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of Rabbinic Studies

בית המדרש ע"ש זיגלר

Walking with Mitzvot

Edited By
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דרכיה דרכי נעם

In Memory of Harold Held and Louise Held,
of blessed memory

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LIVING THE MITZVOT TODAY AND TOMORROW

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THE CALL OF TRADITION

Because acting in accordance with the mitzvot has always been a key factor in what it means to be a Jew, *Conservative Judaism requires observance of the laws of classical Judaism*, including the dietary laws (kashrut) the Sabbaths and Festivals, daily worship, and the moral norms of the Torah, Prophets, and Sages. That is why we are called the “Conservative” Movement, or, in Hebrew, “Masorti” (traditional): we intend to conserve the tradition by studying it and practicing it.¹ *The emphasis of Conservative Judaism, then, is NOT how we can or should change Jewish law; it is rather on motivating and helping Jews to observe it.*

To further this aim, the various arms of the Conservative Movement engage in a host of educational endeavors for children, teenagers, and adults in our synagogues, schools, youth groups, and camps. We also publish educational materials about *mitzvot*. For example, United Synagogue Youth has produced a series of source books, many of which discuss the hows and whys of various mitzvot, and the Rabbinical Assembly produced its *Rabbinic Letter on Intimate Relations*² and its *Rabbinic Letter on the Poor*,³ and it is about to publish two extensive anthologies; one on Jewish rituals and one on Jewish moral stances.

DETERMINING WHAT JEWISH LAW REQUIRES OF US

Sometimes, however, the law itself must change – just as it has historically – so it can effectively tie people to the Jewish tradition and influence their lives in contemporary circumstances. Deciding when such additions or modifications are necessary, and how they should be made, requires considerable judgment and risk. Consequently, the Conservative Movement, like the historical Jewish tradition, has made the decision a communal matter for both rabbis and laymen through decisions of the local rabbi, decisions of a communal body, and custom.

1. The local rabbi. In the vast majority of cases, when a question is raised in Jewish law, it is answered by the local rabbi, the mara d’atra, the “teacher of the place.” This person gains the authority to make such decisions by virtue of his or her rabbinic education and election as the rabbi of a congregation or educational institution.⁴ The rabbi may consult books or other rabbis known to have expertise in the particular area of law involved, but it is the local rabbi who makes the decision.

2. A central, communal institution: The Committee on Jewish Law and Standards. Throughout Jewish history, there were some places and times when there was a central agency to make decisions in Jewish law for an entire region or community. In line with these precedents, the Conservative Movement has a Committee on Jewish Law and Standards (sometimes called “the Law Committee”) to determine Jewish law for the Conservative Movement. When the Committee validates two or more approaches to the issue, the decision then returns to the local rabbi, who chooses the ruling that best fits his or her own understanding of Jewish law and the needs of the local community. In most cases, though, there is only one validated option, and that reflects the other side of the coin – namely, that there is much in common in the practice of Conservative Jews.

To give the reader an idea of the scope of issues that have been treated in Conservative discussions of Jewish law, here is a list of some of the questions that have been addressed by the Committee on Jewish Law and Standards:

- a) May infertile couples use donor insemination, egg donation, or surrogate mothers to have children?

¹ Thirty years ago, noting that “Conservative” invites misinterpretation as meaning conservative (with a small “c”) in both religion and politics, I proposed that we change our name in English to match our name in Hebrew – that is, that we call ourselves “Traditional Judaism.” See Elliot N. Dorff, “Traditional Judaism,” *Conservative Judaism*, 34:2 (November/December, 1980), pgs. 34-38.

² *The Letter*, by Rabbi Elliot N. Dorff with and for the Rabbinical Assembly’s Commission on Human Sexuality, was originally published in 1996 by the Rabbinical Assembly as a separate pamphlet and now appears as Chapter Three of Elliot N. Dorff, *Love Your Neighbor and Yourself: A Jewish Approach to Modern Personal Ethics*. Philadelphia: Jewish Publication Society, 2003.

