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REFORM AND CONSERVATIVE JUDAISM
IN THE MIRROR OF ORTHODOXY:
AN HISTORICAL SURVEY 1939 TO 1968

Stanley D. Meisels

Thesis submitted in partial fulfillment of
the requirements for the degree of Master
of Arts in Hebrew Letters and Ordination

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Referee, Professor Michael A. Meyer

For my wife

Digest

This thesis is an inquiry into Orthodox attitudes toward the Reform and Conservative movements in the United States between the years 1939 and 1968. The material surveyed for the thesis is primarily Orthodox periodical literature of Agudath Israel of America, the Union of Orthodox Jewish Congregations and the Rabbinical Council of America.

The thesis begins with an overview of Orthodox attitudes toward the non-Orthodox movements from 1855 until 1939. This serves as the background for our inquiry into the years from 1939 to 1968. The thirty year period with which our survey is concerned is further divided into three sub-periods: the War years from 1939 to 1945; the post-War 1940's and 50's; and the period from 1960 to 1968.

In each of these sub-periods certain issues arose which are reflected in the periodicals surveyed, and which mirror for us the Orthodox attitudes toward the Reform and Conservative movements. In the years from 1939 to 1945 the major issue was Orthodox participation in the Zionist and other essentially secular organizations in which Reform and Conservative leaders were prominent. From 1945 to 1959 the major issues confronting Orthodoxy were the encroachment of the Conservative movement into Orthodox synagogues and into halachic areas, considered by the Orthodox to be their domain, the incursions of Reform and Conservative Judaism in Israel and especially the problem of Orthodox membership in mixed

rabbinic and congregational groups such as the Synagogue Council of America and the New York Board of Rabbis. From 1960 to 1968 Orthodox attitudes toward the non-Orthodox are illuminated in the conflict over the Ecumenical Council, Jewish-Christian dialogue, federal aid to day schools and the on-going crisis surrounding the Synagogue Council.

In addition to articles dealing with these specific issues, other articles of a more general nature are surveyed. These articles, couched in more ideological terms, aid in the investigation of the ideological considerations behind Orthodoxy's attitudes.

The thesis suggests that Agudath Israel represents a sectarian-separationist right wing in American Orthodoxy, both in terms of its attitude toward the non-Orthodox Jewish community in general and the Reform and Conservative movements in particular. It points out that during the period from 1939 to 1968 the Agudist position was consistent: it would neither cooperate or participate with the non-Orthodox movements in such mixed groups as the Synagogue Council of America; it considered both Reform and Conservative Judaism as inauthentic and in effect "non-Judaism"; it stood in opposition to the non-Orthodox in all the concrete issues arising during the thirty year period and exerted constant pressure on other Orthodox groups to disassociate themselves from any and all cooperation with the non-Orthodox, especially in mixed groups, such as the Synagogue Council.

The thesis further suggests that the Union of Orthodox

Jewish Congregations and the Rabbinical Council represent what is called "modern" Orthodoxy. The modern Orthodox, it is pointed out, recognize the need to interact with the non-Orthodox community, specifically with the Reform and Conservative movements. The thesis suggests that the Union and the Rabbinical Council were ambivalent in their attitude toward the Reform and Conservative movements; they participated in the Synagogue Council but after World War II they were under constant pressure from within their own organizations to withdraw from the Council; they too considered Reform and Conservative Judaism as inauthentic - yet in the 1960's a group within the Rabbinical Council began to seriously question Orthodoxy's ideological position in the matter; during certain periods and over certain issues they were in conflict with the non-Orthodox, but at times they sought closer cooperation with Reform and Conservative rabbis.

The thesis attempts to show the changes in attitudes which took place over the thirty year period and to analyze the reasons for these changes.

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Chapter I

Introduction: Purpose and Procedure

Purpose

The purpose of this thesis is to examine the attitudes of American Orthodoxy toward the non-Orthodox movements as reflected in Orthodox periodical literature from 1939 to 1968.* Based on material found primarily in the publications of the Union of Orthodox Jewish Congregations of America, the Rabbinical Council of America and Agudath Israel of America, the thesis will attempt to portray the image of the Reform and Conservative movements as seen by the Orthodox. It will try to answer such questions as: How do the various Orthodox groups differ in their appraisal of the non-Orthodox movements? How do they view Reform as distinct from Conservative Judaism? To what degree have their appraisals changed during the period under study?

The thesis will also describe and analyze the practical attitudes of Orthodoxy to Reform and Conservative Judaism, namely, when and under what conditions has it cooperated with the other groups.

Finally, the thesis will suggest the ideological and practical causes behind Orthodoxy's attitude: those lying in the nature of Orthodoxy itself or in the nature of Reform

* The terms "Orthodox," "Conservative" and "Reform" are sometimes capitalized and sometimes not. For the sake of uniformity they will be capitalized whenever they refer to the respective movements, whether or not the noun "Judaism" appears with the adjective. When quoting from other sources the terms will appear as in the original.

and Conservative Judaism; those lying in the conflict within Orthodox Judaism; those lying in the historical conditions at work in the total Jewish and/or general community.

Procedure

After describing both the organizations whose periodicals are used in the thesis and the periodicals themselves, I will present a brief overview of Orthodoxy's reaction to the Reform and Conservative movements in America prior to 1939. Using the above as background, I will then deal with the period from 1939 to 1968 which is the concern of the thesis proper.

1939 has been selected as a starting point for the survey because of the influx of Jewish immigrants to the United States during World War II. Among these immigrants were Orthodox Jews, militant in their Orthodoxy, whose very presence brought to the foreground the question of Orthodoxy's relationship to the non-Orthodox movements.

From 1939 to 1968 a series of concrete issues arose in the American Jewish community involving the Reform and Conservative movements, which elicited response from the Orthodox. These issues included Zionism, the question of cooperation in relief and rescue work during World War II, participation in mixed rabbinic and congregational organizations such as the Synagogue Council of America, and problems in the area of separation of church and state.

The method to be followed in the thesis is primarily to analyze Orthodoxy's response to the concrete issues as

they arose, and as they are found in the periodical literature. The rise of these concrete issues led as well to the appearance of articles concerned with the general relationship of the Orthodox to the non-Orthodox movements. These articles are couched in ideological terms and have to do with the nature of Orthodox, Conservative and Reform Judaism. These too will be examined in order to help ascertain the philosophic underpinnings of Orthodoxy in its relationship to the non-Orthodox movements.

The years 1939 to 1968 are divided into three periods, each represented by a separate chapter in the thesis. The periodization is based on the fact that Orthodoxy itself developed certain characteristics - in terms of the thesis topic - in each period. The first period is from 1939 to 1945. This is the period in which the newly arrived militant Orthodox exerted pressure on the native Orthodox elements to alter their relationship to the non-Orthodox movements.

The second period under investigation is from 1946 to 1959. This period is characterized by the response of the native Orthodox groups to the pressure exerted by the militants.

The third period is from 1960 to 1968. During these years Orthodoxy exhibits a growing sense of strength and self-awareness. This is true of Orthodoxy in general and of the native or "modern" Orthodox groups in particular. This new sense of awareness and strength characterizes the 1960's.

Each period will be introduced by a description of the

conditions within the American Jewish community and/or American Judaism which are relevant to an understanding of Orthodox-non-Orthodox relations during that period. This will be followed by an examination of the concrete issues which arose in each period. Because of the distinct characteristics of each period, as indicated above, the examination of the issues will differ somewhat in each chapter. In the period from 1939 to 1945 the thesis first examines the issues from the perspective of the native Orthodox as represented in the periodical literature of the Union of Orthodox Jewish Congregations and the Rabbinical Council. Following this, the same issues are examined through the literature of the militant immigrant Orthodox as represented by Agudath Israel. In the period from 1946 to 1959 the issues are examined primarily from the perspective of the Union and Rabbinical Council, in that this was the period of their response to the pressure from the militant Orthodox right whose attitude remained virtually unchanged during the entire period. In the final period from 1960 to 1968 the issues are again examined as they appear in the literature of both the Union and the Rabbinical Council on one hand and Agudath Israel on the other. Because the basic attitude of Agudath Israel remains unchanged, it will be examined first during this period.

After exploring the issues and analyzing them in terms of the thesis topic, the thesis will examine in each chapter, those articles in the literature which are couched in

ideological terms and/or which are not directly related to the concrete issues discussed.

The thesis concludes with a brief summary chapter which covers the entire period, traces general trends and projects the future relationship between the Orthodox and non-Orthodox movements based on the material examined.

Chapter II

Sources

The Orthodox Spectrum

In order to understand the choice of material surveyed in this thesis it is necessary to first examine the nature of American Orthodoxy. In terms of its relationship to the non-Orthodox and non-Jewish world, Orthodox Judaism during the years from 1939 to 1968 must be seen not as a monolithic, but rather as a differentiated, movement. Its organizations, and the individuals holding membership in these organizations, represent a variety of attitudes toward non-Orthodox society. These attitudes may best be likened to various points on a spectrum.

At one end of the American Orthodox spectrum is what may be called "modern Orthodoxy." By "modern Orthodoxy" I refer to those organizations within Orthodox Judaism which recognize the necessity of coming to grips with the non-Orthodox and non-Jewish world and who recognize that Orthodoxy must interact and at times accommodate itself to both worlds.

At the other end of the spectrum is what Charles Liebman calls "Jewish sectarianism."¹ Jewish sectarianism is characterized by the attitude that it is in the best interests of Orthodox Judaism to refrain from any accommodation to the non-Orthodox society, whether that society is Jewish or general. That is to say, from the standpoint of sectarian Orthodoxy the way to "come to grips" with the problems

presented by the contemporary American scene is not to interact but to isolate oneself from that scene as much as possible.

The middle of the Orthodox spectrum is occupied by organizations which, during the thirty years under investigation, were far more selective in their interaction with the non-Orthodox society than were the modern Orthodox. On the other hand, in contradistinction to the sectarian right they were less dogmatic about isolation as the only way to deal with contemporary non-Orthodox society. Many of the rabbis belonging to the organizations of the "middle" also hold membership in organizations of the modern Orthodox "left" and the sectarian "right."

The thesis will concentrate on the attitudes of groups occupying the outermost points on the Orthodox spectrum in that the attitudes of these organizations toward non-Orthodox Judaism can be more clearly seen than can those of the Orthodox middle.

Organizations and Publications

The periodicals surveyed for this thesis are: Jewish Life for the years 1939 to 1968, published by the Union of Orthodox Jewish Congregations of America (UOJC); the Rabbinical Council Record 1953 to 1968 and Tradition 1958 to 1968, both publications of the Rabbinical Council of America (RCA); The Orthodox Tribune 1941 to 1949, published by Zeirei Agudath Israel of America (Agudah youth organization); and The Jewish Observer 1963 to 1968, published

by Agudath Israel of America.*

The Union of Orthodox Jewish Congregations, the Rabbinical Council of America, and their publications represent what I have called "modern Orthodoxy." Throughout the pages of their periodicals there is a concern shown for the problem of Orthodoxy and its functioning in the modern world. There seems to be a willingness to recognize that Orthodox Judaism must accommodate itself to modern society within the limits allowed by the halacha when that accommodation is desirable or necessary. In this frame of reference, one of the problems of "functioning in the modern world" of American society is the necessity to relate to Reform and Conservative Judaism which exist in that society.

The Union of Orthodox Jewish Congregations is the major Orthodox synagogue association in the United States. Founded in 1898, its present leadership is by and large a product of American Jewish society. This is increasingly true of the leadership of its constituent synagogues as well. The member congregations of the UOJC vary greatly in terms of religious practice. Contained within its ranks are congregations which "go beyond the letter" in terms of halacha. On the other hand there are member congregations which allow

* Jewish Life appeared as The Orthodox Union from 1939 to 1945 and as Orthodox Jewish Life from 1946 to 1958. It will be referred to by the former name until 1945 and as Jewish Life thereafter; The Orthodox Tribune appeared as Orthodox Youth 1941 to 1943; Rabbinical Council Record appeared as Rabbinical Council Quarterly 1953 to 1954.

mixed seating.²

The Rabbinical Council of America is the largest Orthodox rabbinical body in the United States. Most of its members who are presently in the active rabbinate are American trained and were ordained either at the Isaac Elchanan Theological Seminary of Yeshiva University or at Hebrew Theological College near Chicago. The members of RCA are by and large products of the American scene. Founded in 1930 as a result of the merger of the Rabbinical Council of the UOJC and the Alumni of Yeshiva College, the RCA continues to function as the rabbinic "arm" of the UOJC.³

Jewish Life is a bi-monthly publication of the UOJC written for laymen on a popular level. The articles contained within Jewish Life are concerned with everything from the history of "The Sephardim of Seattle" to "Jewish Law and Intermarriage." The stated purpose of the periodical is to fill the need "for a mouthpiece of positive Judaism...to present the traditional Jewish viewpoint... with its policy dictated by the Torah."⁴

Tradition, subtitled "A Journal of Orthodox Jewish Thought," is a quarterly publication of the RCA. Its contributors write on halachic, theological, philosophical and Jewish communal problems. Like Jewish Life, Tradition is interested in the relationship of Judaism and Jewish Law to the modern scene, but unlike Jewish Life, its orientation is intellectual rather than popular, even when dealing with the same issue.

The Rabbinical Council Record is the bi-monthly professional journal of the RCA, designed to serve the professional needs of Orthodox rabbis, both in and out of the Council. In format it is a news bulletin dealing with issues of the day which are of interest to the Orthodox rabbinate. In addition to news reporting, the Rabbinical Council Record features lengthy columns by both its editor and the president of the RCA. By and large Jewish Life and Tradition feature individual expressions of opinion about Reform and Conservative Judaism. The Rabbinical Council Record, on the other hand, gives us some insight into the official attitudes and positions of the RCA with regard to the non-Orthodox movements. While only the editorial columns of the Record officially represent Rabbinical Council policy, the president's column and the editor's column can also be considered to represent something of more weight than just "personal opinion." (Tradition does not feature an editorial page, Jewish Life does).

By using the Rabbinical Council Record, Tradition, and Jewish Life we will be able to see the image of Reform and Conservative Judaism in the mirror of two modern Orthodox organizations, one rabbinic and one lay.

Agudath Israel of America and its youth organization, Zeirei Agudath Israel, are representative of sectarian Orthodoxy.*

* Zeirei Agudath Israel is an adult organization, despite the fact that it is the Agudah "youth" arm. In 1949 a resolution had to be passed making it mandatory that those over 28 years of age leave the "youth" group for the parent organization.

In contrast to the RCA and the UOJC the Agudah publications reflect little concern with adjustment or accommodation to modern society. Isolation, through total immersion in Torah life to the exclusion of secular culture, characterizes the American Agudist organizations. This mind-set, of course, influences the manner in which a group such as Agudath Israel approaches the problem of Reform and Conservative Judaism.

Agudath Israel of America was organized in the United States in 1939. Leadership in the movement is in the hands of the rashei yeshiva, these yeshivot being of sectarian nature. The top echelon of leadership rests with the Mo'etset gedolei ha-Torah (The Council of Torah Authorities). One estimate is that while membership in Agudath Israel is below 20,000, those who sympathize with its philosophy outnumber its actual members.⁵

The Orthodox Tribune was published bi-monthly by Zeirei Agudath Israel. Like the RCA's Record, The Orthodox Tribune is news and editorial oriented. The early format and style are like that of a newspaper rather than a magazine.

The Jewish Observer is a monthly publication. Though Agudath Israel has published Dos Yiddishe Vort since 1952, the appearance of The Jewish Observer in 1963 is its first attempt to reach the English-speaking community. In an editorial appearing in its first issue, The Jewish Observer indicates that it exists in order "to be the voice of 'Independent Orthodoxy' whose fundamental life-principle is Torah...."⁶ The editorial also demands "independence of

decision and action for their institutions....In a word: our 'right wing' does not believe in the 'unity of the community at all costs'."⁷ In the eyes of those on the sectarian end of the spectrum some of the thinking emanating from modern Orthodoxy regarding the Conservative and Reform movements falls under the category of "unity of the community at all costs." As we shall see, this question of "what price unity" is a major point of contention between the Agudists and the modern Orthodox.

Two other organizations on the Orthodox scene must be mentioned because they have been involved in various issues relating to Reform and Conservative Judaism. They are the Union of Orthodox Rabbis of the United States and Canada, Agudat Ha-rabbanim, and the Rabbinical Alliance of America. Both occupy what I have called the middle of the Orthodox spectrum.

Agudat Ha-rabbanim is the oldest Orthodox rabbinic association in the United States. Founded in 1902, its membership is drawn primarily from the ranks of European-trained rabbis. In terms of its relationship to the non-Orthodox movements Agudat Ha-rabbanim has, since World War II, become increasingly sectarian and difficult to distinguish from Agudath Israel. In 1960 it enlarged its three member presidium to include two of the leading rashei yeshiva who were leaders in Agudath Israel.

The Rabbinical Alliance is composed of American-born Orthodox rabbis who tend to the sectarian end of the spectrum.

Many members of the Alliance, however, also belong to the RCA. Some of its members maintained both official and unofficial relations with the non-Orthodox.

Although we will not examine publications of these two groups, their posture with regard to the non-Orthodox is mirrored in the publications of Agudath Israel, the RCA and the UOJC, as well as in secondary material which will supplement the periodicals surveyed.

Chapter III

Orthodox Attitudes Toward the Non-Orthodox

Movements 1855 to 1939: An Overview

If, when referring to the Orthodox, Conservative and Reform movements, we mean both an ideology and the institutions through which that ideology is promulgated, the years 1855 to 1939 may be characterized as the period of the emergence of these movements in America. In 1855 when Isaac Mayer Wise issued his call for a conference of American rabbis none of the institutions or organizations of present-day Orthodox, Conservative or Reform Judaism were in existence. By 1936 all of the present institutions and organizations of the three movements had been founded.

Reform emerged as a movement in the United States with the founding of the Union of American Hebrew Congregations and the Hebrew Union College in the 1870's. The Conservative movement began to emerge with the establishment of the Jewish Theological Seminary in 1886 and its reconstitution under Solomon Schechter in 1902. Organized American Orthodoxy emerged in response to the increasing number of Eastern European Orthodox Jews who immigrated to the United States beginning in the 1880's. The Union of Orthodox Jewish Congregations was founded in 1898 and the Agudat Ha-rabbanim in 1902.

Orthodox attitudes toward the non-Orthodox movements from 1855 to 1920 can be seen largely as a response to the emergence of Reform and Conservative Judaism as full-fledged

movements. From 1920 to 1939 they can best be seen in relation to the Americanizing process at work in the largely Eastern European, Orthodox community itself.

1855 to 1880: The Emergence of the Reform Movement

The American Jewish community was originally a Sephardic community. Prior to 1840 however the Ashkenazim were already a majority though they readily affiliated with the existing Sephardic-rite synagogues.

Religiously speaking the community before 1840 followed what Nathan Glazer calls "dignified Orthodoxy."¹ Synagogue worship was relatively "Westernized" and was carried out with decorum - especially if compared with the synagogue worship of the Eastern European immigrants who arrived in America after 1880. Being monolithic, in the sense that the only Judaism which existed was Orthodox Judaism, the [Orthodox] synagogue held a certain amount of power over the individual Jew through its control of rites de passage, and especially its control of the local cemeteries.

Beginning in 1836 with the first mass migration of Jews from Germany to the United States, the character of the American Jewish community began to change. Between 1840 and 1880 the community grew from approximately 15,000 to 250,000 people.² By the latter date it was almost entirely of German origin.

The immigrants who entered during this period were generally poor, having come to this country with few business connections. With little to lose economically and arriving

at a time when the country was expanding, they followed its routes of expansion as peddlers and traders. In this way Jewish communities began to spring up throughout the country. The religious picture changed as well. "The placid Orthodoxy of the old settlers was swamped by a variety of conflicting forms of Judaism struggling with each other for domination of the American Jewish community."³ While most of the German Jews who arrived in this country during the 1840's and 50's had been largely unaffected by the battles over reform in Germany, there were some rabbis among them who had either played a role in the fight or had at least been affected by it: men such as Max Lillienthal, Isaac Mayer Wise, David Einhorn and Samuel Adler. A community which had up to this time known only a "dignified Orthodoxy" was now confronted by a group of reforming rabbis who raised the possibility of a pluralistic American Judaism.

While small groups of German Jews formed Reform synagogues, the primary battleground between the traditionalists and the reformers was the dignified Orthodox synagogue. Here the two factions struggled for control of local congregations over such issues as the use of an organ, mixed seating, mixed choirs and the use of the vernacular in worship.

In 1855 I. M. Wise issued a call for an American synod composed of representatives of all Jewish congregations. The synod was to give no decisions contrary to the laws and principles of the Bible and the Talmud.⁴ Wise was attempting to unify and to organize the American Jewish community and

felt that "these articles of peace must satisfy even the ultra-orthodox"⁵ To prepare for such a synod a call went out from Wise and eight other rabbis for a rabbinic conference in Cleveland which took place in October of 1855.

There were a variety of Orthodox responses to the conference. Abraham Rice, an early opponent of any and all reform, attacked the conference and the Reform leadership. Responding to a letter from David Einhorn, the leader of Reform's radical wing, Rice attacked the men who attended the Cleveland conference as being unworthy of the title rabbi, indicating that they have, like Napoleon, placed the crown on their own heads.⁶ As for reformers in general, as far as Rice is concerned, "they have ceased to be Jews."⁷ On the other hand, two Orthodox leaders looked favorably upon the conference despite the fact that Wise was a reformer. One was Rabbi Bernard Illoy of St. Louis who joined his name to that of Wise in calling the conference.⁸ Reputedly he was the only Orthodox rabbi in the United States with a secular education on a university level.⁹ The other was Isaac Leeser who, though wary of the conference at first, later came to look upon it with general favor.

In response to Wise's call for a conference Rabbi Illoy wrote with poetic hyperbole:

ואמרת קודם מי אומה הענו או עזרנו אותה והקשה
קשה רב קשה ושמעתי הקול שנית והנה זה קול צדיק
מזהב ואמר מי זה יעשה הנה צדי ואני במקום קדש ירוש
לם לא עשנו... ואף כי יצי רעות ורעלי עמוסות ורוע
... אנו, עמל אומדל מעכרת אחרי קול צדי הקול צדיק
וממך ארית קול צדי ואקרא בחוצות ערי ישראל קול צדיק
הנה הנה צדי, צדיק צדיק צדיק

Despite endorsing Wise's call however, Illowy did not attend, stating that he was afraid of being overwhelmed by the majority who were reformers.¹¹ He was quite aware of the dangers inherent in the budding Reform movement. Though Illowy referred to Wise as the "chief shepherd [of Israel]" and to the work of the Cleveland conference as "sacred work" he nonetheless cautioned Wise and the participants in the conference:

But, my brothers, as much as I love you for your great work, I cannot hide from you that soon some men of high purpose [i.e. the Orthodox] raised objections against you, saying: many of them [i.e. the reformers] did not accept what they themselves said...and continue to act as if nothing had happened. They themselves exclude from the ranks of Jewry anyone who denies prophecy and Talmud and yet many of them do exactly that....whatever they add or detract from the Law, they do in the name of the Talmud...in the name of the Talmud they dispense with the laws of Yibum and Halitzah...they grant permission to shave with razor, to sing and rejoice on fast days, to eat the fowl broiled in butter, to blow Shofar on Rosh Hashanah with a metal instrument, to abolish the second day of Yom Tov, to bury Gentiles with Jews, not to separate men from women in the synagogue, to shorten the prayers... and finally, to assert that the Redeemer of Israel will not appear

My brothers, listen to my voice; far be it from me to judge you without justice. I know your good hearts¹² But I advise you to make yourself clear before all.

