifty' proposition. Nor is it only in ritual matters that such grotesquely anomalous compromises are made by our common-sense ba-ale batim, but equally absurd and much more dangerous compromises can be discovered without difficulty in the educational programs of our schools and in the management of Jewish social and philanthropic institutions."¹

Conservatism has taken unto itself the Mendelssohnian principle of freedom of thought, but conformity of action. The Torah itself, as divine revelation, is not to be tampered with. Biblical criticism is permissible only outside the Torah. This does not, however, preclude rabbinic interpretation and the oral tradition takes on the sacredness of the written law. Conservative Judaism wants to make some changes in ceremonial observance - for Judaism is a way of life, and in order to meet the demands of our time a few changes in the Synagogue will not suffice - but it lacks the boldness of Reform. Reform sees the need for change and makes it. The Conservative group sees the need, but as an historical movement it can only attenuate the Mosaic Law for continuity with the past must not be broken. However, even to modify the law some authority is needed, and the Rabbinical Assembly has been very reluctant to assume that authority. "I can understand," says Eugene Kohn, "the hesitancy of many of my colleagues to accept certain innovations that may seem to me proper and necessary for fear that these may endanger the continuity of Jewish tradition, but I cannot understand an attitude which urges us to wait and see whether an experiment succeed or not when the very waiting must of necessity contribute to its failure to succeed. For, obviously, the restoration of authority cannot be effected by a refusal to assert

1. Intellectual Cooperation in Jewish Life, Eugene Kohn, in S.A. J. Review, Vol. 8, No. 4, pages 6-18.

authority. Relatively to the ignorant masses, whose religious observance or non-observance is not based on an enlightened understanding of Judaism, we are the "scholars and leaders." At all events, they look to us for leadership and, if we fail them, we destroy the last hope of ever restoring any form of authority in Jewish life whatsoever. Since we all concede that change is necessary, is it not the duty of the Rabbinical Assembly, precisely because it is an assembly of rabbis, to seek to discriminate rationally, on the basis of knowledge and experience, between innovation and innovation, rather than to evade the issue by leaving it to chance."¹ At the commencement exercises of the Jewish Theological Seminary on June 9th, 1929, Rabbi Abraham A. Neuman advocated the establishment of a Sanhedrin in Palestine in order to maintain the integrity of the Jewish Religion.

For Schechter it is "Catholic Israel" speaking through the channels of the "Universal Synagogue" that is to determine Jewish practice. But it is quite difficult to ascertain just what the Jewish mind is thinking or whether that Jewish mind has found itself in this new environment. What difference of opinion exists we may see from the following report ^{and its resultant effect} of Prof. Ginzberg when he was editing the new Conservative Prayer Book:- "Of old, the institutions that man has ever devised, the one with the longest continuous history is the Synagogue. It is, at the same time, the most original contribution of the Post-Biblical Jew towards religion. Judaism, Christianity and Islam are unthinkable without this institution created by the religious genius of the Jew. The originality of this contribution by the Jew consists chiefly therein that as far as we know there had never been in the world's history any form of Congregational worship till the Synagogue

1. Proceedings, Rabbinical Assembly 1927, p. 59.

appeared. And this characteristic of the Synagogue is best expressed in its liturgy, which is the prayer of the individual Jew for all Israel. The memories of the past and the hopes for the future make up the main body of our liturgy, which, accordingly may well be described as a national treasure. The mutilation of the prayer book is for us an act of vandalism comparable with the worse than wanton destruction of an historical monument.

"To maintain the Traditional character of the liturgy with Hebrew as the language of prayer and to preserve in the service the reference to Israel's past and the hope for Israel's restoration' is one of the chief aims of the United Synagogue. That the Prayer Book which the United Synagogue is preparing for publication will preserve in all essentials the traditional character, you have the solemn promise of the Committee on the Interpretation of Jewish Law.

"The United Synagogue always maintained the view that variety is a great source of beauty and richness in the system both of nature and religion, provided, the true foundation is preserved throughout.