³ Elliot N. Dorff, *You Shall Strengthen Them: A Rabbinic Letter on the Poor*. New York: Rabbinical Assembly, 1999, available in a slightly different version in Elliot N. Dorff, *To Do the Right and the Good: A Jewish Approach to Modern Social Ethics* Philadelphia: Jewish Publication Society, 2002, Chapter Six.

⁴ See David Weiss Halivni, “The Role of the Mara D’atra in Jewish Law,” *Proceedings of the Rabbinical Assembly*, 1976. New York: Rabbinical Assembly, 1977, Vol. 38, pgs. 124-129.



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- b) Is abortion of a defective fetus permitted in Jewish law? May couples use pre-implantation genetic diagnosis (PGD) to test embryos for genetic diseases before they are implanted?
- c) May machines and medications be withdrawn from a dying patient? May artificial nutrition and hydration be withdrawn?
- d) May a Jew have his or her skin tattooed or body pierced?
- e) May a minor read from the Torah? May a blind person?
- f) Are all cheeses kosher?
- g) Are all gelatins kosher?
- h) May Shabbat services be videotaped?
- i) Should a Jew follow Jewish mourning practices for a non-Jewish parent?
- j) Is it permissible to distribute condoms to Jewish adolescents because of fear of AIDS?
- k) To what extent must people protect themselves and others from intrusion in cyberspace, and under what circumstances may information communicated in cyberspace be disclosed to other people?
- l) What should happen to donations that are accepted, and then later understood to come from ill-gotten gain?
- m) May a Jew play violent or defamatory video games?

The responses that deal with each of these questions and many more can be found at www.rabbinicalassembly.org under the link “Jewish Law.”

3. Custom. Jewish law has always been the product of an interaction between the rabbis and the community. That is the reason for the power of minhag (custom) in Jewish law. Custom can embellish our observance of Jewish laws, serve as the source of new practices, undermine some practices, and shape the way yet other mitzvot are observed. As an historically authentic movement, Jewish Law uses custom in all these ways.

This structure, then, combining decisions of the local rabbi, decisions of a central body of rabbis, and local custom carries on the traditional ways in which Jewish legal decisions have been made.⁵ This structure also explains the variations in the practices among Conservative synagogues and rabbis. These differences do not represent a lack of decisiveness or commitment on the part of the Movement; they rather reflect the fact that the Conservative Movement, like our ancestors of old, wants to deal with life as it actually is, and this requires that it be open to differences among people and communities. This pluralism may make some people uncomfortable at times, but life does not lend itself to a neat, unchanging structure, and so people must learn to accept changes in law without at the same time discarding it completely.

Three points ought to be emphasized about the Conservative approach to interpreting Jewish law for our day: (1) The Conservative Movement does not introduce changes in Jewish law just to make life easy; it does so to make Judaism live in the modern world. Sometimes this requires adding new laws, and sometimes this requires dropping or modifying traditional ones. (2) Introducing appropriate changes to meet new circumstances or sensitivities is not a departure from

⁵ For more on the role of custom in Jewish law and a statement of the philosophical underpinnings of Jewish law, see Chapter Seven of Elliot N. Dorff, *For the Love of God and People: A Philosophy of Jewish Law*. Philadelphia: Jewish Publication Society, 2007. For a historical description of the development of Jewish law, with some comparisons to American law and to how Jewish law is applied in the modern movements, see Elliot N. Dorff and Arthur Rosett, *A Living Tree: The Roots and Growth of Jewish Law*. Albany, NY: State University of New York Press, 1988, esp. pgs. 337-363, 402-434, 523-545.



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the tradition. On the contrary, not to do so is to abandon the tradition! (3) In the present day, the overwhelming need is to teach Jewish practices and ideas together with an appreciation for the differences of opinion and practice that have always characterized Judaism. It is to that task that most of the efforts of the Conservative Movement are directed.

MAKING MITZVOT SIGNIFICANT IN YOUR LIFE

In the modern world, making the mitzvot a significant part of one's life is easier said than done. When Jews lived in ghettos, they often had little choice but to follow Jewish law as everyone else in the town or village did. If one failed to do that, one would be socially ostracized. Conversely, since everyone else in town abided by Jewish law, it was easy to fall in line and follow suit.