Other Orthodox leaders including Isaac Leeser did attend the conference. Leeser indicated that he attended the conference because it was "necessary to watch that 'no injury should befall the ancient republic' of Judaism."¹³ Yet he

was more than impressed with what he heard at the conference , for Wise repeated that the union of American Jewry which he sought was to be based on the divine revelation of the Bible whose logical development was to be found in the Talmud and "after its (i.e. the Talmud's) decisions all Israelites are bound to act."¹⁴

Yet Leeser, too, despite being optimistic at first that Wise would indeed seek "union on Orthodox principles," was soon disaffected and became the leading polemicist against the budding Reform movement. The pages of Leeser's The Occident became the major forum for Orthodoxy's attack on Reform. In the first place, the voices of the "moderate" reformers such as Wise and Max Lilienthal were not the only voices of Reform. From the very beginning radicals such as David Einhorn of Baltimore made it clear that the Talmud was not binding, and challenged the very principles upon which the Cleveland conference had stood. Secondly, even the moderates were making innovations totally different from those thought legitimate by Leeser. When Lilienthal accused Leeser of himself advocating reforms and then challenging the reformers, Leeser replied that he advocated no unlawful reforms which rest on "the specious grounds that the laws of the country have superceded the divine legislation."¹⁵ Leeser further accused Reform of being ineffective. He charged that Reform neither increased synagogue membership nor deepened the religious sentiment of its followers.¹⁶

The same year that the Cleveland conference was held

Wise completed his Minhag America. It was the subject of constant attack by the Orthodox. Illoy indicated that the book was not Jewish, was unfit for Jews "except as an ornament for their parlour tables," and that it regarded revelation and the teachings of the prophets "as mere fictions."¹⁷ Furthermore, to Illoy anyone using the book for the purpose of prayer "is entirely excluded from religious communion by the decision of the Jewish Canon Laws."¹⁸

In 1879 the Union absorbed the Board of Delegates of American Israelites - a prototype of present day Jewish defense organization. "After this merger the Union was closer to being the dominant organization in American Jewish life than any other organization had ever been."¹⁹ Of some 200 major congregations in existence in 1881 only about 12 were still Orthodox.²⁰ Many of course, had adopted only a few major reforms, nonetheless, they had all participated in the reform process. It became increasingly clear to the Orthodox that the institutions of Reform would not support an ideology based on the authority of the halacha - though originally the UAHC was to be a union of all American congregations.

By the 1870's there appears to be virtually no cooperation between the leaders of Orthodoxy and those of Reform. By the same token, with only 12 Orthodox congregations in the country remaining unaffected by the reform process, there could have been little effective opposition

to the reformers.

* * * *

Most of the major congregations which did stand in opposition to Reform were either the old Sephardic and Ashkenazic congregations which had been in existence before the German immigration, or those which had been formed by German Jews during the past forty years. In either case "dignified Orthodoxy" was still the prevailing pattern of the American Orthodox synagogue. The Orthodox leaders who spoke out against Reform during this early period were few in number, as Orthodoxy itself was numerically small, and they were as "Westernized" or Americanized as were the reformers. Their attitude towards many of the reforms advocated was one of agreement, as exemplified by Illowy's insistence on decorum in his synagogue. He demanded that there be no "screeching or screaming, or shouting" and that "all should pray together in unison."²¹ He also introduced confirmation on Shavuot in several of the synagogues in which he officiated.²² Leeser, too, urged decorum, the abolition of auctioning mitzvot, the discontinuance of mi-shaberach, and the modernization of religious education.²³ They both agreed with Wise that American Jewry needed organizational unity, but the unity they sought and the reforms they were willing to make had to be based on the halacha. As long as there was the possibility of unity along Orthodox lines, they were willing to cooperate with moderate reformers such as Wise. Even when this unity was no longer possible

Illowy's polemics against Wise and the Reform movement were based on the fact that he felt there was still hope that Wise might be shown the error of his ways.²⁴ Only when it became clear that the changes advocated by the Reform movement would not be in accordance with Jewish law did cautious cooperation give way to polemics.

1880 to 1920: The Development of the Conservative Movement

During the years between 1840 and 1880 the immigrant Jewish community, which had risen in numbers from 15,000 to 250,000 people, rose socially and economically as well. According to a demographic survey taken in 1890, 70% of American German-Jewish families had one or more servants.²⁵ In the East a hierarchy of German Jewish society had grown up comprised of those in banking and merchandising, supplemented by a prosperous middle class.

Members of the major Orthodox congregations were socially and economically of the same status as members of the Reform synagogues. The dispute of the former with Reform was, therefore, primarily ideological. After 1880 the area of difference between the Orthodox and the non-Orthodox was broadened. It was no longer to be simply ideological, but cultural and organizational as well.

Beginning in the 1880's with the first mass immigration of Eastern European Orthodox Jews, the relatively homogeneous make-up of the Jewish community was changed. By 1900 some half million, largely impoverished, Eastern European Jews had immigrated to the United States. By the beginning of the first

World War an additional million and a quarter had come to this country.²⁶

By 1890 533 synagogues existed in the United States, an increase of some 263 over the 1880 census. Almost all of these new synagogues had been created by the recently arrived Orthodox immigrants.²⁷

The religion of the Eastern European Orthodox Jew was far more encompassing than that of the Sephardic and German Orthodox Jew who preceded him to the United States. The Yiddish language which the new immigrant used, his music, his "style" of worship, were given religious significance and were part and parcel of his Orthodox Judaism. To do away with Yiddish or to recite the liturgy of the Orthodox siddur without davening would be tantamount to de-Judaizing his life, though neither Yiddish nor davening is required by the halacha. Suspicious of the Westernized Orthodox Jew whose "dignified" style was alien to him, the recently arrived immigrant was doubly suspicious of the Jew who was both Westernized and non-Orthodox.

While Orthodox Judaism between 1840 and 1880 had to contend with one, emerging non-Orthodox movement, the Orthodox immigrant community after 1880 soon had to contend with two, well established, non-Orthodox movements. Already faced with the UAHC and the Hebrew Union College, the Orthodox were to be confronted by an independent Conservative movement as well. Partly because of pressure from the radical eastern wing of the Reform movement, and partly, perhaps, out of

personal predilection, Isaac M. Wise had moved in the direction of radical Reform. As Reform shifted its position, the more conservative reformers questioned the direction of the movement. Alexander Kohut, who arrived in the United States in 1885 to take the New York City pulpit of Congregation Ahavath Chesed, and who was to become one of the leaders of the Conservative movement, took sharp issue with Reform. In a series of addresses entitled "Ethics of the Fathers," Kohut indicated that the ideological basis for the continuance of Judaism in the United States must be the authority of the Talmud and the Rabbis. Addressing himself to the Reform leadership he stated:

A Reform which seeks to progress without the Mosaic-rabbinical tradition is a deformity - a skeleton without flesh and sinew, without spirit and heart. Suicide; and suicide is not reform Only a Judaism true to itself and its past, yet receptive of the ideas of the present, accepting the good and the beautiful, from whatever source it may come, can command respect and recognition

I do not know whether it will be my good fortune to have your sympathy in my religious attitude - that of Mosaic-rabbinical Judaism, freshened with the spirit of progress, a Judaism of the healthy golden mean. I hope I shall²⁸

According to Moshe Davis, the Pittsburgh Conference was called to give Kohut and the emerging Conservative movement its answer. Among the principles set forth in 1885, the reformers stated that: the Bible is recognized as the record of the consecration of the Jewish people, but not as a revealed doctrine; only those ritual laws which "elevate and sanctify" are regarded as binding, while those which "are not adapted to the views and habits of modern civilization"

are to be rejected; dietary and priestly laws are specifically rejected; the Messianic hope is divorced from a return to Palestine for "we consider ourselves no longer a nation"; resurrection is denied.²⁹

The reaction was fierce. In the pages of the Jewish Messenger, a New York newspaper which generally advocated moderate reform, the Conference was denounced as "more than a folly and a blunder: it is treason."³⁰ Any possibility that the institutions founded by Isaac M. Wise could serve as the institutional framework for all non-Orthodox Jewry was now gone. In 1887 the Jewish Theological Seminary was founded by the more traditional reformers and some of the leaders of Western European Orthodoxy. Because both conservative reformers and the Orthodox were involved in the formation of what was to become the Conservative Seminary it is difficult to objectively pinpoint the Seminary as either Orthodox or Conservative at this time. The active heads of the Seminary during these early years were H. P. Mendes and Bernard Drachman, both leaders of the Western European Orthodox community. Mendes and Drachman also took the lead in calling for the formation of an Orthodox congregational union composed primarily of the Eastern European synagogues. As a result of their efforts the Orthodox Jewish Congregational Union was formed in 1898. (The name was later changed to the Union of Orthodox Jewish Congregations of America). Mendes was elected first president of the Union. What the Orthodox leaders of the Seminary had done was to appeal successfully

to the congregations of the recently arrived immigrants for support. This support and the relationship between the Seminary and Orthodoxy was short-lived however.

At the second convention of the UOJC in 1900 Rabbi Jacob Wilowsky, the "Slutsker Rav", who was then visiting the United States, was invited to speak to the delegates. Opposing the Orthodoxy of Mendes and Drachman, the Yiddish speaking Rabbi captured the audience. He rebuked the group for having emigrated to a trefa land. One of the impurities was that Yiddish would be forgotten. This touched the nerve of the laity but not of the Westernized leadership. He insisted that Yiddish be the language of the home in order that parents be able to impart the knowledge of "Torah, Faith, ethical instruction and daily disciplines" to their children.³¹

He was adamant in his opposition to sermons delivered in English about morals and ethics without Jewish content:

These sermons contain no true guidance for the Jewish people. They simply make the Jewish people like the rest of the nations. If these practices will not cease, there is no hope for continuance of the Jewish religion. These sermons [lead] our brethren to Reform Judaism³²

At an earlier date, when the Orthodox community was predominantly non-Eastern European, this appeal for Yiddish would have fallen on deaf ears. Greatly influenced by Wilowsky, delegates passed a resolution supporting Yeshiva Etz Chaim, one of the predecessors of Isaac Elchanan Theological Seminary, along with JTS.

By 1902, at the third convention, the interest in the

Union on the part of the Seminary virtually disappeared. The Western European Jews, though they might be Orthodox in belief and practice, could not capture a basically Eastern European group. The reasons for this, aside from theological differences, were threefold. In the first place, there was the decided difference in aesthetics between the Western European Orthodox and the immigrants from Eastern Europe. Secondly, there was a certain amount of social disdain on the part of the German Ashkenazic and Sephardic Jews for those from Eastern Europe. Finally, the extreme Orthodoxy of the Eastern European manifested itself in a desire for segregation, for Yiddishkeit and against the Biblical Criticism allegedly taught at the Seminary.

The Conservative movement, with the founding of the Rabbinical Assembly in 1901, the reconstituting of the Seminary under Schechter in 1902 and the founding of the United Synagogue of America in 1913, organized itself and went its own way. Orthodoxy, in order to bring some semblance of order to its congregational and rabbinic life and in order to exert greater influence on the American Jewish community, did the same. In 1903, a year after its formation, the Agudat Ha-rabbanim, which drew its membership from the immigrant rabbis of the Eastern European community, gave its support to Yeshiva Rabbi Isaac Elchanan which had been founded in 1897. These two institutions together with the UOJC gave to American Orthodoxy an organizational framework to compete with the other two movements.

Two Orthodoxys, in effect, had emerged at the turn of the century. One was the Western European Orthodoxy of people like Mendes and Drachman, many of whom were in the emerging Conservative movement. The other was the Orthodoxy of the Eastern Europeans - now in the majority - organized around the Agudat Ha-rabbanim, the UOJC and Isaac Elchanan. When, therefore, we speak about Orthodox attitudes towards the non-Orthodox movements after 1880 it must be kept in mind that there were two relatively distinct Orthodox groups.

The leaders of the Eastern European Orthodox community looked upon both the Reform and Conservative movements with disdain.

Joseph Ash, one of the organizers of the first Russian-American congregation in America, Beth Hamidrash Hagadol of New York City, opposed the practice of rabbis with reform tendencies delivering lectures in Orthodox synagogues. In 1886 he wrote an open protest against this practice and headed the protest with a Talmudic legal phrase *מה שפגע ביה פגע ביה* "What right has the ox of the damager in the premises of the one damaged."³³ The reformers were considered the damagers and perhaps the destroyers of Judaism.

Writing in the ultra-Orthodox New Yorker Jüdische Zeitung in 1886, Judah David Eisenstein, in an article titled "Between Two Opinions," said of the Reformers that they call themselves Jews because the world is still nationalistic and being a Jew is their nationalism but, "in truth there is no difference whatsoever between these Jews and the Christians."³⁴

Nevertheless, his most acerbic comments are reserved for the emerging Conservative movement and its proposed Seminary. According to Eisenstein the Conservatives have achieved a compromise between the Orthodox guided by the Shulhan Aruch and the Reform Jews who do just as they please. The Conservatives are "like the antelope and the badger which the rabbis could not decide whether to categorize as wild or domesticated beasts."³⁵ In reality, according to the author, each Conservative Jew fashions his own Shulhan Aruch. Not only that, but as far as the Conservative rabbinate is concerned it "makes the Torah a business and harvests from it several thousand dollars annually... 'He is a traitor, the balance of deceit is in his hands (Hosea 12:8)'."³⁶ To the Eastern European Orthodox Jew, Conservative and Reform Judaism moved in the same direction, one more slowly, the other more quickly: the Reformers publicly and unashamedly, but the Conservatives covertly and hypocritically. The Conservatives were charged with berating the Reformers for the resolutions passed at the Pittsburgh Conference while at the same time eating unkosher meat in their own homes and violating many other Biblical and Talmudic injunctions. Many Conservatives were accused of not praying for the return to Zion nor believing in bodily resurrection.³⁷ As to the newly planned Conservative Seminary, it should be different from the Hebrew Union College, but, Eisenstein indicates, it will not be.³⁸

In 1904 H. P. Mendes sought cooperation with the Agudat

Ha-rabbanim over several issues facing Orthodoxy. In their response the rabbis portrayed their attitude to the Seminary at this time:

regarding the Seminary...we do protest against the Seminary calling itself orthodox since the professors of the Seminary believe in the Higher Criticism. Besides, the professors, in our judgement, are not qualified as teachers in the Talmud and Codes. [Its graduates] are not fit for the position of rabbi on account of lack of proper and sufficient learning. We are convinced that none of the graduates can pass an exam before a competent Jewish authority even for a Hatarath Horaah much less a regular Semicha.³⁹

Though Mendes, Drachmann and others were regarded as Orthodox, the Seminary was considered Conservative by the Eastern Europeans even at this early date.

As for the UOJC, which was still associated, though tenuously at this date, with the Seminary, the rabbis indicated that "our principal aim has always been directed to form and build a Union of real orthodox congregations." [Italics mine.]⁴⁰ At this time even the Orthodox Union was at best pseudo-Orthodox in the minds of the Agudat Ha-rabbanim.

The Westernized Orthodox apparently concentrated their challenge on the Reform movement. They were still at this time too closely connected with Conservative Judaism to attack it. Typical of this period was the work of Meldola DeSola, a Sephardic rabbi from Canada, active in the formation of the Seminary and a leading exponent of creating the initial tie between JTS and the UOJC. In 1905 he wrote a series of articles which later were put in book form under the title Jewish Ministers? An Arraignment of American Reform Judaism. DeSola contrasted "Judaism" with "Reform": while the former

teaches the objective reality of God who has made His will known through supernatural revelation contained in a divinely inspired Bible, the latter tells us that God is simply an idea, denies supernatural revelation, believes the Bible to be man made, and denies the Mosaic authorship of the Torah, assuming thereby the right to abrogate its precepts. DeSola concludes that Reform is by definition not Judaism and Reform rabbis are not rabbis.⁴¹ DeSola went a step further than Eisenstein, "But our campaign against the reform travesty of Judaism must not be limited to mere words"⁴² He called for separation from the Reform ministers in matters pertaining to religious ceremonies. The chasm between the Orthodox and Reform is as great as that between Christianity and Judaism. He asked his fellow Orthodox Jews:

to separate ourselves from them [i.e. the Reformers] just as we separate ourselves from the followers of other creeds and to avoid all semblance of toleration of their anti-Hebrew religious ideas...Reform, that veritable Amalek of modern times must be treated by us with uncompromising hostility.⁴³

Rejection for DeSola on ideological grounds necessarily meant no cooperation whatsoever with Reform. Yet, according to DeSola, very few of his fellow Western Orthodox rabbis stood up and challenged Reform.⁴⁴ Sometimes they even cooperated with the Reformers. The prototype of the rabbi who cooperated with the non-Orthodox was Mendes. Because of the chaotic conditions of Jewish communal life in the 1880's Mendes hoped for a synod that even Reform groups might recognize.⁴⁵ Realizing that this was a theoretical and practical impossibility he turned his efforts to founding and organizing the UOJC in

1898. Yet he was an exponent of cooperation among all groups in matters of general welfare. In 1879 he attended a convention of rabbis called by Max Lilienthal. In 1881 he urged Kaufmann Kohler and Gustav Gottheil to join his congregation, Shearith Israel of New York, in sponsoring a joint Purim celebration. He invited them to lecture in his congregation on any subject which pleased them.⁴⁶ (He was not afraid to invite the "ox of the damager.") Mendes was active in the New York Board of Jewish Ministers, the forerunner to the New York Board of Rabbis. The Board was dominated by Reform rabbis, yet "Dr. Mendes felt quite at home with this group of ideologically antagonistic rabbis."⁴⁷ One of the areas with which the Board of Ministers dealt was the attempt to introduce religious content into the program of the Board of Educational Alliance. Mendes was prompted to participate in a mixed group such as the Board because of the growing problem of secularization. Yet this in no way detracted from his ability to polemicize against Reform. From his pulpit he called the Reformers little better than ethical culturalists.

Theologically speaking, the Orthodox leadership was of one mind in evaluating Reform Judaism: It was not "Judaism" for it denied the very premise upon which Judaism stands, the divine revelation, and hence the binding nature of the Written and Oral Law. This attitude toward Reform was as true of Mendes as it was of the "Slutsker Rav."

Cooperation with the Reformers was another matter

however. On this question there was a difference of opinion on the part of the Orthodox. At the time of the convening of the Cleveland conference in 1855 there existed a willingness on the part of many Orthodox leaders, such as Leiser, Illowy and others who attended the conference, to cooperate with Wise and Lilienthal. At that early period it was still not clear whether Reform - at least the Reform of Wise and Lilienthal - meant to deny Torah min ha-shamayim. After it became clear that it was in the very nature of Reform to deny a divinely revealed Torah, cooperation diminished. As Reform began to take on the character of a full-fledged movement, with the founding of its institutions, communication and cooperation was rendered even more difficult.

Yet at the turn of the century, when Reform had committed itself to its own philosophic and organizational path, the difference of opinion among Orthodox leaders over the matter of cooperation still existed. The reason for this difference of opinion was no longer uncertainty over the philosophic or organizational path of Reform, rather it seemed to lie in the cultural make-up of the Orthodox leadership as well as the Orthodox laity. More specifically it had to do with the process of Westernization or "Americanization" within the Orthodox community. Culturally, the Orthodox of Sephardic and German descent had much in common with the Reformers of German origin. They had gone through the same process of Americanization together. The Westernized Orthodox as typified by Mendes and the congregants of Shearith Israel

of New York were hardly distinguishable from the non-Orthodox. An early writer of the scene tells us that the Sephardim of Shearith Israel praised the Orthodox way of life and defended traditional Judaism but seemed to speak the language of the Reformers.⁴⁸ Socially, economically and culturally they spoke the same language. This was not the case with the Orthodox who had come from Eastern Europe. At this time they had only just begun the process of Americanization and they - especially their leadership in the Agudat Ha-rabbanim - resisted the process. Coming from a vastly different cultural background than either the Reformers or the leadership of the newly emerging Conservative movement, the Eastern European Orthodox did not "speak the language of the Reformers." Some of the Americanized Orthodox rabbis were willing to cooperate with the non-Orthodox in such community endeavors as religious education and the battle against secularism and anti-Semitism. The "non-Americanized" were not. That the Americanization process played a major role, perhaps the major role, in determining the matter of cooperation can best be seen in the changes which took place in the next decades.

1920 to 1939: Eastern European Orthodoxy - Americanization, Secularization, Cooperation

In the ensuing decades after World War I three factors contributed to a change in the nature of the Orthodox community and in its relationship to the non-Orthodox.

One factor was time. The process of Americanization

which occurred in the German immigrant community between 1840 and 1880 repeated itself among the Russian immigrants. The socio-economic status of the immigrant community was changing. As the Americanization process took hold, the economic level of the community rose. The Eastern Europeans began to desert the areas of first settlement - areas which had been enclaves perpetuating the Eastern European style of Orthodoxy. The population of the Lower East Side of New York which numbered 335,000 Jews in 1916 stood at only 121,000 by 1930.⁴⁹ This "moving out" was repeated in other "ghettos" throughout the country. In the second areas of settlement the Eastern Europeans came into direct contact with the German-Jewish group, both Orthodox and non-Orthodox. The result was two-fold. Many of the Eastern Europeans joined or formed Orthodox congregations whose Orthodoxy was of a more modified form. The congregations were larger, more formal and sermons were given in English. Many others, however, defected to Reform or Conservative Judaism. As early as 1930 one-half of the membership of Reform congregations was of Eastern European descent.⁵⁰

The second factor contributing to change was immigration. In 1921 the Johnson Act was passed which limited immigration to the United States. Even more stringent legislation was passed in 1924 which brought the mass immigration from Eastern Europe to a virtual halt. The result was that there was no immigrant group to counteract the Americanization process and reinforce the Eastern European style of Orthodoxy. As

the process of Americanization continued, unabated by any new influx of immigrants, and as defections to the Reform and Conservative synagogues continued as well, the relationship between the Orthodox and the non-Orthodox movements changed.

The Agudat Ha-rabbanim, who represented the Yiddish speaking Eastern European Orthodox rabbinate continued their general policy of refusing to cooperate with the non-Orthodox. As the Americanization of the Eastern European community continued, however, the organization's influence on the Orthodox community sharply declined. Fewer and fewer Jews looked to the Agudat Ha-rabbanim for leadership.⁵¹

The more Americanized element of the Orthodox community, which was growing in numbers, turned to the Union of Orthodox Jewish Congregations and its Rabbinical Council for leadership. The Union's influence in turn began to grow during this period. In contrast to the Agudat Ha-rabbanim and those who followed its lead, the Orthodox community centered around the Union-Rabbinical Council which was willing to cooperate with the leadership of Reform and Conservative Judaism in certain undertakings.

The third factor was the rise and growth of Jewish secularism in the 1920's and 30's to which the Jewish immigration from Eastern Europe contributed. It did so in two ways: In the 19th and the early 20th century a host of philanthropic, defense and benevolent societies were founded or expanded primarily to meet the needs of the now largely

immigrant Jewish community. Between 1884 and 1913 the Hebrew Sheltering and Immigrant Aid Society, the National Council of Jewish Women, the American Jewish Committee, the Anti-Defamation League and the first local Welfare Federation had been founded.⁵² These agencies were independent of and unaffiliated with any of the religious movements in America, taking over many of the communal services which had been previously performed by the synagogue.⁵³ Secondly, many among the immigrants, especially those arriving after World War I, were secularist, their secularism being as passionately felt as was the Orthodoxy of most of their fellow immigrants. They founded or contributed to the founding of a variety of secular organizations, from the anti-Zionist Workman's Circle, to the Federation of American Zionists (later changed to the Zionist Organization of America). These secular organizations and movements ranged in ideology from non-religious to anti-religious, and made it possible for the Jew to live his Jewishness in America outside the synagogue.

During this same period of the 20's and 30's when Reform and Conservative Judaism began to grow at the expense of Orthodoxy, all three movements began to feel the threat of Jewish secularism. The number of congregations increased during these two decades, yet "the overwhelming majority of the immigrants' children had deserted Judaism."^{53a} By 1937-38 the membership of all synagogues - Orthodox, Conservative and Reform - totalled only between one-third and one-fourth of the American Jewish population.⁵⁴ Increasing secularization

in the American Jewish community was perceived by all the movements - Reform, Conservative and Orthodox - as a threat to the centrality of religion and the synagogue.