"It, therefore, allows liberty of interpretation as to the meaning of its formulated principles. Our principles are broad, but not flat. There is no room in the United Synagogue for those who do not strongly believe in the Restoration of Israel. But, the reference to the restoration of sacrifice in the Prayer Book is one of the many ways of expressing our hope for Israel's restoration and not the only one. In view of the fact that some individuals and congregations have conscientious scruples about perpetuating the petition for the restoration of sacrifices though they cling with heart and soul to the great aspiration of Israel,

your committee gave its consent to the following proposition:-
That the United Synagogue publish and edition of the Traditional Prayer Book without any changes whatsoever, without, however, opposing another edition by those Congregations who desire to change a word or two in the Musaf Service by which change the petition for the restoration of sacrifice would be transferred to an historic reference to same; the latter edition to contain on the title page in addition to the general title 'Festival Prayer Book', published by the United Synagogue of America', the note: Adapted to the use of certain conservative congregations by Rabbi.... who would assume personal responsibility of same. I may add that by retaining the historical reference to the sacrificial system of the Temple, the great religious importance of this ceremony is emphasized. Its very purpose was to combat the wrong idea of sacrifice and establish the right. It was to oppose the ideas of sacrifice as offerings to appease the Gods and establish in a very material way the Jewish ideal of man's surrender of himself to God."¹ Accordingly some Rabbis made the change which read וקריאת

ואם נעשה כזו... אשר לא עשו כזו instead of
was

. When this innovation/attempted at one of the Congregations² allied to the United Synagogue and hiring a Rabbi graduated from the Jewish Theological Seminary, litigation took place between the Rabbi and the Congregation, which announced its Orthodoxy. The introduction of the Conservative Ritual may not have been the only point of disagreement between the Rabbi and his Congregation, but it indicates the difficulty confronted by the Conservative Movement owing to the lack of uniformity among congregations allied to the organizations. In some congregations the Orthodox Ritual is

1. Current Aspects in Judaism, Ginzberg, United Syn. Recorder, Vol. III, No. 2.

2. The case of the Cleveland Jewish Center and Rabbi Solomon Goldman, see Jewish Daily Bulletin of Monday July 22, 1929.

used, in some the Conservative Prayer Book and in a few of the congregations belonging to the United Synagogue, the Reform prayer book is used. In some of these synagogues the family pew system exists, in some the women sit on one side and the men on the other side, in still others the old balcony idea for the women has not passed out. Likewise has the organ found its way into some of the synagogues and been debarred in others. But then, this is in line with the policy of the United Synagogue for it permits wide latitude to the Rabbi of the individual synagogue. The voice of the congregation, coupled with that of the Rabbi, is the determining factor as to the policy of the individual synagogue.

But there are certain things in which the Conservative Movement is interested and which are set forth by Rabbi Max Kadushin as a platform:¹

1. We look upon Judaism as a developing religion and culture and assume that this development whether in institutions or thought can be traced and accounted for.

2. We encourage various schools of interpretation which seek to harmonize modern thought with Jewish beliefs.

3. We support the rebuilding of Palestine as a Jewish homeland.

4. We support and actively participate in the propagation of Hebrew, the tongue as well as the literature, in the school as well as in the synagogue.

5. We desire the perpetuation and development of our ceremonial.

6. We shall attempt to organize the various Jewish groups for the purpose of improving Jewish domestic law.

1. Proceedings of Rabbinical Assembly of America, 1927, p. 65-66.

These are aims which give direction to the movement, although definiteness is lacking. Conservative Judaism came at a time when Reform had indeed been radical. It checked the radicalism of Reform and brought to it a national note. It has made its contribution also to the Orthodox Movement, which is a strong opponent. As the middle ground it feeds both Orthodoxy and Reform, even as it borrows from both. The movement is young, and yet its contribution to Jewish life in America has not been a small one. What part it shall play in the future of Judaism in America remains to be seen.

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