We now live, however, under conditions of political and religious freedom. No government is going to insist that you remain in the ghetto and abide by its rules. This freedom, of course, is, in many ways, a blessing, for it enables Jews to choose their careers, their place of residence, and their form of religious expression.

On the other hand, this same freedom is also a challenge, for one can easily fall into ignoring religious and moral issues altogether. One can also lose touch with community: America's individualism and materialism all too easily entice us to concern ourselves only with our own needs, wants, and material comforts. Individualism and materialism, as comfortable and even exciting as they may be for a time, often lead to a life devoid of meaning, for meaning comes out of our ties to family and community, our marking the passages of life and of the seasons with appropriate rituals, our sense of moral purpose, and, in the case of Judaism, our sacred mission.

Judaism provides all of those things, but at a price. Its price is that one must make a serious effort to incorporate Jewish practice into one's life. Nobody is saying that Judaism should be the whole of one's life; work, sports, entertainment, culture, spending time with friends, and, of course, love are all part of what makes life worthwhile. Judaism, though, puts all of those activities and associations into a larger context, giving them structure, expression, perspective, community, roots, hope, and a proper place in a life filled with meaning.

How, then, does one begin living a life of mitzvot? Many of us already live by some of Judaism's moral norms, even if we did not know that. We turn to Judaism, then, to sharpen our moral compass and to motivate us to be even more morally sensitive to people and to issues than we were before.

With regard to Jewish rituals, it is not smart to jump in, as it were, going from abiding by none of the traditional commandments to trying to abide by them all. Those who do that generally leave the world of Jewish practice just as quickly as they entered it, sometimes even resenting it in the bargain. It is much better to add one thing at a time, taking some time for the new mitzvah that you have assumed to become part of your life. Once that is comfortably part of your everyday thinking and acting, you can begin the process of incorporating yet another mitzvah into your life.

Two important cautions before you begin. First, it is absolutely critical that you do *not* look down on others who practice Judaism in ways different from the way you adopt. Some who are beginning to live according to Jewish law are tempted to disdain all Jews who fail to abide by that law – or even those who observe it differently. *Observing Jewish law does not give you warrant to think more of yourself at the expense of others; quite the contrary, observing Jewish law should motivate you to value others more and treat them better than you have in the past.*

Second, remember that your new patterns of living will almost inevitably have an effect on the others in your life, especially those in your home. The key to this whole process is mutual respect and calm communication. Your family and Jewish friends may feel threatened in their own sense of Jewish identity by your desire to become more seriously Jewish, and they therefore may react with defensiveness or even anger. If you present this, though, as your acquisition of more of your heritage without intending anything negative about them, then they may well react with questions but also with a willingness to work this out to everyone's satisfaction. It is all in the way you handle this with those who are near and dear to you.



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These cautions are important not only for pragmatic reasons – so that you succeed in finding a way to adopt new Jewish practices – but also for religious reasons. If those around you hate you for this and therefore also the new practices you adopt, that would be a hillul ha-Shem, a desecration of God's Name. You want them instead to appreciate and honor you for this, even if they themselves do not follow your lead; that makes your effort a kiddush ha-Shem, a sanctification of God's Name.⁶

The good news is that the mitzvot speak to so many aspects of our lives that one can choose from among multiple places to begin living a life of mitzvot. Here are some areas to consider and some starting points:⁷

1) Synagogue participation

- Attend services on Shabbat and Festivals.
- Participate regularly in a daily minyan.
- Support synagogue social justice programs.
- Volunteer for a synagogue committee.

2) Study

The Conservative approach to study is distinct. In addition to studying the sacred texts of our tradition using the methods and commentaries of the past, we study texts critically, and we bring knowledge from other disciplines to help us better understand our own heritage. At the same time, we approach the text with a commitment to preserve our sacred traditions.

- Attend synagogue adult education classes.
- Spend time reading Jewish books.
- Discuss Jewish issues with your family/friends.
- Study the Torah portion each week.
- Take advantage of the Internet and other modern resources for Jewish study.