Americanization of the Orthodox community and secularization of the general Jewish community helped create - along with the growth of anti-Semitism here and abroad - a more cooperative atmosphere between the Americanized Orthodox element which was increasing in numbers, and the non-Orthodox. In the 1920's and 30's a much greater atmosphere of cooperation prevailed than had been known in any previous decade since the arrival of the Eastern European Orthodox community. As early as 1914 the Central Relief Committee, formed by the Orthodox community, merged with the American Jewish Relief Committee to form the Joint Distribution Committee for the purpose of relief work during World War I.⁵⁵ In 1917 the UOJC supported the Kehilah movement despite the fact that Judah Magnes was its founder and moving spirit.⁵⁶ In 1925 Rabbi Abram Simon, president of the Central Conference of American Rabbis called for a "United Israel...based on religion" as the only means of dealing with problems facing American Jewry.⁵⁷ A meeting of representatives of the Reform and Conservative rabbinic and synagogue associations, the UOJC and the Agudat Ha-rabbanim was called. The Agudat Ha-rabbanim declined to participate in the meeting but representatives of the Union attended. A resolution was passed which recognized the synagogue as the basic and essential unit in Jewish life, "the fundamental spiritual unity which

binds us as Jews," and the "desirability of taking counsel together."⁵⁸ As a result of this earlier meeting the Synagogue Council of America was formed in 1926. The UOJC and its Rabbinical Council, which was soon to become the Rabbinical Council of America, were charter members.⁵⁹ In 1934 the Union participated in a "Back to the Synagogue" drive along with the Reform and Conservative movements in order to combat religious indifference which existed in the Jewish community.⁶⁰

As Orthodoxy moved to meet the challenge of Americanization, the Reform and especially the Conservative rabbi seem to have become the models for their Orthodox counterpart. In 1915 at the laying of the cornerstone for the newly merged Yeshiva Isaac Elchanan and Yeshive Etz Chaim, one of the speakers declared the object of the new rabbinical college to be "Orthodox Judaism and Americanism;...to educate and produce Orthodox rabbis who will be able to deliver sermons in English, so that they may appeal to the hearts of the younger generation."⁶¹ This was precisely the role that the Jewish Theological Seminary had set for itself some years earlier.

If one looks at the pages of The Orthodox Union during the 1930's one sees Orthodoxy concerned with its own problems. There was little mention of either the Reform or Conservative movements. Where mention was made, it was relatively non-polemical. Participating in a conference on Jewish affairs at JTS, Rabbi Herbert Goldstein, associate editor of The

Orthodox Union, spoke of "well meaning brethren who have brought into the synagogue the ways of the goyim." [*Italics mine.*]⁶²

Ideologically, of course, nothing had changed. Orthodox continued to look at the Reform and Conservative movements as "nullifying Judaism"⁶³ and spreading disunity in the community.⁶⁴ The Orthodox Union called for Orthodox Jews to speak out on issues affecting Jewish life so as not to leave the stage to the non-Orthodox.

By 1939 then, the American Jewish community can be seen as one which encompassed both religious and secular elements. The religious community was further divided into an Orthodox group, diminishing in numbers, relatively low on the economic scale, and less well organized than its non-Orthodox counterpart, and a non-Orthodox group, increasing in numbers, higher on the economic scale and better organized. The non-Orthodox movements were characterized as knowing as little of "real" Judaism as a gentile, hence having no more right to speak on Jewish issues than would the non-Jew.⁶⁵ Yet, the continuing process of Americanization, the cessation of immigration, and the increasing secularization of the Jewish community had created an atmosphere where polemics by the Orthodox against Reform and Conservative Judaism had diminished and where an increasingly more cooperative atmosphere prevailed.

CHAPTER IV

1939 to 1945: Challenge from the Orthodox Right

The War-time Community

During the years from 1939 to 1945 many of the secular agencies and secular movements which developed in the previous decades were brought to prominence by the War. Hitler's rise to power rendered the ideological battles over Zionism, which raged in the Jewish community up to this time, academic. The majority of American Jewry during the War years was by "necessity" Zionist in orientation. The American Jewish Congress, originally founded in 1918 to represent the community at the Paris Peace Conference, took the lead in representing this Zionist group.¹ In 1939, spurred on by the War and recognizing the inter-relationship between the Jewish refugee problem and Zionism, the Joint Distribution Committee and the United Palestine Appeal combined along with the National Coordinating Committee Fund to form the United Jewish Appeal.² The local Jewish Welfare Federation became an important vehicle for the massive fund-raising drives necessitated by the War.³

During the War years the primary concern of the entire Jewish community was the relief and rescue of European Jewry, and the fund-raising efforts necessary to effect this relief. Although the organizations and agencies which bore the brunt of the relief effort were by their very nature secular, religious as well as non-religious Jews participated both as leaders and as members of their rank and file. Moreover,

despite the fact that such prominent Reform and Conservative rabbis as Stephen S. Wise, Abba Hillel Silver, Israel Goldstein, Emanuel Neuman and Nahum Goldmann were active leaders in these organizations - especially in Zionist affairs - segments of the Orthodox community as well as the non-Orthodox participated in them. The religious and the secular, the Orthodox and the non-Orthodox coalesced around these community-wide secular movements and organizations. Orthodox attitudes toward the non-Orthodox movements during this period are reflected primarily, though not exclusively, in Orthodoxy's attitude toward participation in these movements, especially Zionism.

The Orthodox community during the War years was composed of three groups. One was the Agudat Ha-rabbanim and the people who still looked to the Yiddish speaking European trained rabbi as their authority figure. Another was the group of more militant Orthodox who began arriving in the late 1930's as refugees from Hitler. While, as has been indicated in Chapter III, the first group was declining in influence due to a variety of religious and cultural changes in the community, the second group, being new to the country and not relating to the existing Jewish institutions, only began to exert itself during this period.

The third group was the Union of Orthodox Jewish Congregations and its rabbinic arm the Rabbinical Council.

This group, as has been indicated in Chapter III, was the one

most affected by the Americanizing process of the previous decades. During the War years it continued its ascendancy, appealing to the increasing number of Americanized Orthodox Jews.

The Secular Organizations: Cooperation and Antagonism

An examination of the UOJC's Orthodox Union during the years of World War II indicates a willingness on the part of the Union and the Rabbinical Council of America to participate in and back the activities of the Zionist movement. Mizrachi, the religious Zionist organization, was from its inception a member of the World Zionist Organization. To a great extent the leadership of Mizrachi was drawn from that segment of the Orthodox community associated with the modern Orthodoxy of the Union of Orthodox Jewish Congregations and the Rabbinical Council. Names such as Charles Chavel, Oscar Fusman, Joseph Lookstein and Leon Gellman are prominently featured in Mizrachi's publication The Jewish Outlook and are also found among the leadership of the UOJC and the RCA during the early 40's.

It is not surprising then that The Orthodox Union editorialized that it is "high time for American Israel...to stop the internal bickering and set about sending the Yishuv the tools and men [it needs]." ⁴ Though emphasizing that Orthodoxy must strive for the sovereignty of the Torah in all communal and individual endeavors of the Yishuv, The Orthodox Union nonetheless encouraged support for the essentially secular Jewish National Fund. ⁵

In 1943, because of community wide pressure, the American Jewish Conference was formed. Its purpose was to promote the rescue of Jews in Europe, defend Jewish rights in Palestine, and prepare for the problems of post-War reconstruction.⁶ Rabbis and lay leaders of the UOJC participated in the Conference. The pages of The Orthodox Union reflect the feeling that despite problems and legitimate criticism, the first plenary session of the Conference which was held on September 2, accomplished its goals.⁷ Alluding to the Union's participation in the Conference, the periodical proudly proclaimed that Orthodoxy "knows the value of unity."⁸

At the same time, the willingness of the Rabbinical Council and the UOJC to cooperate and participate in the activities of non-Orthodox organizations must not be construed as an uncritical endorsement of these organizations. Though often paying tribute to their work they were at the same time highly critical of them. For example, the federations and welfare funds were viewed as a threat to the centrality of the synagogue in Jewish life. The Rabbinical Council and the UOJC were disturbed about the general secularization of Jewish life. They were aware that Orthodoxy did not have the power within these agencies that it should. Concern was shown "Because men who are in charge of the allocation of funds are either unfamiliar with the importance of certain [Orthodox] institutions of learning and religion, or are prejudiced against them."⁹ The secular organizations are also accused of using the synagogue as a platform for causes

which are indifferent or even opposed to the doctrines of the synagogue.¹⁰

Throughout the period of the War the commentary about Orthodoxy's relation to the secular organizations in the pages of The Orthodox Union is minimal. What is clear, however, is that neither the secularism of the organizations nor the fact that Reform and Conservative Jews occupied positions of leadership in these organizations led to non-participation on the part of the modern Orthodox groups.

Agudath Israel, as has been indicated in Chapter II, was established in the United States in 1939, though a youth organization, Zeirei Agudath Israel, had been founded earlier. The establishment of Agudath Israel in America came about as a result of the arrival of the new wave of immigrants who came to the United States as refugees just prior to and during the War. These refugees were more militantly Orthodox than either the modern Orthodox of the Rabbinical Council and UOJC or the Yiddish speaking rabbis of Agudat Ha-rabbanim.¹¹ Among this group were rashei yeshiva and men who had been leaders of Agudath Israel in Europe. Zeirei Agudath Israel in its Orthodox Youth indicated in 1941 that these transplanted Agudist leaders "are assuming the helm of Orthodoxy and are creating a true conception of Torah True Judaism...without any form of compromise." [Italics mine.]¹²

The primary "compromise" during this period is Orthodox participation in the Zionist movement. In a series of articles beginning in June of 1941, Orthodox Youth mirrors

the Agudath Israel position that Zionism, being neutral regarding the centrality of Torah for both the individual and the Yishuv community, is antithetical to Judaism. To the Agudah, Zionism is "heresy and idolatry."¹³ Furthermore, because the Agudah feels it will be unable to "cleanse any impurities from a movement which will not recognize the Torah as supreme," it vows to carry on its work "independently and uncompromisingly."¹⁴

Not only was Zionism's attitude toward Torah regarded as "neutral," it was often considered hostile. The local welfare federations, to which Orthodox Jews contributed, sent their Palestine allocations only to the Vaad Leumi which denied funds to the Orthodox Jews of the old Yishuv. American Orthodox Jews, then, are victims of deception as far as Agudath Israel is concerned, for the Orthodox give money to the federations believing it will go to the chalukah but it does not.¹⁵ Because of this neutrality and hostility Agudath Israel established its own fund, Keren Hayishuv, as well as other independent institutions.

If cooperation with the Zionist movement is a compromise of Torah-true Judaism, the "compromisers" are the Mizrachists. To the Agudists, Mizrachi is a contradiction because on one hand it affirms the unity of Torah, people, and land, while on the other it acknowledges a secular Zionist Organization, which in principle and practice denies the sovereignty of Torah over the whole of the Jewish people.

The cause celebre in the controversy between Agudath Israel and Mizrachi is the affair of the so-called "Teheran

children." In 1943 approximately one thousand refugee children were rescued from Nazi Europe and taken to Palestine by way of Teheran. Throughout the entire journey and ultimately in Palestine "a whole staff of Jewish Agency educators undertook to systematically alienate the children from the religious tradition of their families, to degrade and to ridicule in their eyes everything that is holy to the Jew"¹⁶ In the newspapers of the Yiddish and Anglo-Jewish press Rabbi Meyer Berlin, president of Mizrachi, held both the Jewish Agency and Agudath Israel guilty of creating the refugee children situation. He charged the Agudists with "political maneuvering."¹⁷

In response, Jacob Rosenheim, president of the international Agudath Israel, charged Mizrachi with the desire to have complete control of the children, whereas the Agudists were pictured in the role of compromisers - asking for control of only one-half of the children.¹⁸ It is at this point that Rosenheim introduces a new argument against Orthodox participation in the Zionist movement. Not only is cooperation wrong theoretically because it is an act of recognition of a heretical, Torah-denying group, but it doesn't even "work." Mizrachi's claim that it can influence the direction of the Zionist movement by working from within the movement is false. It did not protect the refugee children. Orthodoxy has no influence in the Zionist movement. It is impotent.¹⁹

Constantly woven into the columns of Agudah periodical literature during this period is the theme that it is now

time for the Orthodox community to exert forceful leadership in Jewish life. English speaking Orthodox rabbis possess potential leadership ability, but they don't lead. Instead they murmur "sweet platitudinous nothings about 'religion' and 'democracy'" serving as models in "How to win friends and not to influence people." ²⁰ The English speaking Orthodox rabbinate (i.e. Rabbinical Council of America) turns to false Messiahs "who loudly harangue about Jewish armies, Jewish navies, Jewish states" but who do not turn to Torah for protection. This is a tragedy because "True leadership can only be found in men who believe and practice the laws of our Faith."²¹ The Mizrachists consort in Zionist circles with false leaders. These are leaders of Reform Jewry who are "arch-enemies of Torah-Judaism." They invite men like Stephen Wise and Israel Goldstein "who are anti-Torah men" to speak at Mizrachi gatherings, thus giving an "Orthodox hechsher" to men "who until a few years ago (and privately to the very day) were spitting in Torah Jewry's face."²²

As for participation in the American Jewish Conference, an editorial in The Orthodox Tribune stated that despite "misgivings" Agudath Israel and Agudat Ha-rabbanim participated in the initial stages of the Conference. They participated like the Union of Orthodox Jewish Congregations participated, for the sake of unity. Because of bias shown against the religious sector, however, and because the Conference was to be run by the "'old line' clique of irreligious

Jewish leaders," and hence not ruled by the spirit of Torah, the Agudat Ha-rabbanim and Agudath Israel withdrew.²³

By 1944, however, with Hitler moving from persecution to "final solution," Rabbi Eliezer Silver, president of Agudath Israel of America, asked that all Jewish organizations work jointly for the rescue of European Jewry. At its fifth national convention in 1944, a declaration was passed declaring Agudath Israel's willingness to cooperate with all other Jewish organizations in such matters as rescue work, cancellation of the White Paper, post-War relief and settlement and representation at a peace conference. The declaration asked that a conference of all Jewish organizations be convened in order to establish a "Jewish Joint Emergency Council" to deal with these matters. Silver warned, however, that "the fact that the reformed [sic] Jewish 'Rabbis' are placed in strategical positions in the battle for Jewish survival [will cause] a weakening of the Jewish future."²⁴

Whether or not such an emergency council was formed or whether Agudath Israel ever joined such a conference is unclear. Nonetheless, for the sake of pikuach nefesh the Agudists indicated a willingness to cooperate with the non-Orthodox. Their basic attitude, however, remained the same. To the Agudists there could be no unity without God and His Torah, and without unity in God and Torah there is nothing that the Orthodox could possibly have in common with the non-Orthodox. Even the hopes for the future state will not bring unity:

Let us, for a single moment, assume for the

sake of argument, that this unity has already been achieved. Let us imagine that there are gathered around the table all shades of Jewish opinion, the orthodox, the conservative, the reformed, [sic] the Zionist, the non-Zionist, the liberal, the assimilationist, and the ultra-orthodox. What shall the topic of discussion center itself about? Shall it be Sabbath observation? Alas, no! Why, most of those men gathered about the table openly and flagrantly violate the Sabbath. Shall it be Kashruth, Taharath Hamishpocho or any of the mitzvohs? No, no, those things are old fashioned and smell of fanaticism. Shall it be Jewish education? Definitely not! Each man at this conference has his own perverted idea of Jewish education. Then what shall these men talk about? Where shall the unity begin?

At last a topic is discovered - Eretz Yisroel. Here there can be hopes for the discussion of unity. One man proclaims that Eretz Yisroel is the Jewish nation and must have political and economic rights with all other countries. Another states that Eretz Yisroel should be developed along lines of socialism and the cooperative system of living. A third militantly shouts that Eretz Yisroel must become a potent military power with an army, navy and air force of its own; some merely shake their heads and mumble that the Jew owes his allegiance to America and that Eretz Yisroel should be only a land of refuge - and when all are tired of shouting, a soft voice of a bearded Jew is heard. He proudly states that Eretz Yisroel is one of the Mitzvohs of the Torah and that only an Eretz Yisroel that is redeemed in the spirit of the Torah can have any real fruition, and that all discussion of the Holy Land should start with that given fact. Immediately this man is shouted down. "Who ever heard of such nonsense in this modern day and age, that Eretz Yisroel is only Jewish as long as the Torah is its guide? What has prayer and ritual observance done for Eretz Yisroel all these years" are the questions scornfully flung at this little bearded Jew? Alas - even on the topic of Eretz Yisroel there can be no unity. And so the empty talk of unity goes on far into the night and into the void.²⁵

With regard then to Orthodox participation in the Zionist movement, the Agudah comes to a conclusion diametrically opposed to that of the Rabbinical Council and the UOJC. To Agudath Israel, the Zionist movement is at best neutral to

the concept that Torah should be sovereign in the lives of both individual and community. This neutrality implies a recognition that at least a segment of the Jewish people may be legitimately Torah-less. To build a state on that principle is a hillul because it is based on the antithesis of Torah-true Judaism, namely "Torah-less Judaism." Thus Agudath Israel will not participate in the Zionist movement and Mizrachi should not. While this is the theoretical reason for not participating in, or cooperating with, the Zionists, there is also a practical reason. Participation might be justified if there were evidence that participation acted as a check against the anti-Torah attitudes and practices of the Zionists. All evidence indicates that it in fact does not, witness the Teheran children incident, and Mizrachi's ineffectiveness in dealing with it. Hence, cooperation brings no "practical" results on behalf of the Torah. The same theoretical and practical considerations are relevant with regard to other secular organizations in Jewish life. The only exception is cooperation for the sake of pikuach nefesh. But pikuach nefesh in a very narrow sense.

The fact that Reform and Conservative rabbis occupy positions of leadership in the Zionist movement is another reason for non-participation. They are "anti-Torah men." They too, it also seems, are included among the "secularists." Cooperating with them and honoring them is tantamount to giving them hechsher as Jewish community leaders. This question of whether or not cooperation with Reform and

Conservative rabbis means recognition and approval will reappear constantly throughout the pages of Orthodox periodical literature during the 1940's and 1950's.

Inter-denominational Cooperation

A second issue during this period had to do with direct relationships between the Orthodox and non-Orthodox religious movements. Those encounters that took place through participation in community-wide agencies were incidental. They might be justified as necessary, at least by the modern Orthodox groups, because of the urgency brought about by the War. Direct involvement with Reform and Conservative Judaism for other purposes could not be justified in this manner. Yet, not only did the Rabbinical Conference and the UOJC participate in the Synagogue Council of America, but the RCA sent a representative to participate in a meeting called by the Rabbinical Assembly in October of 1939, "to explore the possibilities of closer cooperation between the various National Rabbinic bodies in this country."²⁶ Members of the Central Conference of American Rabbis were present along with those of the Rabbinical Assembly and the RCA. Problems common to all three rabbinic organizations were discussed. The possibility was suggested that the three groups hold their conventions in the same city and hold several joint sessions. It was also suggested that the organizations attempt to eliminate the "unfortunate aspects of competition [for rabbinic positions] which apparently existed between the rabbinic bodies."²⁷

In 1944 at a meeting of the RCA's Rabbinical Practices Committee a request was made to study questions affecting the rabbi and the synagogue. One thing to be placed on the Committee's agenda was whether or not members of the RCA should accept invitations to address non-Orthodox or non-Jewish groups in their synagogues and churches.²⁸ Cooperation in the Synagogue Council - at least as reflected in the periodical literature and in the minutes of the RCA Executive Committee - was taken for granted. The question before the Practices Committee was over the possibility of an even closer relationship.

The question of participation with the Reform and Conservative movements in the Synagogue Council or in similar organizations is not even mentioned in the pages of Agudath Israel's Orthodox Tribune. Given the fact that the Agudah would not join with non-Orthodox rabbis even in community-wide organizations for fear of giving hechsher to these rabbis, and given their concept of the non-Orthodox rabbinate as indicated below, their silence in this matter can only be taken as a complete rejection of any and all inter-denominational cooperation.

In their respective attitudes, both groups, the UOJC and the Rabbinical Council on the one hand, and Agudath Israel on the other, were true to their past history.

The UOJC and especially the Rabbinical Council represented that portion of Orthodoxy most affected by the Americanization process. It had been the Rabbinical Council which served and

influenced the Orthodox congregations in areas of second settlement in the 1920's and 30's. Having come into contact with the Reform and Conservative movements in these new areas, the RCA and the Union cooperated with them when necessary. The modern Orthodox groups had been members of the Synagogue Council of America from its inception. They had, as indicated in Chapter III, participated in "Back to the Synagogue" drives along with the Reform and Conservative movements. As to Zionism, the modern Orthodox Jew by his participation in Mizrachi, which was part of the Zionist Organization from the beginning, could be expected to back community efforts of relief, rescue and rehabilitation through the establishment of a Jewish state. The presence of Reform and Conservative Jews in the leadership cadre of the Zionist movement would be no hindrance, when, given the War, the life of the Jewish people was at stake.

The history of Agudath Israel led it in another direction. In the first place Agudath Israel came into being "to deal with all problems confronting Jewry in Israel and in the diaspora in the spirit of Torah and tradition," and to "counteract the progressive secularization of the Jewish people."²⁹ Historically, it was founded in Europe in 1912 in reaction to the Tenth Zionist Congress' decision to make itself responsible for educational and cultural activities in preparation for the anticipated State. Agudath Israel from its beginning stood outside and in opposition to the Zionist Organization and all manifestations of political Zionism. Secondly, while the Agudah had been in existence

in Europe some twenty-seven years, it was established in America only during the period of the Second World War. The leadership of Agudath Israel of America was drawn from recently arrived refugees out of Hitler's Europe. Facing a secularized American Jewish community it tended to withdraw within itself, in many ways like the Eastern European immigrants of the turn of the century.

Being new to the United States, coming into existence on the premise that the solution to all problems facing Jewry were to be found within Torah, being explicitly anti-Zionist, it understandably refused to cooperate with the non-Orthodox, whether secular, Reform or Conservative. Perhaps given the dire emergency facing European Jewry in World War II a temporary change in their attitude might have been expected. Aside from the attitude of Eliezer Silver, who was also among the leadership of Agudat Ha-rabbanim, The Orthodox Tribune indicated no such change.

Thus it is clear that at this time, from 1939 to 1945, one end of the Orthodox spectrum cooperated with non-Orthodox Jews, both secularists and those in the camp of liberal Judaism, while those at the other end did not. We have yet, however, to examine the image of Reform and Conservative Judaism and of the Reform and Conservative rabbi held by the Orthodox during this period.

The Orthodox View of the Nature of Non-Orthodox Judaism

The pages of the UOJC's Orthodox Union reflect a Conservative and Reform Judaism seen as "apologies to the

Gentile world...although still moored to the sacredness of tradition." [*Italics mine.*]³⁰ They both attempt to satisfy the religious needs of Jews but though they may "pacify and appease" they cannot still the hunger for religion.³¹

Recognizing an upsurge of Conservative sentiment in the ranks of Orthodox congregations one Orthodox rabbi charged Conservatism with being a comfortable avenue for getting away from spiritual and practical inconveniences. It eases the problem of the Jew as non-conformist. Those who are truly Orthodox are willing to be "different" in their every day conduct. When confronted with vital Jewish problems the Orthodox Jew can "always be swayed to make genuine Jewish decisions."³² The implications are clear: the Conservative Jew, desiring not to be different, will not always be swayed to make genuine Jewish decisions.