3) Hebrew

- Take classes in Hebrew as a living language.
- Study Jewish prayers and their meanings.
- Plan to study at an ulpan in Israel.

4) Jewish Values

- Learn what Judaism teaches about the critical moral issues of our lives.
- Act on the teachings of Judaism, even when they conflict with what your friends are saying or doing.
- Become more aware and observant of the *mitzvot* of gemilut hasadim (acts of loving-kindness).
- Participate in synagogue social justice programs.

⁶ For the command to sanctify God's name (reputation), see Leviticus 20:7-8 and Maimonides' *Mishneh Torah, Laws of the Foundations of the Torah* 5:11.

⁷ See also Rabbi Jerome Epstein, "Suggestions for Living a Conservative Jewish Life," http://www.uscj.org/The_Ideal_Conservati5033.html



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- Give tzedakah (charity) regularly.
- Volunteer to work for a local homeless shelter.
- Make bikkur holim (visiting the sick) a regular activity.

5) Jewish Rituals

- Add new mitzvot to your Shabbat observance.
- Climb the ladder in your observance of kashrut.
- Add to your observance of mitzvot connected with the family.
- Look for opportunities to recite berakhot (blessings).

6) Klal Yisrael (the entire Jewish people)

- Make personal and group decisions only after considering how they will affect the greater Jewish community.
- Avoid actions that will splinter the Jewish community or reflect badly on it.
- Aid communal efforts to promote the welfare of the Jewish and general communities.

7) Israel

- Join MERCAZ (the Conservative Zionist Organization).
- Travel frequently to Israel.
- Send your children on Israel programs.
- Support Israel – and especially the Masorti Movement in Israel – financially.
- Consider making aliyah (immigrating to Israel).

Many Jews express the seriousness of their Jewish commitments in some of these ways and not in others. It is important to recognize the contributions to Jewish life they are making in what they do. At the same time, one should strive in one's own life to incorporate more and more of these ways of being a serious Jew so that one's Jewishness is not one-sided. Judaism is too rich a tradition for that, and God's demands are too great.

In the end, it is the old story: you can get out of it only what you put into it. No human being will coerce you into doing any of these things. To be a serious Conservative Jew, though, is to be humane and human in the fullest and finest senses of those words, and we do that by acting according to the values and concepts that Judaism teaches us. Only then can we enrich our own lives with our enormously wise and noble heritage and pass it on effectively to our descendants.



LIVING THE MITZVOT TODAY AND TOMORROW – TEXT 1

תלמוד בבלי מסכת סנהדרין דף לד עמוד א
דבי רבי ישמעאל תנא: "וכפטיש יפצץ סלע" - מה פטיש זה מתחלק לכמה
ניצוצות, אף מקרא אחד יוצא לכמה טעמים.

BABYLONIAN TALMUD, SANHEDRIN 34a

One of the sages from the Beit Midrash of Rabbi Ishmael taught: "[Behold my word is like fire, declares the Lord] and like a hammer that shatters rock" (Jeremiah 23:29) – just as this hammer causes numerous sparks to flash forth, so too is a Scriptural verse capable of many interpretations.

במדבר רבה (וילנא) פרשה יג סימן טו
יש שבעים פנים בתורה

MIDRASH NUMBERS RABBAH, 13:15

There are seventy faces to the Torah.

STUDY QUESTIONS

- Rabbi Dorff speaks of the pluralism that has always been a part of Jewish tradition. How do these texts speak to that idea?
- The Oxford English Dictionary defines pluralism as: "... any theory or system of thought which recognizes more than one irreducible basic principle...(the advocacy of) toleration or acceptance of the coexistence of differing views, values, cultures, etc."¹ How does this definition fit the Jeremiah text and the Talmudic interpretation of it? How does it fit with Midrash Numbers Rabbah?
- Considering these texts and the dictionary definition of pluralism, what do you think Rabbi Dorff means when he uses the word in regard to the mitzvot and Conservative Judaism? For Rabbi Dorff, are there limits on pluralism?