As for the Reform Jew - he wants to be a "safer" American. His desire not to be different is based on fear. He wants to be a Jew only in terms of religion. He desires to be a "Protestant Jew." Ultimately he will have no reason for avoiding intermarriage and will eventually lose his Jewish identity altogether.³³

In an editorial entitled "What Price Goodwill!", the Jewish Theological Seminary is taken to task for instituting inter-faith lectureships and the non-Orthodox movements are chastised for encouraging pulpit exchange between rabbis and Christian clergymen.³⁴

The picture that emerges characterizes both Conservative

and Reform Judaism as "escape" movements. On one level it is escape from the requirements of the mitzvot. On a psychological level it is escape from being different. In which direction does the non-Orthodox Jew escape? In the direction of "inter-faith." No appreciable distinction is made at this time between Conservative and Reform Judaism.

Surveying this material produces one other impression, namely, that in attempting to strengthen itself Orthodoxy paradoxically used Reform and Conservative Judaism as its model, a continuation of the process that began during the 1920's and 1930's. The Orthodox Union called for English speaking rabbis who are secularly educated and attuned "to the requirements of modern society." It called for the establishment of mens' clubs, sisterhoods and youth groups. It sought decorum in worship and recognized the dignity of the Reform worship service:

No amount of wise-cracking or clever retort will evade the issue. The argument that the Reform Jew, because of infrequent attendance, feels like a visitor in his temple and must, as it were, wear his company manners before God - hence the Reform temple's insistence on dignity and decorum - while the Orthodox Jew, because of frequent attendance, feels perfectly at home in the synagogue and has a feeling of intimacy with his God, which permits him to act in the synagogue as he would in his own home, is at best a specious one. No amount of argumentation of this nature will permit one to escape the incontrovertible demands of the times that our synagogues present to the old as well as the young an atmosphere of dignity and respect.³⁵

It was suggested that worship services begin promptly and that the Torah and haftorah be translated.³⁶ In order to more efficiently aid their member congregations a Director

of Synagogue Activities was appointed by the UOJC in 1945. His department was to be concerned with publishing material for use in junior congregations and mens' clubs and with organizing the mens' clubs into a national body.³⁷ The entire movement toward decorum, English and emphasis on organization follows that of Reform and Conservative Judaism.

During this period one does not find a large amount of material on the non-Orthodox movements in the pages of The Orthodox Union. Several conjectures are in order as to why this is so. If one surveys The Orthodox Union, one has the impression that during this period the Union of Orthodox Jewish Congregations is preoccupied with the problem of how to strengthen the Orthodox synagogue and the Union organizationally and spiritually. The Orthodox Union is critical of the faults of Orthodoxy: the UOJC is taken to task for not taking firmer stands on matters pertaining to Orthodoxy.³⁸ As we have seen, it chastised itself for the lack of decorum at public worship. In other words, the left wing of Orthodoxy was preoccupied with its own problems. Secondly, at a time when European Jewry was being decimated and needed the aid of the entire American Jewish community, the UOJC, which showed an increasing willingness to cooperate before the War, would not be likely to engage in divisive polemics. The "unity" principle mentioned above was still basic to the needs of Jewry in the eyes of modern Orthodoxy during this period.

The picture one receives of Reform Judaism from the pages of Agudath Israel's Orthodox Tribune is of a movement

as much Christian as Jewish. Reform is "selling" Christianity. Like members of the family they enter through the back door: "The present enemy [Reform Judaism] comes dressed in our clothes [and speaks] our tongue and the house he lives in is allegedly our house. But the merchandise he sells is essentially the same which was peddled to us less than two thousand years ago."³⁹

This salesman is of course far more dangerous than the Christian missionary who identifies himself and his product clearly. Jews will not be "taken in" by Christianity but are too often taken in by Reform. Furthermore, those who allow Reform rabbis to occupy positions of leadership in American Jewish life are "spreading the welcome mat at the back door of our Jewish home to the purveyors of non-Jewish merchandise."⁴⁰

While The Orthodox Union accused Reform Judaism of "Protestantizing" itself, the Agudist publication went a step further. To the Agudah, Reform is Christianity pure and simple. The Reform rabbi who shapes Reform Judaism need not be a convert to Christianity in order to be rightly called a "traitor."⁴¹

Polemic such as this is repeated whenever Reform is mentioned. Even an acknowledged trend to traditionalism is treated not with the hope that it may lead to a return to the mitzvot but with further polemic and sarcasm. Reprinting an article by Bernard Bamberger in which he advocated the legitimacy of a return to tradition on the part of Reform,

A. A. Davidson wrote:

It's an interesting picture - indeed, an arresting one, isn't it? One can almost see the "frightened" people in the "Temple," trembling on the plush edges of their seats as the rabbi enters. Sternly he strides to the pulpit. Defiantly he looks about him. The people cower. Will he? Won't he? Won't he just! The rabbi pulls out a three-cornered yarmulka and sets it fiercely on his head, while the shixsas in the choir burst into "Rock of Ages," and the congregation is demoralized by fright.⁴²

As dangerous as Reform may be, at least the distinction between Reform and Torah-true Judaism is clear. The distinction is not so apparent with regard to the Conservative movement and the Conservative rabbi, hence Conservative Judaism appears more pernicious:

There are almost no men in Israel today who have wrought more havoc to the cause of Torah-Judaism among the masses than these who defile...Jewish tradition while professing to adhere to 'tradition.'⁴³

Conservative rabbis are like "wolves in sheeps' clothing" speaking to pious Jews with the voice of Jacob when "the hands are the hands of Esau." That Conservative Judaism prevents more Jews from finding their way into the Reform camp is disregarded. The Conservative movement may attempt to bridge the gap between Orthodoxy and Reform but "traffic flows only one way - towards Reform."⁴⁴

A new Canadian Orthodox monthly was taken to task for allowing the introduction to its first edition to be written by a Conservative rabbi. Not only does Orthodox participation in non-Orthodox organizations tend to legitimize the non-Orthodox, but to allow a Conservative "rabbi" to write for an Orthodox periodical is to commit the error of recognizing

him as a rabbi. There is an increasing tendency on the part of Orthodox institutions to do this, and it is feared that this tendency will break down the barriers between Orthodoxy and Conservatism.

The Orthodox Tribune, then, handled the problem of Reform and Conservative Judaism by resorting to polemics and often to ridicule. The Reformers are Christians, the Conservatives hypocrites. Both are dangerous to Judaism.

Finally, during the War years a section called "Those Who Fight...Write" began to appear frequently in The Orthodox Tribune. The letters, written by men in the service, often mentioned problems with Reform and Conservative chaplains. Two major articles concerning life in the service were prominently featured. Reform chaplains were pictured as refusing to help soldiers obtain religious items such as Chanukah candles, improperly conducting wedding and religious services and being reluctant to help Orthodox soldiers obtain kosher food.⁴⁵ The Orthodox Union, by contrast, spoke of Jewish chaplains without distinguishing between Orthodox, Conservative and Reform.

* * * *

The period from 1939 to the close of the Second World War is one of contrast. The Rabbinical Council of America and the Union of Orthodox Jewish Congregations appear to be preoccupied with the need for unity and organization within their own ranks. They desire cooperation with the greater

Jewish community in a joint endeavor to build Zion, to rescue Jews from Nazi Europe and to generally strengthen Jewish communal life. These concerns are reflected not only in their own periodical, The Orthodox Union, but in the Agudah's Orthodox Tribune as well. In addition the RCA and the Union begin to give greater attention to the need for union among all Orthodox groups. They are critical of the secular agencies of the Jewish community and of the shortcomings of Reform and Conservative Judaism; their criticism is mildly polemic but contains no ridicule.

The RCA and UOJC justify their participation and membership in secular agencies in terms of the needs of the community. While their affiliation in the Synagogue Council is not specifically mentioned in the pages of The Orthodox Union, they nonetheless hold membership in the organization. Furthermore, the RCA meets informally with Reform and Conservative representatives to discuss closer cooperation between the three rabbinic groups. Their tendency is to "be tolerant towards dissenters, borne aloft by the knowledge that...the words: Judaism, Jewish, Jewishness apply to the untrimmed...faith and way of life that was established by Moses"⁴⁶ They are willing also to criticize themselves:

Groups, whether religious or secular do well to appraise their own acts and honestly and earnestly endeavor to better themselves... We should not distract attention from our own shortcomings by setting ourselves up as self-appointed judges of the sins of others.

We should, both as individuals and as members of the Union of Orthodox Jewish Congregations, always be mindful of... *1737 5/6* ⁴⁷

The pages of The Orthodox Tribune, however, show an Agudath Israel highly antagonistic toward the concept of cooperation with secular agencies. The Agudists polemicize against Reform and Conservative rabbis and their influence in the community. Their periodical pictures Reform as virtually outside the Jewish religious community and Conservative Judaism inside the community, but destructive to it. The crucial feature, however, is that it directs its attack primarily at the other end of the Orthodox spectrum. Modern Orthodoxy as represented by the RCA and the UOJC, is attacked for cooperating with Reform and Conservative rabbis and for participating - through Mizrachi - in the Zionist movement. Their participation is attacked not only because it violates the principle that Torah-true Judaism is the only basis for Jewish life, but it has resulted in no appreciable influence of the Torah way upon Zionism or other secular organizations.

There is a third reason for Agudath Israel's attack against the modern Orthodox. A political struggle for leadership of American Orthodoxy was in progress. The arrival of Agudath Israel leaders prior to and during the War established a militant right wing in the Orthodox camp. When the Agudist publications called for a revitalization of Orthodox leadership in the Jewish community, they meant that leadership to be in the hands of Agudath Israel.

In 1942 the Mo'etset gedolei ha-Torah declared the decisions of the Jewish Agency invalid "so long as this

Agency does not have any representatives of organized Orthodoxy." [*Italics mine.*] ⁴⁸ The import of this statement is not that Agudath Israel desired to replace Mizrachi in the Jewish Agency, rather it is a declaration on the part of the Agudah that only an organization which does not participate in non-Orthodox agencies may speak for (i.e. "lead") Orthodoxy. Mizrachi, because it is part of the Jewish Agency has forfeited its claim even to the title "Orthodox" because by cooperating with the Zionist movement it has recognized a Torah-less Jewish people. To whom then, may the Orthodox Jew look for leadership?

An Orthodox Jew must, therefore, recognize the absolute authority of the acknowledged Rabbinic leaders, whose decision in every matter pertaining to the Jews, both individually and collectively is final, since it is based on the infallible Torah⁴⁹

The "acknowledged Rabbinic leaders" are found in the Mo'etset gedolei ha-Torah of Agudath Israel.

This newly arrived "right wing" attempted during this period to take over the leadership of the Orthodox community. Its battle cry was "Torah Judaism 'without any compromise'."

An article from Liberal Judaism, a Reform publication of the period, was featured prominently in the Agudah's Orthodox Tribune. The banner title stated "For Once They're Right!":

Jewish Orthodoxy is now sounding a new note of belligerence. It has declared war against Conservative and Reform, particularly against Reform. The change is due, chiefly, to the recent immigration of strictly Orthodox rabbis from Europe during the last decade. These men...

look with horror at the types of Judaism they find in America, the modernized Orthodoxy as well as the Conservative and Reform.⁵⁰

Modern Orthodoxy, charged with "being soft" on Reform and Conservative Judaism and on secularism, and finding its leadership challenged from the right, had to respond. That response came with the end of the War.

Chapter V

1946 to 1959: Response from the Orthodox Left

Focus on the Synagogue

The period from 1946 to 1959 differed from the War years in three important ways: in the first place Zionism and relief and rescue efforts were, within a few years after the end of the War, no longer the central concerns of the American Jewish community. The Jewish community, religious as well as secular, no longer coalesced primarily around the secular agencies whose importance was so great during the War. On the contrary, the end of World War II witnessed a "religious revival" in the American Jewish community which manifested itself in a general interest in religion, in increased synagogue affiliation and increased religious school enrollment.*

With the end of World War II the Jew began to move from the area of second settlement to the suburbs. In the former area of settlement the Jew lived essentially among other Jews. As we indicated in Chapter IV, his Jewish identity might have been religious or secular. In addition, his Jewishness could have been a matter of conscious concern or something simply taken for granted. In the suburbs, living among non-Jews, these options were, in a sense, no longer available to him. The Christian community itself was going through a religious revival and the middle class

* This of course says nothing about the inner religious life of the Jew, his piety etc.

mores of the suburb demanded that the Jew, like everyone else, "identify" himself. This identification, in keeping with the middle class suburban categories, took the form of synagogue affiliation for the Jew and religious education for his children - just as it meant church affiliation for the Christian and religious school for the Christian child. Furthermore, because he was faced with the need to explain his Jewishness in terms that were understandable to his neighbors, (i.e. in religious terms) he became "concerned" with his identity. The point is that the focus in American Jewish life increasingly became the synagogue and Judaism. In 1937 there were 290 Reform and 250 Conservative congregations in the U.S. By 1956 the number had grown to 520 and 500 respectively. Congregational membership as well had increased significantly for each group.¹ In 1946 there were approximately 230,000 Jewish children receiving a Jewish education. By 1954 that number reached 400,000.² Whereas during the War, Orthodox attitudes toward the non-Orthodox movements were seen largely through the relationship of Orthodoxy to the secular organizations, during the period from 1946 to 1959 this was no longer the case. Instead, the Orthodox confronted the Reform and Conservative movements directly.

Secondly, with the end of World War II, modern Orthodoxy was no longer a group in the early process of Americanization. On the contrary, socially and economically its differences with the non-Orthodox were fast diminishing. Its American-

ization was all but complete. In the 15 years between 1937 and 1952 hundreds of inner-city Orthodox congregations had closed down.³ These were replaced by larger, better organized Reform, Conservative and Orthodox congregations in second and third areas of settlement. While the Reform and Conservative movements benefited by the closing of these synagogues, Orthodoxy gained as well. It too had moved out of the areas of first settlement into new areas of the city and into the suburbs, where it too profited from the renewed interest in religion. After World War II and especially in the 1950's, Orthodoxy began to compete with the non-Orthodox movements as a social and economic equal on the American scene.

Finally, when the militant Orthodox right, typified by Agudath Israel, arrived in the United States during the War, they found that part of the established Orthodox community represented by the Rabbinical Council and the UOJC actively cooperating with the Reform and Conservative movements both in and out of the secular agencies. The War years can therefore be viewed as the period when the militant right responded to the situation which it found upon its arrival in this country. As we observed in Chapter IV, the Agudist challenge was directed at the modern Orthodox willingness to cooperate with the non-Orthodox, religious and secular. On the other hand, 1946 to 1959 are the years in which the modern Orthodox responded to the Agudist challenge of the War years. The pressure that the Agudists applied during

the War continued as well during the post-War 40's and 50's. The literature of Agudath Israel during the entire period under study from 1939 to 1968 reflects no basic change in attitude toward non-Orthodox Judaism. In practice the Agudists refused to cooperate with the non-Orthodox movement and, we shall see, exerted pressure on the rest of Orthodoxy to do the same.* In a mailing piece sent to its membership in 1967 soliciting increased contributions, the Agudah heads its list of goals with the statement "to save Jewish life from the stranglehold of 'mixed religious agencies' and the secularist Establishment [sic]."^{3a} Philosophically, the attitude that the non-Orthodox movements and their rabbis are outside the pale of Judaism holds true all the way through the 60's.

Because of this and because the post-War 40's and 50's are characterized by modern Orthodoxy's response to the "right," we will primarily examine the periodical literature of modern Orthodoxy in this chapter.

* In June of 1945 the Agudat Ha-rabbanim issued a decree of excommunication against Mordecai Kaplan for the publication of his Sabbath Prayer Book. The rabbis accused Kaplan of expressing "atheism, heresy and disbelief in the basic tenets of Judaism." (See American Jewish Year Book XLVIII 1946-47 p. 128) After adoption of the edict of excommunication Kaplan's book was burned before the assembly. (Ibid.) The militancy of the act is all the more apparent because the Agudat Ha-rabbanim had never taken such a stand against other non-Orthodox prayer books, indicating that even the Agudat Ha-rabbanim had been influenced by the newly arrived militant right. It is interesting that there is virtually no mention of this incident in Orthodox periodical literature, hence its exclusion from the body of the thesis.

In response to the new conditions cited above, the pages of the periodical literature of both the Union of Orthodox Jewish Congregations and the Rabbinic Council of America began to reflect a more militant attitude toward the non-Orthodox movements. This was especially true with regard to the Conservatives.

Immediately after the War two major figures (associated with the "hard-liners" then emerging) within the Union of Orthodox Jewish Congregations and the Rabbinical Council began to raise some issues which affected Orthodoxy's relationship to the non-Orthodox during the post-War 40's and 50's. These men were David Hollander, who became president of the RCA in 1954, and Samson Raphael Weiss, who became executive vice-president of the Union in the mid 1950's. The issues which they raised were: Conservative attempts to distort the nature of Judaism and to blur the line of distinction between Orthodox and Conservative Judaism; Orthodox Judaism's complicity in this blurring of lines between the movements; Orthodox membership in the Synagogue Council of America and other "mixed" groups. These issues, together with the formation by the Conservatives of a Bet Din, their composition of a revised k'tuba, and Reform incursions into Israel, are the main problems in inter-movement relations during this period.

The Conservative Menace

Writing in The Orthodox Union in 1946, Hollander indicated that the Conservative movement is the great menace which

faces Orthodoxy. During the War years the Orthodox movement, preoccupied with the problem of Jewry's physical survival, was understandably prevented from giving full attention "to the vandalism perpetrated against the Torah-way-of-life."⁴ Now that the War is over, Hollander insisted, Orthodoxy must meet the challenge from within. It must turn its attention toward battling the Conservative menace, which has perpetrated more vandalism than even the secularists. The Conservative movement, according to Hollander, has taken advantage of those who consider Reform too meagre a diet and who, at the same time, possess a distorted understanding of Orthodoxy.⁵

The Conservatives not only take advantage of those whose picture of Orthodoxy is distorted, but they are purposely misrepresenting Judaism. Conservative rabbis "masquerade" as traditional rabbis, thereby confusing the issue of who represents Torah-true Judaism; Conservative rabbis misrepresent the very nature of Judaism by contending, as Robert Gordis has done, that Judaism has "refused to accept any formulation of doctrine" - despite evidence to the contrary in Sanhedrin 90a.⁶ The Conservatives criticize Orthodox Jews for not living according to the halacha, implying thereby that Orthodox Jews are no more "Orthodox" than Conservatives. This too is simply another Conservative misrepresentation of Judaism. Citing Maimonides (Hilchot T'shuvah, chapter 3, par. 8-9), Hollander argued that a Jew who admits he is violating the law, though considered a transgressor, is still considered Orthodox. One who generally

follows the law however, yet rejects one or more of the halachot on the ground that it is no violation, is outside traditional Judaism.⁷ Samson Weiss charged that representatives of Conservative Judaism call their movement "the left wing of Traditional Judaism."⁸ To Weiss, in as much as there can be no such thing as "semi-Orthodox," the phrase "left wing of Traditional Judaism" is clearly an attempt at creating confusion.⁹

When the Conservative movement published its Sabbath and Festival Prayer Book it was again taken to task, this time by Morris Max, vice-president of the RCA. Max pointed out that the foreword to the new siddur stated that continuity with tradition and intellectual integrity were two of the fundamental principles which guided the editors in their work. He then listed the many changes made in the prayer book by the editors and concluded that these changes, together with the professed principle of intellectual integrity, demand that "they no longer pose as traditionalists" nor claim that their prayer book is a "perpetuation of traditional Judaism."¹⁰

In the last analysis, however, the issue is theological and psychological. It is theological because "Conservative rabbis do not accept the belief that the Torah comes from Sinai [i.e. from God] and not from the mind of Moses."¹¹ When they pass themselves off as traditional Jews they misrepresent their true theological position. It is psychological because Conservative Judaism has not itself faced up

to the fact that it has indeed broken with traditional Judaism.¹²

Orthodoxy Jewry, says Hollander, is also partially to blame for the situation. Orthodoxy has pointed out neither the misrepresentations of the Conservatives nor the halachic differences between Conservative and Orthodox Judaism.¹³ Orthodox Jewry also gives a hechsher to the Conservative movement in other ways: Hollander points out that Orthodox Jews attend Conservative synagogues thereby giving tacit approval to the Conservative synagogue and rabbi; pulpits of Orthodox synagogues are occupied by Conservative rabbis, who are graduates of the Jewish Theological Seminary and who still give the Seminary financial and moral aid. Orthodoxy is urged to correct the situation:

Once we arrive at the inescapable premise that Conservatism is utterly contrary and inimical to Orthodoxy, then the following suggestions seem mandatory:

Orthodox rabbis should at all times make an open and noticeable effort to accentuate the deep and irreconcilable differences between Conservatism and Orthodoxy. The above can be implemented as follows:

Reiterate on halakhic grounds that attendance in a synagogue administered over by a Conservative rabbi is prohibited....

.....

It should be made clear, finally, that a rabbi who has derived his training from a non-Orthodox school is not only *prima facie*, but also *ipso facto* non-Orthodox and unless, in addition to conducting himself in an Orthodox manner, he publicly breaks with the institution where he studied, he is to be deemed non-Orthodox regardless of his personal religious conduct, since it is impossible for an Orthodox Jew to support directly or indirectly,

morally or otherwise, a non-Orthodox institution of Jewish learning and still remain within the Orthodox camp.¹⁴

The apparent ease with which Conservative Judaism passes itself off as "traditional" makes it essential in Hollander's eyes that Orthodoxy "make a noticeable effort" to dwell on that which divides the two movements. Orthodox Judaism, Hollander is also telling us, is based on more than Torah min ha-shamayim. It demands institutional loyalty as well. Conducting oneself as an Orthodox Jew is not enough. A theologically committed Orthodox rabbi in an Orthodox synagogue who continues to support the Seminary does not stand "within the Orthodox camp."

After 1946 the periodical literature is no longer preoccupied with the problem of Conservative rabbis in Orthodox pulpits and Orthodox Jews in Conservative synagogues. A related issue continues to plague Orthodox-Conservative relations, however, during this period. It is the problem of mixed seating in Orthodox synagogues.

The problem was first raised by Weiss in December of 1944. Writing in The Orthodox Union he alluded to the fact that "more and more" Orthodox synagogues are changing to mixed pews.¹⁵ This practice causes confusion and loss of identity. One is no longer able to feel the concrete differences between Orthodox and Conservative Judaism "since one of the most obvious marks of differentiation has been wiped away."¹⁶ The Rabbinical Council was faced with the problem of whether Orthodox rabbis should assume pulpits in such

synagogues.

In 1953 Rabbi Joseph Soloveitchik, the chairman of the Rabbinical Council Halacha Committee, declared that only the ablest and most pious of rabbis be given pulpits in congregations with mixed seating.¹⁷ The decision - as well as the actual practice - was to serve these congregations. The rationalization for serving these congregations - which clearly were in violation of the halacha - was that an Orthodox rabbi might well convince the congregation to establish or re-establish a mehitza. He might also prevent any further halachic violations. If an Orthodox rabbi did not occupy the pulpit mixed seating would continue and other anti-halachic practices would be introduced because the congregation would surely turn to the Conservative rabbinate. At the RCA Convention in July, 1955, Soloveitchik changed his position. According to the Rabbinical Council Record, he apparently felt that those synagogues which were being serviced by Orthodox rabbis were continuing their practice of mixed seating. This being the case, halachically speaking, there could be no justification for allowing the practice to continue.¹⁸ Yet the practice of Orthodox rabbis assuming these pulpits apparently did continue, for Louis Bernstein, the editor of the Rabbinical Council Record, tells us in September of that year that the status quo on this issue has been "indecision" and "unregulated compromise."¹⁹ The Conservative movement was "waiting in the wings" to take over these congregations. Apparently it was doing more than "waiting." The mixed

seating controversy reached the courts. In 1957 a legal battle over the introduction of mixed seating in an Orthodox congregation took place in the Louisiana courts. According to an editorial in the Rabbinical Council Record, neither a Conservative rabbi nor Conservatism itself were involved, yet the Conservative movement went all out "to aid the New Orleans deviationists."²⁰ Dr. Jacob Agus and Dr. David Aronson, both prominent in the Conservative movement, testified in the case. They were labeled as frauds by the editorial for testifying that they were Orthodox.²¹ Furthermore, in an editorial in the Union's Jewish Life, Conservative "clergymen" (apparently Agus and Aronson) were accused of contending that Conservative Judaism is a form of Orthodoxy.²² The Conservatives were charged with attempting to introduce mixed seating because of a desire, "conscious or unconscious, to subordinate Jewish standards to those of the gentile world."²³ They were further charged with attempting to rob their fellow Jews of the right to religious freedom. This second charge was based on the premise that the relationship of Orthodox Jews to non-Orthodox Judaism is not the same as that of non-Orthodox Jews to Orthodox Judaism: non-Orthodox Jews may worship where a mehitza exists but Orthodox Jews are prohibited from worshipping where there is no mehitza; non-Orthodox Jews may observe some form of Shabbat and kashrut whether they are fully Shomrei Shabbat and Shomrei Kashrut or not, but the Orthodox Jew is not free to disregard any laws of Shabbat and kashrut.²⁴ To insist that non-

Orthodox Jewish men worship separately from women in no way prohibits them from worshipping. To insist that Orthodox congregants worship in mixed pews prohibits them from worshipping [in such a synagogue], hence it robs them of their right to religious freedom.

In another case a member of Congregation Beth Tefilas Moses in Mount Clemens, Michigan, sought to prevent a majority "reform" faction from introducing mixed seating in the congregation by also going to court. The congregant, Baruch Litvin, originally lost the case. Subsequently, with the financial and legal assistance of the UOJC and the Rabbinical Council, Mr. Litvin appealed the decision and in 1959 won his case.²⁵ In essence the reversal on the part of the higher court was based on the fact that the synagogue was established by its founders as an Orthodox congregation. The court declared that the majority of the congregation could not institute a practice fundamentally opposed to the doctrines held by the founders.²⁶ Orthodoxy as an organized movement was being challenged by Conservative Judaism as an organized institutionalized force.

General agreement existed among the Orthodox that they should fight - through the courts if necessary - any Conservative attempts to innovate mixed seating in traditional congregations. The controversy over whether or not Orthodox rabbis should serve congregations which already had mixed seating, and whether or not the rabbi's presence deters them from further violations and from eventual affiliation with

the Conservative movement, continued to be debated within the RCA and Union. Yet during the 1950's the Orthodox continued to serve these congregations. Orthodox spokesmen felt that they simply could not afford to yield community after community to what they considered to be compromise Judaisms and outright charlatans, waiting to replace them.

The Conservative Bet Din and K'tuba

In 1954 the confrontation between the Orthodox and Conservative movements took on a new dimension. In June of that year, the Rabbinical Assembly passed a resolution calling for a new marriage contract for use in Conservative congregations. In November of 1954 the Rabbinical Assembly and the faculty of the Jewish Theological Seminary established a joint conference on Jewish law and a Bet Din to deal with all matters in the area of marriage and family welfare. One of their first acts was to amend the traditional k'tuba.²⁷ The amendment made it compulsory that all divorce cases be brought to the Conservative Bet Din for adjudication.

The Orthodox responded immediately. On December 3 the Rabbinical Council and the Rabbinical Alliance held a joint press conference for reporters of the New York papers, the wire services and the Yiddish press.²⁸ A joint statement repudiating the Bet Din and the k'tuba was issued: a religious divorce granted by the Bet Din is not to be honored; no act of the Bet Din is to be considered valid; the k'tuba is not to be recognized; no rabbi is to officiate in any capacity when the k'tuba is to be used.²⁹ The same strictures were

applied by the Agudat Ha-rabbanim.³⁰

The Orthodox rabbis charged that the Conservatives would not only fail to strengthen Jewish family life but would further divide the Jewish people, because changes in personal status granted by the Conservatives would not be recognized by the Orthodox community.³¹

The major charge against the Conservative rabbis however, is that they are "tampering with domestic relations under the guise of halachic tradition." [*Italics mine.*]³² The Orthodox rabbis contended that only they are competent to deal with matters of halacha. Orthodoxy is the only standard bearer of the halachic position. According to the editorial writer of the Union's Jewish Life, it is surely not the Conservative rabbinate that is competent:

In endeavoring, by this measure, to achieve a purpose and a standing for which it is not qualified, Conservatism has advertized its sense of basic deficiency....the movement has developed upon the sacreligious premise that the Torah is man-made rather than God-given, and that accordingly...Jewish law has no binding force....Since Conservatism deems Jewish law as not binding upon its constituents, then nothing in its frame of reference can be held obligatory upon them

Floundering amidst anarchy, Conservative leadership has sought a device which might bear an aura of authority. In contradiction to the very nature of their cult and in the face of their own lack of religious qualification they - with breathtakingchutzpah - have turned to an institution whose provenance lies solely in the domain of sacred Jewish Law.³³

The Conservative movement, then, in the eyes of the modern Orthodox, stands ready to fill the pulpits of traditional synagogues if the Orthodox do not supply rabbis

where there is mixed seating. It backs dissident factions in Orthodox synagogues which are attempting to introduce anti-halachic practices. It practices deceit by misrepresenting itself as an Orthodox or neo-Orthodox movement. Not only this, but in creating its own Bet Din and k'tuba it enters into the field of halacha which Orthodoxy sees as its own. The charges raised against it in the periodical literature of the RCA and the Union during this period are scathing: by involving itself in Orthodox synagogue affairs, it is disruptive and divisive; it enters into the halachic area in which it is unqualified; in misrepresenting itself, it is unethical. Above all, what remains clear in surveying this literature is that the Conservative movement is a menace to Orthodoxy. With the Bet Din and k'tuba it no longer simply attempts to pass itself off as Orthodox, but it insists on entering the halachic field as a non-Orthodox movement, setting up its own halachic apparatus.

Israel

During the 50's the Orthodox are challenged again - this time primarily by Reform Judaism - in yet another area: the State of Israel.

In 1950, the Central Conference of American Rabbis and the Rabbinical Assembly protested against the allegedly discriminatory practice of the Chief Rabbinate and the Religious Block in not allowing non-Orthodox rabbis to function as religious officials.³⁴ The Orthodox rabbinate in the U.S. defended the Israeli practice stating that in reality it was

non-discriminatory. In an article in Jewish Action, a UOJC news-bulletin, the Rabbinical Council insisted that any rabbis who possess s'micha and who meet the qualifications required by the Israeli rabbinate are granted full rights to function as rabbis. Without spelling out what is meant by s'micha or what the qualifications of the Israeli rabbinate are, the article concluded that Reform and Conservative rabbis simply fail to meet these standards.³⁵

While they were able to simply dismiss the charge of "discrimination" by denying its existence, the Orthodox were unable to dismiss non-Orthodox incursions into Israel in the same manner. In 1952 a program for the establishment of pilot congregations was proposed on behalf of the American Committee for Liberal Judaism in Israel.³⁶ The RCA in the pages of the Record belittled such attempts. In 1955 Louis Bernstein, in his editorial column "Thinking Aloud," indicated that Reform incursions will be self-defeating for they will be the factor which will unite Orthodoxy in Israel, and the "kulter kamp" which will ensue will dwarf all other controversies.³⁷ Rabbi Hollander, in his president's column, dismissed the possibility that the non-Orthodox might gain a foothold in Israel. At the same time, however, Hollander took the trouble to point out to the Israeli Prime Minister that such incursions would split the Jewish community and that "it is to the best interests of the entire Jewish people that there be only one kind of Judaism in the Holy Land."³⁸

In 1956 Bernstein reported that the Reform movement had been granted the right to hold services in Jerusalem through the subterfuge of the establishment of an archeological school. Reform, he indicated, has been "quietly sneaking into Israel through the back door" and the Conservatives will surely follow. He further maintained that the Israelis, being aware of Reform's traditional opposition to Zionism, will not worship in a Reform synagogue amidst the trappings of "the rich man's religion!"³⁹ By 1958, however, the alarm had been sounded. Bernstein warned that because Israeli Orthodoxy has atrophied, it has left the Israelis with only the distasteful alternatives of an Orthodoxy enmeshed in politics on one hand or in secularism on the other. He also warned that since both are unacceptable, Israelis are now looking for alternatives. He admits that Conservative and Reform Judaism, now established in Israel, present two dangerous alternatives.⁴⁰

The Reform movement, too, begins to challenge Orthodoxy in a substantive area. What is ultimately at issue, in the attempt of Reform (and Conservative) Judaism to gain a foothold in Israel, is Orthodoxy's monolithic control of personal status: marriage, divorce and conversion. If the non-Orthodox movements were to grow, and if non-Orthodox rabbis were given the right to be religious functionaries of the Jewish community, they would enter into the halachic field in general and into the area of personal status in particular. What is worse, Reform might well choose to ignore halacha -

at least in the sense that halacha is understood in Orthodoxy. The Synagogue Council of America.

The charge of being "soft on Conservative Judaism" (or Reform Judaism or Jewish secularism), leveled by Agudath Israel during and after the War, exerted tremendous pressure on the modern Orthodox groups. As we have seen, this charge along with the growth in institutional and organizational strength within the modern Orthodox camp, produced a much harder line against Reform and Conservative Judaism than had previously been the case. The Rabbinical Council of America and the Union of Orthodox Jewish Congregations showed a willingness to oppose the non-Orthodox movements. This willingness did not exist from 1939 to 1945.

The periodical literature reflects general agreement among the leadership of the Union and the RCA on three issues: that the Conservatives were taking advantage of the fine line between Orthodox and Conservative Judaism which existed in the minds of the community, to gain followers; that the Reform and Conservative movements had no place in Israel; that the non-Orthodox should be challenged in these areas.

One issue arose however which split both the Rabbinical Council and the UOJC, and continued to plague modern Orthodoxy into the 1960's. This was the question of the continuing participation of the two organizations in the Synagogue Council of America, and of the participation of individual rabbis in the New York Board of Rabbis (NYBR). From 1955 to 1960 this problem became the foremost issue in the

periodical literature of the Rabbinical Council . The RCA and the Union had been charter members of the Synagogue Council. Orthodox rabbis had been members of the New York Board of Rabbis since the period of H. P. Mendes at the turn of the century. In 1946 David Hollander suggested that in order to fight the Conservative menace "Orthodox rabbis should not belong to mixed rabbinic groups lest they mislead others to accept all rabbis in the group on the same level of authority."⁴¹

In an article entitled "K'lappey P'nim and K'lappey Chutz," the editor of Jewish Life charged that the Synagogue Council had strayed from its original role of an ad hoc committee whose purpose was to deal with the relationship of the Jewish to the non-Jewish communities. The SCA, it was charged, was attempting to become "a super religious body with its own religious projects"⁴² This to the author is k'lappey p'nim, involvement in internal Jewish religious life. It cannot work between the Orthodox and non-Orthodox movements: "All attempts to distort the character of the Synagogue Council of America into an agency of such 'religious unity' are subversive to its character and are foredoomed to failure." What the SCA should have done was to involve itself in problems having to do with relationships between the Jewish and non-Jewish world as it was originally created to do. This the author designates as k'lappey chutz. To work with the non-Orthodox in areas k'lappey chutz is to recognize only the de facto existence

of non-Orthodox religious organizations; to work with them in areas k'lappey p'nim would be to concede the "rightful existence in Jewry of non-Orthodox creeds."⁴³ Orthodoxy may do the former, but not the latter.

In his editor's column in the Rabbinical Council Record of July, 1955, Louis Bernstein clearly stated the problem facing the Rabbinical Council. Bernstein wrote that "Whereas our president, Rabbi David B. Hollander, is one of the outstanding opponents of such participation, our vice-president, Rabbi Emanuel Rackman, is president of the New York Board of Rabbis, a champion of 'intrafaith' activities."⁴⁴

Bernstein himself is ambivalent on the issue. On the one hand he feels that there is an area "outside the strictly religious sphere" where cooperation may be feasible. Not only that, but "It may even be possible on certain specific religious issues [to cooperate with the non-Orthodox]."⁴⁵ On the other hand he feels that energy expended in intrafaith work might better be spent on Orthodox causes. In any event, if the majority of the RCA were in favor of cooperation then Bernstein feels all should follow suit. If not, then all members should terminate participation in intrafaith organizations.⁴⁶

From 1945 to 1959 three factors contributed to bringing this issue to a head. In the first place, the presidency of the Rabbinical Council was in the hands of David Hollander from 1954 to 1956. Hollander was not only a "hard-liner" in his attitude toward Reform and Conservative Judaism, he was

also the leading advocate of non-participation in "mixed" groups, if not of total separation from the non-Orthodox. Secondly, relationships between the Orthodox and Conservative groups were strained over the issues cited above, especially the matter of the Conservative Bet Din. These issues which led to serious confrontations between the Orthodox and Conservatives called into question the entire matter of cooperation. As Bernstein tells us, although cooperation may be possible, it is not possible at the present time when "the Conservative movement undermines Orthodox synagogues in which my colleagues serve."⁴⁷ The confrontations which had taken place and were still taking place between the Orthodox and Conservatives played into the hands of those who, like Hollander, opposed continued participation in the SCA and the NYBR. Those who advocated continued cooperation and participation with the non-Orthodox had to defend their position in light of the alleged Conservative machinations. Finally, the matter was brought to a head and seriously complicated for the UOJC and especially the Rabbinical Council by a p'sak din, issued in 1956 by eleven rashei yeshiva on the question of participation. The p'sak din stated:

We have been asked by a number of rabbis...and by alumni and musmuchim of yeshivos, if it is permissible to participate with and be a member of the New York Board of Rabbis and similar groups in other communities, which are composed of Reform and Conservative 'rabbis'....it has been ruled by the undersigned that it is forbidden by the law of our sacred Torah to be a member of and to participate in such an organization.

We have also been asked [the same question] about

the Synagogue Council of America

We have ruled that it is forbidden by the law of our sacred Torah to participate with them either as an individual or as an organized communal body.⁴⁸

While only the Rabbinical Council represented the Orthodox rabbinate in the SCA, members of both the RCA and the Rabbinical Alliance participated in mixed rabbinic groups such as the New York Board of Rabbis. The members of the Rabbinical Alliance, part of the middle of the Orthodox spectrum, withdrew as a result of the p'sak din. The p'sak din also had the effect of reinforcing the strong feelings of some of the separatists within the RCA. Its major effect in the RCA, however, was to galvanize into opposition not only those who supported Orthodox membership in the SCA on principle, but also those who, on principle, were against membership in mixed groups. As Bernstein indicated, "Even those of us who are separationist in our leanings are determined not to allow the American community to conceive of orthodoxy as unconcerned with the needs of American Judaism."⁴⁹ Bernstein charged that it was this lack of concern on the part of the Orthodox right together with their opposition to the Americanized Orthodox rabbi which led to the erosion of Orthodoxy and the strengthening of Conservative Judaism in the last generation.⁵⁰

The issur from the right end of the Orthodox spectrum was released publicly in the pages of the Jewish Day and Morning Journal, even though the rashei yeshiva were aware that the Rabbinical Council Halacha Committee was itself

deliberating the issue. Apparently put on the spot "politically" by the public issuance of the p'sak din, Samuel Belkin of Yeshiva University and Joseph Soloveitchik, the chairman of the Halacha Committee, wrote to the Executive Committee of the RCA that "under the circumstances which now prevail and for which we bear no responsibility, it is humanly impossible to discuss impartially this most serious matter and to render our opinion... [with] Halachic objectivity and truthfulness."⁵¹ The Executive Committee then reaffirmed Rabbinical Council membership in the Synagogue Council in March of 1956 by a vote of 22 to 4.⁵²

A storm of controversy broke out within the Rabbinical Council over the ruling of the rashei yeshiva. Halachic counter-arguments were prepared and the younger rabbis in the Rabbinical Council challenged the authority of the authors of the p'sak din.⁵³

Subsequently, at the June 1956 convention, the RCA membership, in effect, accepted the continuing tie with the SCA by approving a convention agenda which did not include discussion of the issue. A halachic decision was promised from the Halacha Committee prior to the next convention.

From 1958 to 1960 Emanuel Rackman, a leader of the pro affiliation forces, was president of the RCA. At the 1959 convention a resolution to prohibit continued participation in the Synagogue Council was presented and defeated by "more than two to one."⁵⁴ Once again, the Halacha Committee was mute as to the halachic validity of membership in mixed groups,

despite the promise given at the 1956 convention that a decision would be forthcoming. To the membership this was indicative of where Rabbi Soloveitchik stood, for had he felt that the Rabbinical Council was in violation of the halacha "his dissent would have been heard."⁵⁵

Although those in favor of participation in mixed groups such as the Synagogue Council and the New York Board of Rabbis maintained the upper hand during the controversy in the 1950's, the Rabbinical Council remained divided over the issue. The positions taken by both the minority and majority factions in the RCA were defended in ideological as well as practical terms. The positions reveal not only the different attitudes toward participation in mixed groups and toward cooperation in general, but they reveal Reform and Conservative Judaism as seen in ideological terms by modern Orthodoxy.

At the height of the controversy in 1956 David Hollander, then president of the RCA, was charged by the president of the Synagogue Council with "outlawing" Reform and Conservative Jews and denying that non-Orthodox synagogues are in fact synagogues.⁵⁶ Hollander replied that it is Conservative and Reform rabbis who have "outlawed themselves" by teaching other Jews that it is permissible to violate certain teachings of the Torah and Talmud which are codified in the Shulchan Aruch.⁵⁷ As to non-Orthodox synagogues, they are not synagogues because "We recognize only those that follow the Shulchan Aruch." He adds that

we [also] do not recognize such a thing as ordination of conservative or reform rabbis because ordination implies two things -

- a) Training in Halachah, covering the Shulchan Aruch in all its branches
- b) It implies that he who is ordained knows the laws, believes in them, and practices them.⁵⁸

Hollander rejects membership in mixed rabbinic and congregational bodies because he rejects non-Orthodox rabbis and congregations out-of-hand.

Manuel I. Poliakoff, a former vice-president of the RCA, speaking for the minority group within the organization, denied that Reform or Conservative Judaism can legitimately be called valid interpretations of Judaism because they either deny or distort the principle of Torah min ha-shamayim.

Therefore, the Orthodox organizations should pull out of the Synagogue Council and individual Orthodox rabbis should disassociate themselves from the New York Board of Rabbis.

This is so for two reasons: in the first place Orthodoxy must do nothing "that will give Jews the impression that these Reform movements are valid interpretations of Judaism."

[Italics mine.]⁵⁹ Poliakoff argues that when the three movements meet as representatives of "sects" within Jewish life just such an impression is given. The Orthodox become not only *אנשי חסד* but worse yet "people who themselves spread false doctrines." Secondly, although a strong and forthright position on the issue, based on principle, would initially cause defections in Orthodox ranks, ultimately Orthodoxy would be strengthened. A class of baalei-batim would arise who would be Orthodox out of conviction.

Poliakoff tells us that such a class does not exist at present and that membership in an Orthodox synagogue requires nothing more than membership in a Reform or Conservative synagogue.⁶⁰

Writing in the same issue of the Rabbinical Council Record as Poliakoff, Emanuel Rackman, then president of the RCA, defended Orthodox participation in mixed groups. Rackman states that while it is true "no Orthodox rabbi can regard a Reform or Conservative rabbi as a competent exponent of our faith," no such recognition is given by Orthodox membership in mixed groups. He argues that recognition is always limited. His point is that just as we recognize an individual for a particular good deed, so we recognize institutions and organizations for the good deed they do and the positive functions they fulfill. This applies to mixed congregations and rabbinic organizations such as the SCA and the New York Board of Rabbis as much as to any other organization. This in no way gives "recognition" to the legitimacy of non-Orthodox Judaism or its rabbis.⁶¹ Furthermore, there are practical reasons for remaining in the SCA and New York Board of Rabbis. One is that membership in mixed groups gives Orthodoxy recognition as a vital and involved movement on the American scene. Orthodoxy needs this recognition more than do the Reform and Conservative movements if it is to do battle for the things for which Torah-true Judaism stands. Rackman points out that when religious Jews (i.e. Orthodox) are in the minority "it ill behooves us to isolate ourselves

and permit ourselves to be regarded as a fringe group on the periphery of the American Jewish community."⁶²

Rackman grants that there is a risk that cooperation with the non-Orthodox rabbi might be misinterpreted as "recognition" of his legitimacy and of the legitimacy of Reform and Conservative Judaism. He considers the risk well worth taking, however, because the alternative means a further divided community. Such a community is inimical to the safety of the American Jew.⁶³

Finally, Rackman argued that all member organizations have veto power in the Synagogue Council. The SCA can only speak in the name of its constituents when all constituent groups agree on a position. Judaism therefore cannot be misrepresented as long as Orthodoxy remains within the SCA. On the contrary, Orthodoxy, working from within the organization, has the power to influence and even to thwart the non-Orthodox when their position is inconsistent with [Orthodox] Judaism. On the other hand, the Orthodox and non-Orthodox have spoken with a united voice on certain issues. Rackman argues that it is important they continue to do so. Proponents of cooperation and participation point out that not only has the Synagogue Council of America and the New York Board of Rabbis made possible a united religious front in the battle against anti-Semitism, support for Israel, and other matters "k'lappey chutz," but they argue as well that Orthodoxy has been aided in achieving certain religious goals within the Jewish community by their participation in

the SCA and the Board of Rabbis. Proponents call attention to the fact that Reform and Conservative rabbis working in both the SCA and the Board of Rabbis fought against the anti-shechita aspects of the Humane Slaughter Bill, and worked on behalf of fair Sabbath Laws in New York State.⁶⁴ They also point out that in the battle which raged in the early 1950's over whether or not kashrut would be maintained in the new Long Island Jewish Hospital, the Union of Orthodox Jewish Congregations and the Orthodox rabbinate were joined by "representative spokesmen of both the Reform and Conservative groups" who have "diligently backed the campaign."⁶⁵ To the proponents of cooperation the needs of the community, k'lappey chutz, and the history of successful cooperation in areas of kashrut, shechita and fair Sabbath laws, justify continuing participation in the SCA and New York Board of Rabbis.

The arguments of Poliakoff and Rackman are representative of the arguments that run through the periodical literature on the subject. What is striking is that both the minority separationists and the majority "integrationists" are in substantial agreement on a number of points: neither recognize the Reform and Conservative movements as legitimate forms of Judaism; neither recognize non-Orthodox rabbis as proper exponents of Judaism (Hollander is more explicit: "We do not recognize [their] ordination" i.e. they are not rabbis); both groups agree that it is the non-Orthodox denial of Torah min ha-shamayim and their subsequent unwillingness to follow the halacha in toto, which precludes such recognition.

There seems to be substantial agreement even over the question of whether participation with the non-Orthodox means "recognition." It appears that most of those who oppose participation in mixed groups would agree that there is no logical relationship between participation in mixed groups and recognition of the equal status of all participants. As Poliakoff points out, Orthodoxy must not give "the impression" that non-Orthodox Judaism is valid. On the other hand, it seems to me that most proponents of cooperation would agree with Rackman that there is a danger of misinterpreting participation as "recognition." There is a psycho-logical connection.

The basic area of disagreement between the two factions is two-fold: whether anything is worth the risk of giving the impression that Reform and Conservative Judaism are legitimate, and whether or not membership in the Synagogue Council and the New York Board of Rabbis will ultimately work to the benefit of Orthodoxy. To both of these questions the majority in the RCA answered "yes" and the opponents "no." These, then, are the ideological and practical considerations which concern the Rabbinical Council in this issue.