¹ "pluralism, n." OED Online. June 2011. Oxford University Press. 17 June 2011. <http://www.oed.com/view/Entry/146193?redirectedFrom=pluralism>



LIVING THE MITZVOT TODAY AND TOMORROW – TEXT 2

שמות רבה פרשה ה סימן ט

היאך הקול יוצא, אצל כל ישראל כל אחד ואחד לפי כחו, הזקנים לפי כחו, הבחורים לפי כחו, והקטנים לפי כחו, והיונקים לפי כחו, והנשים לפי כחו, ואף משה לפי כחו... אר"י בר חנינא: אם תמה אתה על הדבר הזה למוד מן המן שלא היה יורד לישראל אלא לפי כח של כל אחד ואחד מישראל, הבחורים היו אוכלין אותו כלחם... והזקנים כצפיחת בדבש... ויונקים כחלב משדי אמו... והחולים כסולת מעורב בדבש... אר"י בר חנינא: ומה המן שהיה מין אחד נהפך לכמה מינין בשביל צורך כל אחד ואחד, הקול שהיה כח בו עאכ"ו שהיה משתנה לכל אחד ואחד שלא ינזק.

MIDRASH EXODUS RABBAH 5:9

How did the voice [of God at Sinai] go forth? To each and every Israelite according to their strength: to the old, according to their strength, to the young men according to their strength, and to the children according to their strength, and to the nursing babies according to their strength, and to the women according to their strength, and even to Moses according to his strength. Rabbi Yosi bar Hanina said: If this is surprising to you, learn it from the manna that came down to Israel according to the strength of each and every Israelite: The young men ate it like bread, and the old like wafers in honey, and the nursing babies like milk from their mothers' breasts, and the sick like fine flour with honey. If the manna, which was of one kind, changed into several kinds according to the need of each and every one, how much the more so did the voice – which had strength in it – change for each and every one, so that he would not be harmed?

STUDY QUESTIONS

- How does this text from Midrash Exodus Rabbah affect your understanding of pluralism in regard to the mitzvot?
- The word for strength, כח, may also be translated as power. Does this change the meaning of the text?
- How does this text differ from those we considered above?
- Are these texts useful for you in expressing your relationship to mitzvot? Rabbi Dorff uses the words “Jewish law” and “mitzvah.” Does the meaning of each text change if you use one word or the other?



LIVING THE MITZVOT TODAY AND TOMORROW – TEXT 3

”אהבת עולם” תפילת מעריב

אהבת עולם בית ישראל עמך אהבת. תורה ומצוות, חוקים ומשפטים אותנו למדת. על כן יהוה אלוהינו בשכבנו ובקומנו נשיח בחוקיך, ונשמח בדברי תורתך ובמצותיך לעולם ועד. כי הם חיינו ואורך ימינו ובהם נהגה יומם ולילה. ואהבתך אל תסיר ממנו לעולמים. ברוך אתה יהוה אוהב עמו ישראל.

AHAVAT OLAM, 2ND BLESSING BEFORE THE SHEMA IN THE EVENING PRAYERS

You have loved the House of Israel, your people, with an eternal love, teaching us Torah and mitzvot, laws and rules. Therefore, Lord our God, when we lie down and when we get up we will discuss your laws, and we will rejoice in the words of your Torah and of your mitzvot forever. For they are our life and the length of our days; and we will meditate on them day and night. May you never remove your love from us. Blessed are you Lord who loves his people Israel.

STUDY QUESTIONS

- **This prayer is referred to as the Blessing on Revelation. Why?**
- **What is the general emotional tone of the prayer? What is the attitude toward mitzvot? Toward Jewish law?**
- **Ahavat Olam asserts God’s love for us unambiguously, and as Rabbi Dorff points out, we insist that God loves us right before the Shema, the essential statement of Jewish faith.¹ So, how do you feel when you hear the words “God loves you?” Is there a difference between how you understand those words in a general day-to-day context, and how you understand them in the context of this prayer? When it comes to motivations for observing the mitzvot, what’s love got to do with it?**

¹ Lawrence A. Hoffman, editor, *My People’s Prayer Book: Traditional Prayers, Modern Commentaries. Vol. 9 – Welcoming the Night: Minchah and Ma’ariv (Afternoon and Evening Prayer)*. Woodstock, Vt.: Jewish Lights, 2005, p. 61.