One further consideration played an extremely important role in the Rabbinical Council's struggle to come to grips with the problem of its relationship to the mixed groups. This was the political consideration triggered off by the p'sak din of the rashei yeshiva. Louis Bernstein, who by his admission tended to be a "separationist," vehemently

challenged the position set forth in the p'sak din: he charged that issurim, such as the one in question, have been disastrous in the past when issued against Zionism and the Vaad Leumi, and then added "Who knows how many more Jews would have been alive...if not for such issurim?"; he asks rhetorically whether the Orthodox rabbis should refuse to join with his Reform and Conservative counterpart on the assumption that anti-Semites such as Gerald L. K. Smith know the difference between "semicha" and "preacher and teacher?"⁶⁶ One wonders why one with separationist tendencies should vehemently reject a separationist p'sak din. As we have indicated, Bernstein himself pointed out that though cooperation might be possible, it is certainly not possible given the conflict between the Conservatives and the Orthodox during this period. One could speculate that Bernstein's "separationist" tendencies did not preclude cooperation on an informal basis. Yet the p'sak din nowhere ruled out ad hoc relationships between the Orthodox and non-Orthodox. Furthermore, while Bernstein may have held out the possibility of cooperation and while he may have ultimately been ambivalent in the matter, he was separationist enough not to be a member of the New York Board of Rabbis. Furthermore, he repeatedly called for a clear-cut decision from the RCA's Halacha Committee so that there might be a clear directive for all to follow. By all logic he should have welcomed the p'sak din of the rashei yeshiva. Yet Bernstein was representative of the group which being either separationist or neutral

responded negatively to the p'sak din. The answer is that the response was as much political as it was ideological or practical, if not more so. Alluding to the necessity to cooperate with the non-Orthodox in the UJA and on the chaplaincy committee of the Jewish Welfare Board, Bernstein pointed out that while these problems may not exist within the four walls of a yeshiva they are of vital concern to every rabbi in the community.⁶⁷ As to the charge by Agudath Israel that the Rabbinical Council has been "soft on Conservatism," Bernstein charged the leadership of Agudath Israel with being "armchair generals" who fight the Conservatives "like Don Quixote fought the windmills."⁶⁸ The separationists at the right end of the Orthodox spectrum should be the last ones to criticize the Rabbinical Council and issue issurim on matters in which they are not really involved in any meaningful sense.

The feeling that the p'sak din was, at least in part, politically conceived to discredit the Rabbinical Council is re-enforced when we recall that the p'sak din was released publicly, despite the fact that the rashei yeshiva were aware that the RCA Halacha Committee was deliberating on the issue. Neither the halachic authorities, nor the rashei yeshiva of the "left" were included in the group who wrote the p'sak din; neither Samuel Belkin of Yeshivah University, nor Oscar Fasman of Hebrew Theological College, nor Joseph Soloveitchik, chairman of the Committee. Once again Orthodox relations to the non-Orthodox were vitally affected by the politics and

the struggle for leadership within Orthodoxy itself. Given this set of circumstances the reaction of the RCA as typified by Bernstein becomes all the more clear. It is apparent that Bernstein and others saw the p'sak din as an attempt on the part of the Orthodox right to assert authority over the entire spectrum of American Orthodoxy. If the RCA had accepted the p'sak din, its own Halacha Committee would have been "out of business," at least on this issue. In appearance, if not in fact, the RCA would have capitulated to the sectarian right and acknowledged its hegemony over the Orthodox movement.

The result of the p'sak din seems to have been to strengthen the pro-Synagogue Council forces within the RCA. It is not only for the good of the Jewish community or the ultimate good of Orthodoxy that the pro-SCA forces are willing to cooperate with the non-Orthodox and join them in the Synagogue Council, but for the good of the Rabbinical Council and modern Orthodoxy itself.

The Orthodox View of the Nature of Non-Orthodox Judaism

The non-Orthodox movements, viewed independently of the particular issues which arose during this period, are seen in exclusively negative terms in the pages of the Union's Jewish Life. The negative image was present in the earlier period as well, but it was considerably more subdued and less frequently expressed. The issues which arose during the post-War period created a greater willingness on the part of the Orthodox to deride Reform and Conservative Judaism. Reform

is the rich man's religion, and the religion of the assimilationist. It is pictured as an institution injected with "artificial vitality" through the financial means of rich backers. The wealthy gravitate instinctively toward Reform because it gives status and sanction to the assimilationist.⁶⁹ Taking note of the fact that Reform ranks have been replenished by a more traditional group, who nonetheless are dissatisfied with what they have found in Reform, we are told that their urge is "to reconcile the irreconcilable." Reform cannot give them the spiritual nurture they desire because it is built on negatives:

There can be little expectation of any fruitful seed germinating from this complex of negatives. Just as the original body of the Reform movement [died] from the inherent lack of positive belief, so too must its present day successor. [Reform grants] only qualified acceptance to religious tenets...subordinating them to external values. Living religion cannot be grounded upon the supremacy of convenience, upon the elimination of personal sacrifice, upon the refusal to attach the force of binding obligation to given tenets.⁷⁰

Reform, eschewing sacrifice, obligation and any positive religious tenets, is pictured as built primarily on negatives. It only affirms the importance of "convenience." There are also a few attempts in Jewish Life to deal with the nature of non-Orthodox Judaism, without acerbic and negative overtones. In one such article the writer declares that though we may ask about ritual differences "the decisive question... is... 'what is your attitude toward the Written and the Oral Law'"⁷¹ Reform holds that the Torah is limited in its application because, being the work of man, it is historically

and environmentally conditioned. Certain portions are considered relevant for our time and others not. The writer points out that though to the non-Orthodox the Torah "embodies many a noble statement, [it] is neither the revealed will of the Creator nor the indispensable commentary on the written tradition."⁷² He recognizes the reality of the "conserving" tendency in Conservative Judaism, and its prejudice in favor of the tradition. At the same time he recognizes that this tendency is not based on the divine character of the tradition and therefore, its claim is not absolute. Alluding to discussion of a Reform and Conservative merger, the writer acknowledges the legitimacy of such an arrangement. The movement would be based on the negation of the principle of Torah mi Sinai.⁷³ What is striking about this article is that it not only refrains from polemics, but it does not even make a value judgement about the comparative merits of Orthodox and non-Orthodox Judaism.

Unlike the charges found in the periodicals of both Agudath Israel and the UOJC during the War, neither Reform or Conservative Judaism is charged with being a proto-Christian group in the post-War literature of the UOJC. Several of the charges of the earlier period are repeated, however: Reform is still assimilationist; it is still considered the religion of the wealthy; Reform and Conservatism are still the religions of convenience; they still fail to satisfy the hunger for religion. Furthermore, both Reform and Conservative Judaism are built on a negation - the denial

of Torah min ha-shamayim. Orthodoxy, of course, can live with this type of non-Orthodox Judaism - perhaps even cooperate with it. A more serious charge is hurled against the non-Orthodox however. Reform and Conservative Judaism are viewed as a threat to authentic Judaism. They are not to be misinterpreted as movements which simply allow a certain laxity in the observance of the mitzvot. There are those who are lax in their observance of the Jewish religion "but there is a vast difference between laxity...and the acceptance of an ideology which tears up the very roots of Judaism. It is the difference between infringement of a law under difficult circumstances, and open, organized rebellion against the State."⁷⁴ Non-Orthodox Judaism is nothing less than "rebellion."

Replying to a letter from a Jew who is disturbed by the antagonism between "Shul" and "Temple" the editor of Jewish Life indicates that the "inherent aim" of the reform movements within the Jewish community is "the obliteration of authentic Judaism."⁷⁵ Reform is to Judaism as totalitarianism is to democracy. It must be resisted because the triumph of reform, of whatever variety, would spell the destruction of authentic Judaism.⁷⁶ When the Orthodox resist the non-Orthodox movements they resist movements which by their very nature work toward the obliteration of authentic Judaism.

* * * *

The periodical literature of the Rabbinical Council

and the Union of Orthodox Jewish Congregations indicates that modern Orthodoxy moved sharply to the right during the post-War 1940's and 1950's. This was modern Orthodoxy's response primarily to the militant right, which exerted pressure against it during and after the War. It is true that the RCA and the Union remained in the Synagogue Council, but for the first time membership in the SCA was seriously challenged from within modern Orthodoxy. It could no longer face the charge of "being soft" on the non-Orthodox, because its leadership of the Orthodox community was being challenged by the right. The Conservatives facilitated modern Orthodoxy's move to the right by challenging Orthodoxy's claim to be the bearers of tradition and the legitimate expositors of the halacha. Although Conservative Judaism had claimed to be traditional Judaism from its beginning, the move to the suburbs brought the movements into more direct competition. The fact that the War came to an end facilitated the move to the right even more, for now that Orthodoxy was no longer preoccupied with Jewry's physical survival it could look to Jewry's spiritual state.

Modern Orthodoxy's attitude toward the non-Orthodox in this period bears little resemblance to its attitude during the War years. During the War the literature reflected little concern over the non-Orthodox movements, a positive attitude toward cooperation with Reform and Conservative rabbis, and infrequent indulgence in polemics. After the War the literature reflected great concern over the non-Orthodox

movements, a confrontational attitude, and a polemic style. In many ways modern Orthodoxy became indistinguishable from Agudath Israel in regard to the non-Orthodox movements: it met the Conservative menace head-on - to the point of going to court over mixed seating; it denied the Conservative rabbis the right to call themselves "traditional" and attacked them not only on intellectual grounds, but on ethical grounds as well; it spoke out sharply against Reform intrusions in Israel. Further, during the years 1946 to 1959 Orthodoxy singled out Conservative Judaism as the primary threat. Reform could not possibly have been mistaken for, or "misrepresented" as Orthodoxy. It is clear that with Conservative Judaism either was quite possible. This distinction was never emphasized by the modern Orthodox in the periodical literature of the earlier period.

Modern Orthodoxy's polemics as it confronted Reform and Conservative Judaism could have been taken from the Agudah literature of 1939 to 1945. As we indicated in Chapter IV, the Agudists had charged that the Conservative rabbis were "wolves in sheeps' clothing" with "the voice of Jacob" and the "hands of Esau." During the post-War period, David Hollander, of the Rabbinical Council, charged that the Conservatives "masquerade" as traditional rabbis. The Agudists blamed the Conservatives for causing more havoc than anyone else while professing to adhere to tradition. Hollander accused them of perpetuating more "vandalism" than the secularists. Writing in The Orthodox Union Samson Raphael

Weiss indicated that while the [authentic] Jews' duty is to reform the world in light of the Torah, the non-Orthodox Jew reforms the Torah to fit the world. Jewish history, according to Dr. Weiss, records the actions of the "Courageous ones" who refused to change the absolute for the timely as well as the actions of the "weaklings," both those who left Judaism and those who were constantly "compromising" it. Furthermore, the non-Orthodox are those "opportunists who... dealt in Judaism as in a commodity, to be stretched or cut to every customer's size and purse."⁷⁷ For polemical tone this is unsurpassed by the Agudists. Only with regard to sitting with the Reformers and Conservatives in the Synagogue Council and the New York Board of Rabbis do the RCA and Union differ from Agudath Israel and the Agudat Ha-rabbanim. Yet, here too a change has taken place in that a serious division within the RCA occurred for the first time. Modern Orthodoxy, then, has changed in attitude and tone, and its willingness to cooperate with the non-Orthodox is under attack from within. It has its own vocal separationist minority.

One other observation is of utmost importance in an evaluation of Orthodoxy's attitude toward the non-Orthodox movements up to this point. There is general agreement among all parties on the Orthodox spectrum that Reform and Conservative Judaism are not Judaism. They are "inauthentic." They are not considered "inferior forms" of Judaism - they are non-Judaism. As Manuel Poliakoff puts it "The most that can be said for these interpretations [of Judaism] is that they

are derived from Judaism." [Italics mine.]⁷⁸ He goes on to remind us that the same may be said about Christianity.⁷⁹ No one - even among the most ardent advocates of cooperation with the non-Orthodox - speaks of them as anything but de facto organizations in the Jewish community. The Synagogue Council controversy within the Rabbinical Council is in no way a controversy over the status or nature of Reform and Conservative Judaism or their respective rabbinate. Rackman, Bernstein, Hollander and the eleven rashei yeshiva who signed the issur do not differ in this matter. Conservative Judaism may be more "traditional" than Reform, it may "conserve" and show "prejudice in favor" of the tradition, but it is no more authentic Judaism than is Reform. The reason is of course that both deny Torah min ha-shamayim and the binding nature of the halacha as codified in the Shulhan Aruch. As one writer points out in an article entitled "Let's Strike at the Roots," the only specifically Jewish religious belief in Judaism is the belief in the divine revelation of the Torah and its attendant amplification in the Oral Law.⁸⁰ Other Jewish beliefs are not exclusive with or fundamental to Judaism. Because Reform and Conservative Judaism deny Torah min ha-shamayim, they deny Judaism.⁸¹ No attempt is made during the War period or in the post-War years through 1959 to modify or question this judgement.

* * * *

While it has been posited that the major causative factor in modern Orthodoxy's more assertive role during this

period has been the necessity to respond to the more militant Orthodox right, it may also be said that after the War the Union and the RCA began to "find themselves" as viable and competitive organizations, every bit as at home on the American scene as their non-Orthodox counterparts. Modern Orthodoxy's growing self awareness, which began after World War II, was to become the dominating factor in determining its attitude toward the non-Orthodox movements after 1960.

Chapter VI

1960 to 1968: Orthodoxy Discovers Itself

In December of 1960 the editor of Jewish Life declared that 1960 began a "new era" for American Orthodoxy. He indicated that Orthodoxy had begun to see itself as an "integrated national force," continually growing in strength. He made it clear "that a deep rooted process is under way which spells a basic re-alignment of the governing forces in American Jewish life."¹ The period from 1960 to 1968 can best be characterized as that in which Orthodoxy in general, and modern Orthodoxy in particular, responded to a sense of its own growing strength. Modern Orthodoxy became more aggressive in its relationship to the non-Orthodox movements than in the previous period, and it did so not as a response to pressure from the Orthodox right, but out of the awareness of its new strength.

The American Jewish community of the 1960's was confronted by a series of issues on the American scene not of its own making, on which it had to take a position: The Ecumenical Council; Jewish-Christian dialogue; religion in the public schools; federal aid to education. It was over these issues, together with the problem of the non-Orthodox in Israel and the continuing debate over the Synagogue Council, that Orthodox attitudes toward the non-Orthodox can best be seen during this period. It is the last issue that best mirrors Orthodoxy's new self awareness and sense of strength.

The Synagogue Council Revisited

The Orthodox right had been unsuccessful during the preceding decades in its attempt to convince the Rabbinical Council and the Union of Orthodox Jewish Congregations to withdraw from the Synagogue Council. Though it had influenced the thinking of some leaders of the RCA, neither polemics nor rational argument, nor the p'sak din had proven effective.

During the 1960's the sectarian end of the Orthodox spectrum continued to press the RCA and the Union to withdraw from the SCA. Agudath Israel charged that participation by Orthodox groups in the SCA could no longer be defended by rationalizations: modern Orthodoxy's assertion that by "'working from within' they could 'restrain' the reformist groups" has proven incorrect;* their assertion that the activity of the Synagogue Council and the New York Board of Rabbis is directed only to externals is incorrect in light of "Back to the Synagogue" drives sponsored by the SCA, as well as the planned rotation of rabbis representing the "three wings" of Judaism at the Jewish chapel at Idlewild Airport.²

Further, Agudath Israel alleged that there exists a difference not only over abstract theological principles, which should preclude Orthodoxy's participation in mixed groups, but over the necessity to observe the basic laws of

* This is the same argument that was used by Agudath Israel against Mizrachi participation in the Zionist Organization during the War.

personal status: Conservative rabbis permit marriage of a kohein to a divorcee; Reform rabbis remarry people without a get;³ most seriously, the Reform rabbinate hedges on the question of inter-faith marriage.⁴

Finally, Agudath Israel reasserted that Orthodox cooperation both in and out of the SCA means de facto recognition of the non-Orthodox movements and perpetuates the hoax that there are "three wings" of American Judaism. This recognition of "three wings" in Judaism even on a de facto basis undercuts the influence of Orthodoxy in the community.⁵ Lest there be any doubt that the non-Orthodox think Orthodoxy recognizes them, the Agudists quoted Joachim Prinz, president of the American Jewish Congress: "Another fact [of American Jewish life] is the mutual recognition of the three denominations of Jewish religious life: Orthodox, Conservative and Reform. Each of the groups understands and respectfully acknowledges that the other groups have a right to exist and to consider their own Jewish concept as authentically Jewish...."⁶ Juxtaposing intra-Orthodox unity to intra-community unity the Agudists ask:

With whom would you rather participate in a central agency?

With Dr. Eisendrath who wants us to accept the founder of Christianity as part of the 'prophetic tradition in Judaism'; with Dr. Louis I. Newman who shamelessly marries a non-Jewish girl to a Jewish boy...conveying the impression that such wedlock has Jewish legitimacy?

Or...

Would you rather associate with the giants of Torah....

We pray that you will choose to cast your lot with those who cherish Torah⁷

In effect the Agudists carried the old arguments a step further. There no longer exists a question about participation being misconstrued as "recognition." The Agudists have offered "proof" that it is indeed so misconstrued. The non-Orthodox not only deny Torah min ha-shamayim and halacha, but they violate the basic laws of personal status. As for the rationalization that the SCA and the New York Board of Rabbis deal only with non-religious externals, this too has been disproved. It is incomprehensible to the Agudist that any Orthodox group could choose to associate with those who preach assimilation and legitimize inter-marriage rather than with those "who cherish Torah."

The debate over the Synagogue Council within modern Orthodoxy shifted from the RCA to the Union in the 1960's. In the wake of the controversy over the Christian missionary which, as we shall see, sharply divided the Orthodox and non-Orthodox, the UOJC began to reconsider its relationship to the Synagogue Council. It also began to stress intra-Orthodox unity.

Murray Weitman, a member of the National Executive Board of Agudath Israel, was invited to submit a paper at the Union's 1964 convention on the establishment of a central agency for Orthodox Jewry. He posited two conditions as essential to the creation of such an agency: those Orthodox

groups who belong to roof organizations with Reform and Conservative groups must withdraw. If not, the best that can be hoped for is Orthodox unity on an ad hoc basis; secondly, a centralized Orthodox agency must establish a policy body of acknowledged g'dolei Torah whose decisions would be binding. Weitman continued "as a rule of thumb, it would seem that the Roshei Yeshivos of the major Yeshivos would fit this category!"⁸

Despite the either/or choice set down by Weitman, despite their desire to unite Orthodoxy on more than an ad hoc basis, despite the problem with the non-Orthodox over Christian missionaries in Israel, and despite the fact that Rabbi Joseph Karasick, president of the Union, had agreed that, based on a UOJC committee study, association with the non-Orthodox did constitute ipso facto recognition of non-Orthodox philosophies as legitimate,⁹ the Union reaffirmed its membership in the SCA by defeating several separatist motions. On one ballot the separatists received less than six votes and were castigated in the RCA Record for usurping convention time.¹⁰ The majority mustered the old arguments: the Orthodox act as a restraining force on the non-Orthodox, and the external challenge to American Jewry as a whole demands unity. A new argument was added as well. Rabbi Soloveitchik warned that all Jews are to be regarded as an integral part of the Jewish community; close relationships with the non-Orthodox are to be maintained in order to enlighten and inspire them.¹¹ For the first time, then, the

Reform and Conservative movements were recognized as something more than simply non-Orthodox. Along with the Orthodox, they represent the "religious" sector of the Jewish community as opposed to the secular sector. At the same time, they are to be enlightened and inspired - in a word - "led" by the Orthodox.

In November of 1966 Samuel Belkin was honored, along with Louis Finkelstein and Nelson Glueck, at the 40th anniversary dinner of the Synagogue Council. A letter went out to the RCA membership from its president asking that they attend the dinner in honor of "the heads of our three major seminaries"¹² Agudath Israel charged that this letter was a clear indication that the RCA gave official recognition to Reform and Conservative Judaism. Declaring that Dr. Belkin's presence would put the stamp of Orthodox approval on the Synagogue Council, four of the rashei yeshiva issued a statement which called Orthodox participation a "dangerous breach."¹³ Belkin attended nonetheless.

Again at the Union convention in 1967 a resolution calling for immediate withdrawal from the Synagogue Council was overwhelmingly defeated. Compromise resolutions, which would have allowed the Union to remain in the SCA but would have referred the question for further study, were similarly voted down. By this time one member of the Rabbinical Council could deplore the repeated debate at Union conventions as a "dull, obsessive litany."¹⁴

The issue of the Synagogue Council was settled. The RCA

and the Union remained in the SCA. Yet the role that Orthodoxy set for itself in the organization and in the community had changed. The editorial pages of the Union's Jewish Life during the 60's reflected the new role. The editorials indicated that despite the fact that Orthodoxy had always been a numerical majority, it had not made itself felt in the past as a force in public life. The dominant voice has been with the anti-Torah numerical minority. This was because Orthodoxy only recently became aware of its own strength. Now, however, "year by year, the raw material of strength has been translated into creative achievement...."¹⁵ Orthodoxy felt that it was beginning to affect both the Jewish and the general community. The question facing it was how to use its new strength. The Union of Orthodox Jewish Congregations answered this question after the 1964 convention at which membership in the Synagogue Council was reaffirmed:

If Orthodoxy is to be in a position to shape the conditions of its own life it must participate in the councils of Jewish affairs. But, for such participation to accomplish the purpose it must be in the leadership role. It must be...initiating and prescribing policy....¹⁶

It will participate in the Synagogue Council and become involved with the non-Orthodox, but it will be assertive. It will do more than that: the Orthodox Jew has the obligation "to reach out to those presently beyond his own ranks with an articulate, compelling Torah message; to assume, by a planned course, the leadership in collective Jewish affairs." [Italics mine]¹⁷ Not only will it aid the non-Orthodox to

accept the Torah, but it sees itself in the leadership role of the Jewish community.

Its new strength allowed it to see non-Orthodox Judaism in a new light as well. The editor of Jewish Life asserted that Reform and Conservative Judaism are the ones which seek Judaism ecumenicism. This is so because the doctrines of Reform and Conservative Judaism are "cadavers... mouldering to dust" despite the fact that the institutional apparatus of the movements appear to thrive. The leaders of the non-Orthodox movements seek Jewish ecumenicism in order "to share the vitality of orthodox Jewry without embracing orthodox Judaism." This process is doomed to failure, however. It will not infuse spirit into non-Orthodox Judaism. A state of spiritual wholeness, which is the major need of the entire Jewish community, will be reached only by the direct reaching out of the healthy to the sick, of the strong to the weak."¹⁸

Orthodoxy's challenge to Reform and Conservative Judaism was that Orthodoxy will assume its rightful leadership role in the Jewish community. Orthodoxy's attitude toward the non-Orthodox movements was not only that Orthodox Judaism is the only "true" Judaism, but that Orthodoxy alone has vitality and it alone can give life to Jewry. Its task is to bring the "sick," "weak" Reform or Conservative Jew into the Torah-true fold.

The Orthodox during the 1960's were no longer concerned with preventing Reform and Conservative incursions. They

were no longer on the defensive as they had been in the post-War 40's and 50's.

Israel and the Missionary Problem

In 1963 a series of demonstrations were held by a group called Keren Yaldenu to protest increasing Christian missionary activity in Israel. During one of the demonstrations missionary property was damaged. The major Orthodox groups in the United States sent a joint telegram to Prime Minister Levi Eshkol protesting the missionary activity. Following this, seven organizations, including the CCAR, the Rabbinical Assembly, UAHC and the United Synagogue, sent a cable to Eshkol protesting the activities of the "extremist religious groups" who had broken into the property owned by the missionaries. They charged that the Orthodox sought by coercion to deprive both Jews and non-Jews in Israel of their religious freedom.¹⁹ Agudath Israel reacted vehemently to the non-Orthodox statement. They charged that prohibiting the "unprincipled indoctrination towards conversion" of Jewish children in Israel "in the age of Dachau" could by no stretch of the imagination be called a denial of religious freedom.²⁰

The reaction by the modern Orthodox groups was even more vehement. In a letter to Leon Feuer, president of the CCAR, the presidents of the Rabbinical Council and the UOJC condemned the telegram sent by the non-Orthodox as a "scurrilous attack" on the integrity of Orthodoxy. They asked how the CCAR could be in favor of shmad which operates by taking

advantage of poverty and ignorance.²¹ Furthermore, an editorial in Jewish Life accused Reform and Conservative Judaism of sending the cable out of a desire "to curb the rising strength of Orthodoxy," out of "antipathy to real Judaism," and out of "subservience to Church interests." The sending of such a cable was seen as unbelievable even for those groups "which are heirs to the early Reformers of infamous memory"²² Charges followed upon charges: the cable contained anti-Semitic literature; the non-Orthodox sent the cable in order to secure a foothold in Israel; they hoped to gain ecclesiastical status for "their ministers" as rabbis.²³

The charges against Reform and Conservative Judaism over this issue surpassed anything in the periodical literature from 1939 to 1968. The non-Orthodox movements were charged with being in favor of apostasy, being insensitive to "the age of Dachau," perpetuating calumny against Orthodoxy as would befit an anti-Semitic tract, and being antipathetic to Judaism. What is more, they are jealous of Orthodoxy's strength. In short, they were accused of desiring to discredit and destroy authentic Judaism.