LIVING THE MITZVOT TODAY AND TOMORROW – TEXT 4

דברים ד : ד-ח

ד ואתם הדבקים ביהוה אלהיכם חיים כלכם היום. ה ראה למדתי אתכם חקים ומשפטים כאשר צוני יהוה אלהי, לעשות כן בקרב הארץ אשר אתם באים שמה לרשתה. ו ושמרתם ועשיתם כי הוא חכמתכם ובינתכם לעיני העמים, אשר ישמעון את כל-החקים האלה ואמרו רק עם-חכם ונבון הגוי הגדול הזה. ז כי מי-גוי גדול אשר-לו אלהים קרבים אליו כיהוה אלהינו בכל-קראנו אליו. ח ומי גוי גדול אשר-לו חקים ומשפטים צדיקים ככל התורה הזאת אשר אנכי נתן לפניכם היום.

DEUTERONOMY 4:4-8

4 And you who are clinging to the Lord your God are all living today. **5** Look, I have taught you laws and rules, as the Lord my God commanded me, for you to do in the land to which you go to possess it. **6** Keep and do them, for that will be proof of your wisdom and understanding to other peoples, who on hearing of all these laws will say, “Surely that great nation is a wise and understanding people.” **7** For what great nation is there that has a god so close at hand as is the Lord our God whenever we call to him? **8** Or what great nation has laws and rules as perfect as all this Torah that I set before you today?

STUDY QUESTIONS

- This passage from Deuteronomy suggests other motivations for observing the mitzvot. What are they?
- Verse 4:4 may be familiar to you from synagogue services. When do we recite it?
- What kind of relationship between people, God and the mitzvot is expressed in this passage? How could this passage be effective in helping someone take another step toward Jewish observance?



LIVING THE MITZVOT TODAY AND TOMORROW – TEXT FOR GROUP STUDY

שמות כב: כד-כו

כד אִם-כֶּסֶף תִּלְוֶה אֶת-עַמִּי, אֶת-הָעֲנִי עִמָּךְ לֹא-תִהְיֶה לוֹ כְּנִשָּׁה, לֹא-תִשְׁיִמּוּן עָלָיו נֶשֶׁךְ. כה אִם-חֶבֶל תַּחְבֵּל שְׁלֵמַת רֵעֶךָ, עַד-בֹּא הַשֶּׁמֶשׁ תִּשְׁיָבֶנּוּ לוֹ. כו כִּי הוּא כְּסוּתָהּ לְבִדָּהּ הוּא שְׁמֶלְתּוֹ לְעֵרוֹ, בַּמָּה יִשְׁכַּב וְהִיא כִּי-יִצְעַק אֵלַי וְשָׁמַעְתִּי כִּי-חֲנוּן אֲנִי.

Exodus 22:24-26

24 If you lend money to my people, to the poor among you, you shall not act toward him as a creditor, you shall not exact interest from him. **25** If you take your neighbor's garment as a pledge, you shall return it to him before the sun sets; **26** for it is his only cover, his garment for his skin. In what [else] shall he sleep? Therefore, if he cries out to me, I will pay attention, for I am compassionate.

שמות כג

ט וְגַר לֹא תִלְחָץ, וְאַתֶּם יִדְעֶתֶם אֶת-נַפְשׁ הַגֵּר כִּי-גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרָיִם.

Exodus 23:9

You shall not oppress a stranger, and you know the soul of a stranger, because you were strangers in the land of Egypt.

STUDY QUESTIONS

- How do these passages motivate us to observe mitzvot? What human qualities do these passages call forth as motivators?
- What does it mean to “know the soul of the stranger?”
- How does knowing the soul of another impact our observance of mitzvot?
- How does knowing the soul of another inform our understanding of pluralism in a Jewish context? – in a general life context? Are there differences? If so, what are they? Why?
- What about gratitude as a motivation to observe mitzvot? To be motivated by gratitude, is it necessary to believe in God? Explain.





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