The Orthodox did more than defend themselves against the charge of religious coercion. They moved to the attack. In all matters having to do with Israel the entire Orthodox spectrum responded vehemently. The Orthodox denied that there was any issue of "religious freedom" involved in Israel's failure to allow the non-Orthodox movements to gain a foothold

in that country. On the contrary, the non-Orthodox were accused of "spiritual subversion." The new Jerusalem school of The Hebrew Union College was seen as a political maneuver menacing Israel's spiritual unity. The attempts by the non-Orthodox rabbinate to gain the right to perform marriages was likewise seen as an attempt to split Jewry into "two peoples." Despite their inability to agree about the matter of the Synagogue Council, the Orthodox were able to act in a unified manner over the missionary problem and all other matters concerning Israel.

Jewish-Christian Relations: The Ecumenical Council and Dialogue

In November of 1964 the Ecumenical Council, meeting in Rome, adopted a statement on Jews and Judaism which stressed the common patrimony of Jews and Christians and eased the deicide charge. Jewish organizations and individuals sought to influence the Council in its deliberations on the document through such means as the development of special materials, through correspondence, and through personal meetings with Catholic prelates.²⁵ In 1961 documentation was provided by the American Jewish Committee on anti-Semitism in Catholic educational texts and liturgy. In 1962 Rabbi Abraham Heschel met with Cardinal Bea, the document's chief architect. Rabbi Marc Tanenbaum, the interreligious affairs director of the American Jewish Committee, was present at certain sessions of the Council.²⁶

The Orthodox attitude toward Jewish involvement was clear: "The Church is within her rights to interpret our

history in her own theological dogmatic terms. We are the ones who have transcended the bonds of historical responsibility and decency by asking for the theological document on Jews as 'brethren' in faith!"²⁷ The Orthodox maintained that if the Church leaders "wish to institute certain changes in their liturgy and religious doctrine [concerning Jews], these expressions must come from them... without Jewish direction, interference, pressure, or suggestion."²⁸

The reaction of Agudath Israel to the proposed declaration, while it was being formulated, was cautious. It suggested that Jews "say 'thank you' with reservations," but more importantly, the Agudah cautioned Orthodox leadership not to be like the Reform leadership or the defense agencies who will soon be "fawning" over the Church's move, and who will ask us to reconsider our view of the church."²⁴ Modern Orthodoxy likewise in an editorial in Jewish Life attacked Nahum Goldmann, president of the World Jewish Congress, for his involvement in attempting to have Jewish representation at the Ecumenical Council. Calling such representation a "torturing of reason," the editorial indicated that "Any further moves [by the non-Orthodox] toward Jewish involvement must be publicly discredited."³⁰

Why had the non-Orthodox, both religious and secular, become involved? Both The Jewish Observer of Agudath Israel and the Union's Jewish Life gave the same answer: the non-Orthodox are trying to gain status in the eyes of Christianity

and want to bring about closer relations between Christians and Jews. Furthermore, "So weak-egoed is the secular and non-Orthodox leadership, that they feel defeated and compromised if there is any area in which they cannot participate as equals, be it the...country club or a drive for Christian unity."³¹

In 1964 the related issue of Jewish-Christian dialogue began to appear in the periodical literature of the RCA and the Union. It was not a topic of discussion in the pages of the Agudist periodical. Based on the sectarian frame of reference, out of which the Orthodox right operated, one can conclude that the thought of theological dialogue with Christian groups was inconceivable to the Agudists. The attitude of modern Orthodoxy differed little from that of the right.

Joseph Soloveitchik stated the position generally accepted by the Union and the RCA. Soloveitchik voiced his opposition to Jewish-Christian dialogue involving doctrinal, dogmatic, or ritual aspects of faith, while supporting joint efforts in areas of social concern.³²

Israel Miller, president of the Rabbinical Council in 1964, also considered it improper to participate in theological dialogue. He argued that each group has distinct and unique theological commitments which permit no change, and that "We would of necessity be speaking to ourselves rather than to each other."³³

Norman Lamm, a frequent contributor to the RCA and

Union periodicals, indicated that it is clear to Christian leaders that the conversion of the Jews is still the goal of dialogue. It should be clear to Jewish spokesmen as well. Lamm quoted an article from Lutheran World to support his view:

That the 'approach to the Jews' takes place in 'cooperation' and 'dialog' [sic] and not in 'mission' can in no way diminish the importance of the apostolate in the Church....the Church always meets Jews and gentiles with a specific mandate....and promise.³⁴

In contrast to Orthodoxy, the Reform and Conservative movements are charged by the Orthodox with encouraging dialogue with Christians. The posture of the non-Orthodox was looked upon as a means of achieving good relations with non-Jews at any price. It was deemed a form of "abject surrender of our Jewish self-respect."³⁵

Lamm labeled person-to-person dialogues arranged by the UAHC, in which comparative worship methods were discussed, a "horrendous caricature of religion." He stated that those Reform leaders who favor dialogue and participate in this form of "caricature" are those least committed to Torah and Jewish tradition, and he concluded that leadership in Jewish-Christian affairs should not be left to them.³⁶

The thing that most irritated the Orthodox, however, was Maurice Eisendrath's contention that ecumenicism works both ways, and that Jews should reciprocate by accepting Jesus as "a positive and prophetic spirit in the stream of Jewish tradition." Eisendrath and others with this attitude were charged with having the temerity to call themselves rabbis.

Eisendrath was accused of violating Israel's historic sense and of worshipping "other gods."³⁷ His suggestion was seen as the ultimate in intellectual apostasy.

Both ends of the Orthodox spectrum agreed that the Reform and Conservative movements and many individual Reform and Conservative rabbis desire to curry favor with, and be accepted by Christians. Their participation in dialogue, and their interference in the Ecumenical Council, indicate that they are willing to improve relations with Christianity at any price. Neither the dilution of Judaism, in an atmosphere of joint worship or through the discussion of our Judeo-Christian faith, nor the loss of self respect, is too great a price to pay. Reform and Conservative rabbis (as well as the secularists) are not fit to be the spokesmen for the Jewish community. Only the Orthodox meet the qualifications. In the context of the 1960's these charges were more than the old "assimilationist" charges constantly leveled at Reform, and, to a lesser degree, at Conservative Judaism. The question being asked was, who shall speak for Jewry in the field of Jewish-Christian relations? The Orthodox took a clear, unequivocal stand on the matter of the Ecumenical Council and dialogue, which was in opposition to the Reformers and Conservatives, and challenged them over a public issue "in public." Orthodoxy attempted to alter the direction of the Jewish community in the interfaith field. The charge that is being made behind the polemics of "currying favor" with Christians, is that Reform and Conservative

spokesmen (not to mention secularists), lacking commitment to Judaism, and lacking self respect, are not fit to speak for the Jewish community. Only the Orthodox are qualified to do so.

Church and State

In 1963, Morris Sherer, executive vice-president of Agudath Israel, wrote in reference to federal aid to education that "there is a specific Orthodox approach to this issue."³⁸ Challenging the non-Orthodox opposition to federal aid, Sherer pointed out that federal aid is necessary to improve the day schools and to expand the day school system. To Sherer, there is no evidence that the federal government would attempt controls of any substantive nature, and "Even if some of the fears of the anti-federal aid group were well founded...the over-riding concern of the American Jewish community must be...to provide a Torah chinuch to more children."³⁹

By contrast, the over-riding concern of the Reform and Conservative movements - as well as the secularists - is "creeping federal control." Sherer pointed out that the main concern of American Jewry should not be the spectre of a breach in the wall between Church and State, "but the appalling disintegration of the 'wall of separation' between Judaism and l'havdil Christianity."⁴⁰

As to the suggested alternative that monies for day schools be sought from Jewish welfare federations, Sherer responded that the Reformers and Conservatives control the federations and that their domination "poses a far greater

danger...than does federal aid." He called on the Orthodox to form an association of Orthodox day schools in each state to insure that federal funds from the Elementary and Secondary Education Act of 1965, which gave indirect aid to religious schools, would be put into Orthodox hands and not given to non-Orthodox educational agencies for distribution.⁴¹ Reform Judaism, in particular, is challenged for its "stubborn stand" against day school aid. It is accused of helping "fan the flames of fear concerning 'mushrooming' religious schools."⁴²

The issue of federal aid was also prominently featured in Jewish Life and had been discussed since 1957. The UOJC had originally opposed federal aid to education as well as religious practices in the public schools. It agreed, however, to re-examine its opposition at the Union's 1960 convention. A faction had been growing within the Union which favored federal aid and which considered the "wall of separation" concept invalid in light of the chaplaincy, invocations in Congress, and similar considerations.⁴³ To the editors of Jewish Life, the public schools were seen as "Protestant" schools in rivalry with the Catholic parochial schools.

At the 1964 UOJC convention a resolution advocating federal aid to day schools passed by one vote, although a successful motion to reconsider negated the vote.⁴⁴ By 1965, however, all Orthodox organizations, including the Union, came out in favor of President Johnson's Elementary and Secondary Education Act. Only the Rabbinical Council refused

to join the solid Orthodox block, choosing to take no stand whatsoever.⁴⁵ Even the RCA, however, had changed its position, as up to this point it had consistently opposed federal aid.

The Union faction which approved of federal aid took the non-Orthodox to task for their opposition. Reuben Gross, a member of the editorial board of Jewish Life and a highly critical opponent of the non-Orthodox in general, was the spokesman for this group. With regard to the statement in the Bill of Rights that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," Gross charged that Reform and Conservative Judaism, because of their ideal of "adjustment" to modern living, place greater emphasis on the "establishment" than on the "free exercise" clause. "Adjustment" for Gross is a euphemism for not wanting to be different. Orthodoxy, on the other hand, is proud of "being different" and places greater emphasis on the "free exercise" clause. While Orthodoxy, therefore, builds day schools, the non-Orthodox "fervently pursue anti-discrimination work."⁴⁶

Even those, however, who worked in concert with the Reform and Conservative movements in opposition to federal aid, did so partly in opposition to Reform and Conservative Judaism. Taking the pro-aid forces in the Union as well as Agudath Israel to task for their stand, Herbert Berman, Secretary of both the UOJC and the Synagogue Council declared:

If Federal and State aid is made available to

religiously-controlled schools, it is conceivable that the Conservative and Reform movements will develop a day school program of their own.... the result...will be to deprive existing day schools ...of both the financial support and the attendance of Jewish children in the communities who would be attracted to these other schools. The consequence might be the destruction of the Day School movement outside of large centers of Orthodoxy.⁴⁷

If aid to Orthodox schools means the creation of Conservative and Reform day schools, such aid is undesirable. This same fear is echoed in the pages of the Rabbinical Council Record as well as Agudah's Jewish Observer.⁴⁸

On the matter of non-denominational prayer there was less unanimity within both the Union and Agudath Israel. Nonetheless, Gross, writing in both Jewish Life and The Jewish Observer, charged the non-Orthodox with opposing any form of school prayer because it would require that their children stand out as Jews. To the non-Orthodox "This is the worst thing that could happen to Jews who have labored for decades for the right to be indistinguishably dissolved in the 'melting pot'."⁴⁹ Gross concludes that the non-Orthodox rejoiced at the New York State Regent's Prayer decision because it allowed them "freedom from the embarrassment of being known as Jews."⁵⁰

The picture one receives of Reformers, Conservatives and secularists, as a result of the controversies over federal aid and prayer in the public schools, is that of a group opposed to quality Jewish education who would, if possible, prevent the Orthodox from improving their educational system by channelling funds away from Orthodox institutions. Furthermore,

underlying this attitude is the desire not to be "different." This can best be seen in the non-Orthodox opposition to prayer in public schools.

While the Orthodox disagree among themselves, to some degree, on both federal aid and prayer in public schools, the attitude of the non-Orthodox is attributed to the same basic characteristics by both the Agudah and the Union. The non-Orthodox are embarrassed about being Jews and want to assimilate.

The issues raised from 1960 to 1968 lead to several conclusions about Orthodoxy and its attitude toward the non-Orthodox movements. In the first place, despite the fact that the modern Orthodox rejected organizational unity within the Orthodox movement in order to remain in the Synagogue Council, their attitude and that of Agudath Israel were similar, if not identical, on all issues. They were united in their opposition to the stand taken by the non-Orthodox on each issue. Their judgement of the Reform and Conservative movements was identical. From considering the above issues one would expect that the RCA, and especially the Union, had indeed withdrawn from the Synagogue Council.

Secondly, Orthodoxy was interested in articulating an "Orthodox" position on these issues, but at the same time it desired to be the spokesman for the entire Jewish community. The non-Orthodox positions were not considered authentically Jewish, they showed no concern with Jewish values, and they were demeaning of Jewish self respect. Thirdly, for the

first time Orthodoxy did not limit itself to "private" inter-Jewish concerns. It challenged the non-Orthodox movements in areas long thought to be the domain of the non-Orthodox: Jewish-Christian relations and Church-State issues. In reading the periodical literature one no longer has the impression of an embattled Orthodoxy under siege as in the 1940's and 50's. On the contrary, it is the Orthodox who are on the attack.

The charges against the non-Orthodox are the same in regard to the Ecumenical Council, Jewish-Christian dialogue, federal aid to religious schools, and prayer in public schools: all non-Orthodox positions and actions are based on the desire to disappear. No matter what terminology is used, the charge is assimilationism - especially against the Reformers. Another accusation is that the non-Orthodox are destructive: they destroyed Jewish self-respect with their "fawning" over the Catholic church, and their willingness to allow "shmad" in Israel; they attempted to destroy Jewish education with their attitude toward federal aid; they attempted to destroy the unity of the Jewish people both through their insistence on the right of non-Orthodox rabbis to perform marriages, or have marriages which they have already performed recognized in Israel, as well as through the willingness of Reform rabbis to perform mixed marriages. Yet the Reform and Conservative movements, while destructive and hence dangerous, are also perceived by some Orthodox as weak. This is why they have spoken out on a variety of issues and

attempted to convince everyone that their position is representative of American Jewry.⁵¹

Orthodoxy's task is to bring spiritual nourishment to the non-Orthodox. In doing so, of course, Orthodoxy will do away with inauthentic Judaism.

The Orthodox View of the Nature of Non-Orthodox Judaism

In examining the periodical literature during the 1960's, one finds the Orthodox extremely hostile to the stand taken by Reform and Conservative Judaism on each of the various issues of the period. At the same time - paradoxically - there arose during the 1960's the first attempt at ideological rapprochement on the part of Orthodoxy. Reform and Conservative Judaism and, especially, Reform and Conservative rabbis began to emerge in a new light in the pages of the periodical literature of modern Orthodoxy. The new image was reflected especially in the RCA's scholarly journal, Tradition, which first appeared in 1958.

Two factors contributed to this change of attitude towards Reform and Conservative Judaism. In the first place there was an increasing awareness on the part of the Orthodox of the threat which secularism posed for all religious elements within the Jewish community - including Orthodoxy. The commonality of the Jewish religious movements - as opposed to Jewish secularism - began to emerge at this time.

In an address to the UOJC convention in November, 1966

Norman Lamm pointed out that the prime enemy of Torah is no longer Reform and Conservative Judaism but secularism:

The 'enemy' hovers in the pervasive intellectual climate of the whole Western world. It is the view that religion has been by-passed in our time

If there is any institutionalization of this unhealthy spiritual mood, it is in the powerful Jewish secular agencies that control the finances and the public relations of the Jewish community.⁵²

Lamm gives Reform and Conservative Judaism a distinct religious identity and an explicitly distinct relationship to Orthodoxy in contrast to the dangerous secularist organizations within the Jewish community:

Today we are all of us - all who assent to the idea that the Jewish people is more than an ethnic group...but a people dedicated to a transcendent religious vision - threatened by extinction.^{52a}

The task of the Orthodox as seen by Rabbi Lamm is to encourage any and every sign of Torah consciousness "no matter how primitive and truncated"⁵³ In the past the Orthodox held that the further a Jew or a Jewish organization was from "authentic" Judaism, the less there was for Orthodoxy to fear:

Ten, twenty, or thirty years ago there was a certain cogency to the identification of the various heterodox 'Judaisms' as the most pernicious rivals to the authentic Jewish tradition. There was substance, then, to the quest in our ranks for erecting the greatest possible barriers between Orthodoxy and the other 'interpretations'. Let our positions be firmly marked, we argued, and better a Reformer of American Council for Judaism type than a right-wing Conservative.⁵⁴

Rabbi Lamm argued that this was no longer so:

Once the ranks of Conservatism were replenished

by defecting Orthodox JewsI do not believe that it is true any longer, at least not to the same extent. The Conservative movement has accomplished much with its youth organization... and its theological students now are usually those on their way in rather than on their way out [of Orthodoxy]. One does not treat such people as renegades; one welcomes them and regrets only that they have stopped short of the true goal.⁵⁵

As to Reform, its young leadership "is not cut of the same cloth as was the old one which considered flirtation with Christianity as far more important than pondering its sorry lack of fidelity to the Jewish tradition."⁵⁶ In other words, secularism brought to Orthodoxy an awareness that there were others within the Jewish community beside the Orthodox who were "dedicated to a transcendent religious vision."

Furthermore, though there is no explicit statement to the effect, Lamm's article at least implied that modern Orthodoxy was becoming more aware of the non-religious element within its own constituency. In effect all Jews were on a continuum, and some of those identifying themselves as Orthodox were on that end of the continuum far removed from official Orthodox Judaism.

Secondly, this ideological re-evaluation came about because a number of Reform and Conservative rabbis began to use traditional theological frames of reference in dealing with theological problems. To some Orthodox writers this was indicative of a shift towards a more traditional theology.

In an article entitled "Orthodox Judaism in a World of Revolutionary Transformations," Eliezer Berkovits accused

Orthodoxy of refusing to acknowledge the change that has taken place in the Jewish situation.⁵⁷ Berkovits indicated that in the past the Jewish community possessed a rich, vibrant tradition of knowledge and piety. Furthermore, when Reform came into being the Reformers were familiar with what they rejected with respect to the tradition. Under those circumstances it was understandable to fight the Reformers with issurim and charamim. He points out, however, that this pious Jewish community no longer exists, and as for Reform, "The problem is not rebellion, but ignorance and boredom with Judaism."⁵⁸ Yet the Orthodox have acted as if nothing has happened: "Instead of accepting the responsibility, Orthodoxy in America [still] proceeded to read out the masses from Judaism with Issurim...."⁵⁹ What Orthodoxy should be doing, Berkovits says, is to discover "the foundations of ideological unity." He suggests three basic ikkarim: belief in a personal God; belief in Torah min ha-shamayim; and belief in Torah she-b'al peh as having an inseparable connection with the Written Torah. To Berkovits "Once the basic principles are affirmed differences in interpretation should not be permitted to become dividing walls between Jew and Jew." [Italics mine.]⁶⁰

Berkovits does not mean to imply that all interpretations are to be considered equally valid. He does mean, however, that one who accepts the three principles may not be assigned to "a different 'branch' within Judaism." Those who acknowledge the ikkarim, and yet choose to interpret them in a

manner which from the traditional halachic point of view is unacceptable would be considered as an inadvertant sinner, but not a "Kofer Be'ikkar" - a heretic.⁶¹

One must ask, of course, how many Reform and Conservative rabbis, let alone laymen, would accept these principles. This question can only be answered if one knows what Berkovits means by Torah min ha-shamayim and the centrality of Torah she-b'al peh. As Jakob Petuchowski indicates, if Torah min ha-shamayim can be interpreted as does Louis Jacobs, non-Orthodox Jews might find themselves accepting the ikkar. If it must be interpreted as does the London Beth Din, it becomes a different matter. If Torah she-b'al peh can be interpreted as did Zachariah Frankel, then it might be acceptable. If it could only be interpreted as did Samson Raphael Hirsch, then it would not serve as the basis of religious unity.⁶² Be that as it may, Berkovitz made an attempt to "legitimize" certain non-Orthodox Jews through a new ideological framework. All Jews who accept the ikkarim exist, not only as Jews, but within Judaism, despite their halachic interpretations and applications which may differ from that of the Orthodox.

The implication of Berkovits' article is that he feels there are some Reformers and Conservatives who can accept the ikkarim, or at least are moving in that direction. Other writers agree. Shubert Spero, in reviewing the statements of the rabbis in the Commentary symposium on "The State of Jewish Belief," points out that the non-Orthodox rabbis seem to be moving in two directions. Some are moving away from traditional Jewish theology. Others, however, "present Judaism in uniquely traditional religious terms."⁶³ They

speaking of a living God who addresses man; of a divine-human encounter which constitutes a form of revelation; and of a need to reappropriate the mitzva.⁶⁴ There is a problem from the Orthodox viewpoint of course, namely the difference between acknowledging that a divine-human encounter takes place in which God reveals himself and acknowledging that mitzvot are revealed. The non-Orthodox leave open the question of how one recognizes the divine commandment. Spero indicates however, that until the problem is solved, the "renewed sense of the reality of the Covenant" of which one of the non-Orthodox respondents speaks, is a tie that binds the Orthodox and non-Orthodox.⁶⁵

Emanuel Rackman also acknowledged that there are some Reform and Conservative theologians who regard Torah as an encounter between God and man. It is this small minority which will save the Jews from becoming either a small group, withdrawn from intellectual currents, or a larger group, Jewish only out of psychological social pressure rather than religious conviction.⁶⁶

Another writer who spoke in terms of ideological rapprochement with the non-Orthodox was Irving Greenberg, associate professor of Jewish History at Yeshiva University. In an interview in the school's newspaper, The Commentator, Greenberg answered a series of questions, some of which touched on Orthodox-non-Orthodox relations.⁶⁷ His answers prompted a torrent of protest and criticism which led him to write a clarification and defense of his views. In his

clarification Greenberg indicated the essential element in Jewish theology to be the covenant idea. According to Greenberg, a Jew "is one who takes the covenant idea seriously, who struggles to find its validity in his own life."⁶⁸ To Greenberg it doesn't matter whether one calls himself "Reform," "Conservative" or "Orthodox" because the categories are mainly institutional and not ideological. Intellectually, Greenberg maintains, Judaism is shattered "in a thousand different directions." As for halacha, Greenberg points out that while it is peripheral in Reform and Conservative Judaism, "we must recognize that there are individual [non-Orthodox] Jews who call themselves other names [than Orthodox and] who accept halochah or are seeking to rediscover it for themselves."⁶⁹ Turning to Orthodoxy, Greenberg points out that Orthodoxy has not applied the halacha to the needs of our time. Like the Conservatives, Orthodoxy should explore the possibility of halachic changes. Unlike the Conservatives, however, change should not reflect popular opinion, but rather the deliberate consideration of the gedolim.⁷⁰

In another article, Shubert Spero, writing on the belabored issue of whether or not cooperation implies recognition, pointed out that the non-Orthodox rabbis perform a positive function. In the first place, while as a group they elude classification, the terms often used by the Orthodox to describe their non-Orthodox counterparts, such as apikorsim or mumrim, are inaccurate. The classic apikoros, according to Spero, is one who denies certain fundamentals, is militant

in his scepticism, and rigid in his disbelief. Spero sees many Conservative and Reform rabbis today, however, as those "whose problem seems to be that they cannot bring themselves to complete faith because of some ingrained rationalistic bias, but who struggle with their problem and are open to new insights that can lead to greater commitment"⁷¹

Spero indicated "that there have been sufficient shifts and changes in Reform and Conservative theology and practice over the past decades to give unmistakable evidence of their flexibility." To Spero, the Orthodox as well as the non-Orthodox are threatened in today's society, presumably by secularism. "Once one is able to take up a stand anywhere within the Jewish religious spectrum, movement upwards towards greater commitment is philosophically less difficult than was arriving at the original position." Because of this he concludes that there is a difference between the non-Orthodox groups today and the Karaites and Sadducees of the past. He asks:

Is there no difference between a situation wherein the masses are observant and committed to Torah and sceptics arise to lead them astray, and a situation where the people are religiously illiterate and indifferent and Reform and Conservative rabbis in many instances give them some sense of Jewish identity and encourage Jewish literacy? Is it to be doubted whether any 'missionary' effort of a positive character on our part on a grass roots level would arouse opposition by Reform and Conservative Rabbis. Indeed it should be easier to convert good Conservative Jews to Orthodoxy than those who have no sense of Jewish identity at all.⁷²

Further, Spero asks rhetorically,

Is [the non-Orthodox rabbi] primarily the bellwether who leads his flock away from authentic Judaism into error or is he largely the creation of a certain set of conditions in American Jewish life, responding to existing needs on the part of certain segments of our people? 72a

Here, then, is a challenge not only to the separatists in the Orthodox community but to those who use derogatory terms to identify Reform and Conservative Judaism and Reform and Conservative rabbis. In addition, we have an attempt to justify philosophically the work of the non-Orthodox rabbi in the American Jewish community today. The non-Orthodox rabbi is one whose function is to respond to "existing needs" on the part of certain segments of the Jewish people and who, in so doing, performs a service.

Berkovits, Spero, Rackman and Greenberg represent a liberal "New Left" among Orthodox theologians which began to appear in the 1960's. These writers have a new image of the nature of non-Orthodox Judaism and what Orthodoxy's attitude to the non-Orthodox should be. In the first place there exists within Reform and Conservative Judaism those who believe in a God who reveals Himself and who is involved in a covenant relationship with the Jews. There are those Reform and Conservative Jews who are seeking the content of that revelation. That they may not see the halacha as the embodiment of that content in no way precludes these Reform and Conservative Jews being within the spectrum of authentic Judaism. Their Judaism may be incomplete but it is not "non-Judaism."

Secondly, Reform and Conservative rabbis - and laymen - are not to be looked upon as members of separate movements or "branches" simply because they belong to separate institutional groupings. Reform, Conservative and Orthodox Jews, so they seem to be saying, exist along the line of a spiral circle. Orthodoxy's position, to be sure, is toward the center of the circle, while the others are on the outer portion of the perimeter, but they exist on the same line.

The emphasis on ideological similarities such as belief in the covenant, or, in the case of Berkovits, belief in Torah, rather than on ideological differences over halacha was absent in the earlier periods. There had been no hint of a willingness to recognize various "Judaisms" as "complete" or "incomplete" rather than "authentic" or "inauthentic" in the periodical literature prior to 1960. The new willingness to consider the non-Orthodox rabbi as one who helped illiterate and apathetic Jews return to Judaism - no matter how partial that return - was also absent prior to this period.

Those to the right of modern Orthodoxy - or at least to the right of the liberal Orthodox theologians - challenged the new tendency within modern Orthodox circles. Shelomoh Danziger, speaking for those who he indicated were called "fundamentalists" by the liberal Orthodox theologians, wrote in The Jewish Observer that it is not a "tenuous" covenant idea that is central to Jewish theology, but Torah min ha-shamayim "literally speaking as an objective fact":

Any attempt, expressed or implied, to qualify the external, objective reality of this revelation of the Written-Oral Torah, any tendency to rationalize it philosophically as a historical development of spiritual insight and response, must be considered a critical departure from Torah min ha-shamayim.⁷³

Danziger states explicitly that "This covenant of the Written-Oral Torah which God revealed to us in detail at Sinai...is certainly not accepted by the non-Orthodox"⁷⁴

As to the terms "Reform" and "Conservative" being only institutional labels, Danziger grants that "a few anomalous individuals" who accept halacha exist within the movements;

Yet it would be dangerous not to recognize the Reform and Conservative norm, which is non-acceptance of the authority of the halachah....the Reform and Conservative movements were conceived by their originators in terms which go beyond quantitative adherence to halacha. The names 'Reform' and 'Conservative' were not given by statisticians, but by dissident thinkers whose criteria were conceptual, not statistical. Those who call themselves Reform or Conservative normally mean something very clear beyond their institutional loyalty.⁷⁵

Danziger also shuts the door on any ideological justification for cooperation with the non-Orthodox based on changes in the halacha. He indicates that "the basic difference between Orthodoxy and Conservatism...is not whether these changes should be made by gedolim or by popular demand...." (Although Danziger agrees that many Orthodox subscribe to this non-Orthodox idea.) This distinction would have meaning only under the theory of a post-Sinaitic Oral Law. To Danziger, "interpretation" of the halacha is a euphemism for judicial legislation - a new law! He insists that the only legislation allowed is by means of gezerot and takanot.⁷⁶

Danziger denies all the possibilities set forth by the liberals: to Berkovits he says Torah min ha-shamayim by definition includes the details of the halacha. To Greenberg, Spero and Rackman he insists that the covenant idea is not central to Judaism. Again, to Greenberg and Berkovits he says the terms Conservative and Reform do have ideological meaning which set them apart from Orthodoxy; the three groups are not part of the same continuum. In short, there are no grounds for ideological rapprochement.

Another writer, Ralph Pelcovitz, former president of the Rabbinical Alliance, took issue with Spero's position that the non-Orthodox rabbi is not an apikoros and in fact performs a positive function in the Jewish community. Pelcovitz, after first taking up the matter of "recognition" and concluding that the Orthodox should not participate in mixed organizations, indicated that though some Reform and Conservative rabbis may be innocent and doubt-ridden, most treat the Torah irresponsibly and with abandonment, thus deserving the title apikorsim.⁷⁷ He also indicates that the changes occurring in Reform and Conservative theology are not necessarily because of soul-searching, but because of the bankruptcy of Reform and Conservative Judaism and the renewed strength of Orthodoxy. Pelcovitz warns that the non-Orthodox rabbis have not strengthened Jewish identity and that Orthodox affinity to Reform and Conservative religionists, as opposed to Jewish secularists, is open to question. This is so because in thinking that they have "a way,"

Reform and Conservative Jews are less susceptible to t'shuva.⁷⁸

Pelcovitz points out that while it is true that Reform and Conservative laymen must be sought with love, because they are tinok she'nishba, not so the rabbis who mislead them.⁷⁹ To Pelcovitz, the bulk of non-Orthodox rabbis not only believe in inauthentic Judaism, but they are by and large not even a positive force in increasing a sense of Jewish identity among their followers.

One cannot tell from reading the periodical literature how significant a number Berkovits, Spero and other liberal theologians represent in the 1960's. Danziger and Pelcovitz testify that the "old" image of the nature of Reform and Conservative Judaism and its leaders still exists. Probably the latter still represent the majority position of the membership of the Rabbinical Council as well. Furthermore, it must be pointed out that the liberals did not commit themselves to the idea that the position of Reform and Conservative rabbis in general represents authentic Judaism. Even Danziger and Pelcovitz agree that the Judaism of some of the non-Orthodox might be authentic. As for Reform and Conservative Judaism as philosophies - at best one might move from them to a more complete Judaism. Yet the fact remains that ideological commonality was stressed for the first time. Because of the realization that some Reform and Conservative Jews may well be "closer" to authentic Judaism than are some Orthodox Jews, because in the writings

of certain Reform and Conservative theologians authentic Jewish religious categories were utilized, and because secularism pointed up the commonality of all Jewish religionists, at least a segment of the Orthodox leadership began to see a few Reformers and Conservatives in a new light during the 1960's.

Chapter VII

Summary and Projections

Summary: Agudath Israel

Agudath Israel's attitude toward the non-Orthodox movements, as reflected in the periodical literature, was one of negation and unbending opposition. This attitude prevailed during the entire period from 1939 to 1968.

Ideologically, Reform and Conservative Judaism were viewed by the Agudists as non-Judaism because the non-Orthodox denied both Torah min ha-shamayim and the binding nature of the halacha. The chief psycho-social characteristic of both the Reform and Conservative movements mirrored in the literature was assimilationist. Reform was singled out by a phrase such as "as much Christian as Jewish." Essentially, however, the difference between the assimilationist tendencies of Reform and those of Conservatism was one of degree.

At no time during the thirty years under investigation does the Agudist literature disclose any area of agreement - let alone active cooperation - between the Agudists and the non-Orthodox.* Furthermore, at no time was any ad hoc

* The Agudat Ha-rabbanim are charged by the Rabbinical Council with inviting non-Orthodox representatives to conferences on shechita and with supplying non-Orthodox schools with principals and teachers. Nonetheless, while the rabbis of this organization are far to the right of the modern Orthodox and under the sphere of influence of Agudath Israel, they are not synonymous with Agudath Israel. (See Manuel Poliakov, "Poliakov Says Cooperation Is Par With Non-Orthodox," Record, V, May 1959, 3).

cooperation advocated with the exception of Agudah's willingness to support a Jewish Joint Emergency Council during the War.

The Agudists were vehemently opposed to other Orthodox groups cooperating with the non-Orthodox. During the War they criticized Mizrachi's participation in the Zionist movement. After the War they criticized the Rabbinical Council and the UOJC for participating in the Synagogue Council, and individual Orthodox rabbis for participating in mixed rabbinic boards. In 1956 they attempted to pressure the RCA and the Union into leaving the Synagogue Council, and individual rabbis into leaving the New York Board of Rabbis by means of an issur issued by eleven rashei yeshiva. The Rabbinical Alliance and Agudat Ha-rabbanim accepted the authority of the issur. The RCA and the Union did not.

The reasons for Agudath Israel's opposition to Orthodox participation in mixed groups, as well as to cooperation in general, were three-fold: In the first place the Agudah was convinced that membership in mixed groups gave at least the appearance - hence was tantamount to recognition - of the legitimacy of Reform and Conservatism as authentic branches of Judaism. Secondly, participation was impractical in that the Agudists felt the Orthodox could exert neither control nor influence over the non-Orthodox. Thirdly, the Agudists felt that representatives of Torah-true Judaism could not participate in roof organizations which recognized Orthodoxy as only one segment of the total community, lest

by so doing it give credence to the idea that there was some concept other than Torah which could furnish the ideological focus around which the Jewish community could unite.

In short, Agudath Israel's opposition was primarily ideological, secondarily practical, and present continually from 1939 to 1968.

Summary: Modern Orthodoxy

Modern Orthodoxy's attitude toward the non-Orthodox movements is much more complex than that of Agudath Israel. Not only did its stance change during the thirty year period, but it encompassed more than one attitude at a given time.

In many ways modern Orthodoxy's attitude was similar to that of Agudath Israel. It, too, considered Reform and Conservative Judaism as inauthentic. Its reasoning was the same as that of the Agudah - namely non-Orthodox Judaism was outside the pale because it denied the divine revelation of the Torah and the binding nature of the halacha. As to the Conservatives, it is true they were singled out by the RCA and the Union for particular rebuke from 1946 to the late 1950's for "misrepresenting" themselves as traditionalists. Because of their superficial similarity to the Orthodox they were seen during this period as a greater threat to the modern Orthodox than was Reform. Nonetheless, the general impression received from the modern Orthodox literature, is that the modern Orthodox, like the Agudah, made little distinction between the Reform and Conservative

movements during the sweep of the thirty years. Both groups were perceived as at once dangerous and "bankrupt." They were dangerous in that they were inherently committed to the demise of Orthodoxy. They were bankrupt in the sense that they were unable to satisfy the spiritual yearnings of their adherents. The primary characteristics of the non-Orthodox movements in the eyes of the modern Orthodox - also in agreement with Agudath Israel - is that the non-Orthodox are assimilationist. Reform was singled out as the movement which by its very nature catered to the assimilation-minded. Yet while Conservatism was at times implicitly and explicitly acknowledged as prejudiced in favor of tradition, it too was as frequently charged with being assimilationist as was Reform. Conceptually, then, both the sectarian and modern ends of the Orthodox spectrum considered Reform and Conservative Judaism as inauthentic from a theological stand-point and assimilationist from a psycho-social stand-point. Yet the conclusion drawn by the modern Orthodox regarding cooperation with the non-Orthodox differed from that of Agudath Israel. Their attitude toward cooperation was ambivalent. During the War years the modern Orthodox cooperated with the non-Orthodox both indirectly through the Zionist movement and directly through the Synagogue Council. After the War there was a decided move to the right which continued through the 1960's. The shift was characterized by an increased willingness to confront the non-Orthodox, first as they encroached on

"Orthodox areas" during the post-War 40's and 50's and then as the Orthodox moved into "non-Orthodox areas" in the 1960's.

There were a variety of factors which contributed to the increased opposition of modern Orthodoxy to the Reform and Conservative movements. One was the diminishing need to be concerned with pikuach nefesh once the War ended. A second was the increasing aggressiveness of the non-Orthodox themselves which impinged directly upon the RCA and the Union. (No Agudist oriented synagogues were debating mixed seating or whether to call Conservative rabbis to their pulpits). Another factor was the constant pressure being exerted by the sectarian right. The Agudists charged the modern Orthodox with being "compromisers" and with strengthening the non-Orthodox movements because of their participation in Zionism and mixed groups. Behind these charges lay a "hidden agenda" - namely to decide the matter of who would lead the Orthodox community. In the early 1940's Agudath Israel made it clear that the Mo'etset gedolei ha-Torah contained the "acknowledged Rabbinic leaders" of American Orthodoxy. In the 1960's this group was presented as the obvious policy making body for any proposed union of Orthodox organizations. Even the Agudat Ha-rabbanim attempted to gain the leadership role. In 1945 the Rabbinical Council participated in a meeting called by Agudat Ha-rabbanim to formulate a platform on behalf of the rehabilitation of Eastern European Jewry. The RCA could not

subscribe to the platform because in it was stated that Agudat Ha-rabbanim "constituted the sole Orthodox Rabbinical authority in the United States."¹ Finally, the Americanization of what had been largely an Eastern European immigrant community was all but completed after the War. The RCA and the Union were not only American technically, but psychologically as well. As they grew in strength and self-esteem they confronted the Reform and Conservative movements in the public arena which had previously been left to the non-Orthodox. When modern Orthodoxy felt pressured by the Orthodox right, threatened by the attempted inroads of the non-Orthodox, and strengthened by its own increasing self-awareness, it became more militant in its confrontation of the Reform and Conservative movements.

These factors were enough to cause the modern Orthodox groups to take an increasingly hard line against the Reform and Conservative movements after World War II. Paradoxically, however, despite provocation by the non-Orthodox and by the Agudists, and despite the theological inauthenticity of the non-Orthodox, the Rabbinical Council and the UOJC maintained official relations with the Reform and Conservative movements in the Synagogue Council and the New York Board of Rabbis throughout the entire thirty year period. A vocal minority within the RCA and the Union opposed participation in these mixed groups for the same reasons as did Agudath Israel. Yet neither they nor the Agudah, with all the arguments at their disposal, could persuade the modern

Orthodox to withdraw. As antagonistic as was modern Orthodoxy's attitude toward Reform and Conservative Judaism, it differed with the Orthodox right over the question of participation and cooperation. Agudath Israel might be personified as having said "We will separate ourselves from the Reformers and Conservatives and maintain no relations with them - except theoretically on an ad hoc basis." The Rabbinical Council and the UOJC, on the other hand, might be personified as having said "We will confront the non-Orthodox vigorously on an ad hoc basis - as issues arise between us - but we will maintain continuous cooperation relations with them." This is precisely what the literature indicates the modern Orthodox in fact did. From 1946 on they were constantly embroiled in conflict with the Reformers and Conservatives. Yet each time their participation in mixed organizations was put to a vote it was overwhelmingly affirmed - both in the RCA and the Union.

During the thirty year period four considerations prompted the RCA and the Union to participate in mixed groups whether of the Jewish religious community, such as the SCA and the New York Board of Rabbis, or of the general Jewish community, such as the Zionist Organization: the safety of the Jewish community, the wellbeing and position of Orthodoxy itself, the fear of Jewish secularism, and a sense of noblesseoblige. During the War Mizrachi's participation was justified on the grounds that it was a contribution to the safety of Jewry as well as a means

of assuring the influence of Torah-true Judaism upon the movement. Modern Orthodoxy's participation in the SCA and mixed rabbinic boards was justified on the basis that unity was necessary to combat anti-Semitism and to insure the safety of Israel. It was pointed out that joint efforts by Reform, Conservative and Orthodox rabbis and organizations working through the Synagogue Council and other groups benefited Orthodoxy especially. Cooperation in instituting kashrut in Jewish hospitals, in fighting anti-shechita legislation, and in supporting fair-Sabbath legislation was cited. Furthermore, the increase in the power of the Jewish secular agencies was noted with alarm. The Synagogue Council was considered a vehicle for combatting such secularism. These considerations made a moot point of the "inauthenticity" of Reform and Conservative Judaism. The needs of the Jewish community, Orthodoxy, and religion - authentic or inauthentic - were given priority. That it might be misleading the community into thinking that Reform and Conservative Judaism were legitimate was a chance modern Orthodoxy was willing to take.

One further point must be made with regard to the utilitarian needs justifying cooperation. We know about the areas in which the Reform, Conservatives and Orthodox cooperated with each other only through modern Orthodoxy's defense of the Synagogue Council. That is to say, there was no mention in the literature of specific instances of united effort to combat anti-Semitism or support Israel. Only minor mention

was made of non-Orthodox efforts to support kashrut, shechita, and Shabbat. The positive aspects of Orthodox-non-Orthodox relations were played down. The only "issues" with which the literature dealt were issues of conflict, except during the War years. The only conclusion one can reach, so it seems, is that the modern Orthodox wanted to give neither recognition nor credit to the non-Orthodox. Perhaps "recognition" (i.e. in the technical sense in which we have been using the term) and "credit" were synonymous in the minds of the Orthodox.

The fourth consideration which modern Orthodoxy used to justify participation in mixed groups and cooperation in general was the sense of noblesse oblige. In the 1960's, acting out of a growing sense of its own strength and non-Orthodoxy's weakness, modern Orthodoxy argued that it must not only take over the dominant leadership role in the community, but that it must bring the Torah message to the non-Orthodox, who were in spiritual need. This sense of Orthodoxy's obligation to the non-Orthodox puts the question of the attitudes of all the Orthodox groups into proper focus. The entire Orthodox spectrum is faced with a dilemma over the matter of cooperation with Reform and Conservative Judaism. Orthodoxy rests on the premise that it alone is the legitimate bearer of Judaism. Two corollaries derive from this premise. One is that possessing the only "true" Judaism, Orthodoxy must do nothing even to give the impression that non-Orthodox Judaism is legitimate. The second is that

being the only bearer of a Judaism which teaches that all Jews are obligated to observe the mitzvot, and being influenced by the concept of ahavat yisrael, Orthodoxy is bound to bring the non-Orthodox to Torah and to emphasize the unity of klal yisrael. Both ends of the Orthodox spectrum are obligated to both corollaries. In practice the Agudists, representing the Orthodox sectarian right, chose to emphasize the first corollary (on occasion they defended their separatist position on the basis that it indeed was the only way to show ahavat yisrael).² The RCA and the Union representing the modern Orthodox end of the spectrum chose to emphasize the second, klal yisrael and - especially after 1960 - the obligation to bring salvation to the non-Orthodox Jew. For the most part, the Orthodox periodical literature reflects an Orthodoxy attempting to come to terms with this dilemma.

An understanding of this helps explain why one has the impression, when reading the literature of the Rabbinical Council and UOJC - as well as that of Agudath Israel, - that despite new issues and new conditions there is an underlying sameness about the way in which the literature treats Reform and Conservative Judaism. All the arguments used in the later part of the thirty year period were implicit or explicit in the earlier years of the period. Because of the basic premise which we have cited, emphasis changed but substance did not.

The entire Orthodox response to Reform and Conservative Judaism, then, was conditioned by the concept of Orthodoxy

as the only embodiment of authentic Judaism. This was true with one exception. In the 1960's with the rise of a group of liberal Orthodox theologians the premise that authentic Judaism could be found only in Orthodoxy was called into question. The new idea advanced by these theologians who represent the leftist group within modern Orthodoxy, was that at least certain basic aspects of authentic Judaism were to be found within Reform and Conservative Judaism:-- covenant; a God of revelation; a search for the contents of that revelation. This moved the liberal Orthodox theologians to suggest that while Reform and Conservative Judaism might be incomplete it was incorrect to consider them - or at least those Reformers and Conservatives who held these views - as inauthentic. At the very least, the new theologians chose to emphasize theological commonality rather than difference.

Projections: After 1968

As long as Orthodoxy continues to operate on the premise that it is the only authentic bearer of Judaism, the pattern of response to future issues which arise will be the same as in the last thirty years. Assuming that the Orthodox right will be able to isolate itself to the point where it can maintain a sectarian view of the Jewish community, it will continue to emphasize the need for non-recognition, hence non-cooperation, with the non-Orthodox. The modern Orthodox, on the other hand, will continue to show the symptoms of the Orthodox dilemma. They will continue

to respond in the same pattern of the past thirty years. This in turn will produce the same image of the non-Orthodox movements we have seen. Certain issues will cause conflict: if Reform and Conservative rabbis are recognized in Israel and thus gain authority over areas of personal status, the conflict in Israel will have repercussions in the United States; if the non-Orthodox enter the day school field there will be competition not only for funds but for students as well. The Orthodox right will denounce the non-Orthodox and put pressure on modern Orthodoxy to do the same. The modern Orthodox groups will respond to that pressure and challenge the "encroachments" of Reform and Conservative Judaism. On the other hand, to the degree that anti-Semitism remains a threat, secularism runs rampant, or the Orthodox pattern of halacha is threatened from outside the community, to that degree the Orthodox will seek unity of action with the Reform and Conservative movements. While conflict will re-emphasize the negative image of the Reform and Conservative movements, issues calling for cooperation will cause a modification or mitigation of that image.

Any substantive change in Orthodoxy's attitude towards the non-Orthodox must be predicated on the idea that authentic Judaism need not be limited to Orthodoxy. In this context one must ask about the future of the new Orthodox liberals. One writer, a frequent analyst of the Orthodox scene, points out that the "New Left" theologians are attempting a break-away movement which will materialize "before the decade is

out."³ He visualizes Orthodox rabbis who hold a "non-Orthodox" ideology leading the nominally Orthodox and the non-Orthodox "believers" into an essentially non-Orthodox movement. The new movement would sanction their halachic transgressions.⁴

These liberal theologians, it is true, meet with their counterparts of the non-Orthodox movements under such auspices as The I. Meier Segals Centre as a community of Jewish scholars who hold "a common affirmation of the covenant linking God, Torah, and Israel...."⁵ Yet this is a long way from forming a non-Orthodox (non-Reform and non-Conservative) movement. Indeed it is difficult to project any such movement. The question is what type of influence will the "New Left" theologians have within the modern Orthodox movement? It may be minimal. If so, Orthodoxy will continue to regard Reform and Conservative Judaism as inauthentic. This will in turn reinforce Orthodoxy's standard response to issues arising between the movements. On the other hand, if the ideology of the liberal Orthodox theologians begins to significantly influence the modern Orthodox then not only may Reform and Conservative Judaism come to be regarded as authentic - although incomplete - but the entire negative image of non-Orthodox Judaism and non-Orthodox rabbis may change as well.

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