

opened the gates of the ghettos and introduced the sons of authentic Judaism into the sphere of European civilization as equal citizens. Could the Jew, under these new conditions, find a loftier task than to preserve his ancestral heritage beneath the light of justice and religious freedom, even as he did during the centuries of darkness and under the oppression he suffered in a world of error and delusion? Can the Jew not absorb everything in European culture that is noble and good, godly and true, everything that accords with the teachings of his own ancestral faith? For is not European culture itself, in all its finer and nobler aspects, a daughter of that Divine heritage which the Jew himself has introduced among mankind? Now that his energies have been liberated and he has been given freedom of movement, can he not utilize these opportunities to activate all the lofty, sacred, godly, true, noble and good qualities of his own historical, eternal Judaism with even more zeal and devotion? Can he not bring these qualities out into the light of the larger world, so that the Jews, as Jews, may compete with all their neighbors of European humanity in working to promote the happiness and salvation of all mankind?

The sons of authentic Judaism, in their private and public lives, cannot devise for themselves any other religious law, nor can the existing religious Jewish communities find any other basis or objective than this. If they did so, they would thereby cease to be sons of the only extant Judaism, and they would not be able to take the existing communities and institutions of authentic Judaism with them into modern civilization.

## II.

### **Basic Conditions for the Preservation of Jewish Communal Life**

Among the varied activities in which a living organism engages during its lifetime, there are always a few that turn out to be basic to the development of the organism and that the observer must therefore examine first and foremost when he seeks to evaluate the condition of the organism. Certain secondary abilities might appear hampered or inhibited, and the natural reactions to these infirmities might produce symptoms that would fill the uninitiated observer with deep concern. But as long as the vital functions that keep the organism alive are unimpaired, the expert will take a calm view of the eventual outcome, for he knows that these functions, implanted into the organ-

ism by its wise Creator, have the power not only to keep the organism alive when it is in a state of normal good health but also to restore the balance of life when it is disrupted by sickness. That which the uninitiated will view as a degeneration will be understood by the knowledgeable observer simply as a battle, a crisis that will bring about a cure.

If, on the other hand, the disturbance lies in one of the vital functions of the organism, the expert will be seriously concerned about the outcome, even if the secondary abilities of the organism still seem unimpaired and the body may still appear healthy. For he will understand that this superficial show of vitality is merely the noisy clanking of a chain left hanging loosely after the main spring of the clockwork has broken, so that the healthy outer appearance of the organism is only a sure symptom of its inner degeneration.

All the foregoing applies also to any form of communal life, and above all to the organism that is the Jewish religious community.

The preservation of the Jewish religious community in a state of purity and integrity, indeed its very survival, is dependent on two main factors. The condition of these two factors can provide us with the surest standard for judging the condition of any Jewish religious community. Therefore, it should be our most urgent concern at all times to keep these factors in a normal state of health, or else to restore them to normalcy.

The first factor is the autonomy of the religious community, with the members freely determining all its religious activities. The other factor is *Talmud Torah*, a comprehensive familiarity and continuous occupation with the religious writings of Judaism.

The autonomy of the community represents the living body, and *Talmud Torah* the soul of Jewish communal life.

It is not the rabbinate or the board of trustees but the community itself that is the focal point of all Jewish communal life. It is from the community that all religious authority must emanate. The office and the functions of the board of trustees have meaning only to the extent that they represent the community and carry out its will. Only by virtue of the trust placed in him by the community does the *חכם*, that expert in the Law, become *מומחה לרבים*, the public authority, the rabbi in the true sense of the word.

Judaism has no "hierarchical authority" that can impose regulations

on the community, or appoint religious functionaries, against the community's will or even without consulting the community. Our Sages teach us that *אין מעמידין פרנס על הצבור אלא אם כן נמלכין בצבור* "one does not appoint a trustee for the community without first having obtained the free-willed consent of the community" (ברכות נה). They cite the example of the appointment of Bezalel, who was first introduced to Moses by the Almighty Himself with the words: *ראה קראתי בשם בצלאל וגו'*, and then by Moses to the Children of Israel with these words: *ראו קרא ה' בשם בצלאל וגו'*. "See for yourselves" that God has made him worthy of this calling by endowing him with outstanding talents (Cf. Exodus 31,2; 35,30).

The Sages further teach us that *כל גזירה שבית דין גוזרין על הצבור ולא קבלו* "any ordinance enacted by the religious authorities but not accepted by the majority of the community has no binding authority under the Law" (ירושלמי שבת פ"א הל"ד). Even the supreme authorities of religious law, men like Daniel and his council, Shammai and Hillel and their assembly, made the binding, legal authority of their own religious ordinances dependent on their acceptance by the majority of the Jewish community (שבת יד., חולין ו.).

This is the intent of the unchangeable basic law of Jewish religious communal life as sanctioned in advance by the Supreme Lawgiver, God Himself, when He proclaimed His Law at the time of *מתן תורתו* on Mount Sinai. God offered His holy Law to the entire community for their free-willed acceptance; the eternal binding authority of the Torah is based on a covenant made without coercion. Even with regard to the מצוות העתידות להתחדש, religious obligations that were added subsequently, we are taught *קימו וקבלו, קימו מה שקבלו כבר*, the Jewish people carried out only that which they had accepted previously as their obligation of their own free will (שבועות לט.).

This is precisely the reason why Jews throughout the generations have clung with such devotion and veneration to their leaders and teachers, and this, too, is the reason why they have always been ready to sacrifice their very lives even for the most tenuous religious obligation accepted by the Jewish community. Above all, none of these obligations had been imposed upon them from the outside. Whatever had become part of their religious duties could be nothing else than that which their ancestors had already recognized as being in character with the spirit of Judaism and hence conducive to the accomplishment

of Judaism's lofty mission. For this reason our ancestors, who accepted these obligations gladly and of their own free will, bequeathed them to their descendants as a sacred heritage so that the latter, too, could acquire the same attitude towards fulfilling these obligations and the same willingness to make sacrifices that characterized their forebears.

The proud and spontaneous participation of all the members of the community in the selection of their representatives and teachers, and in the preservation and the implementation of God's Law, is a basic prerequisite for Jewish communal life. Only through such free-willed participation does the community truly become a community of Him Who did not entrust the sacred treasure of His Law merely to the priests and Levites but placed it into the hands of His entire community. God commanded, again and again, that every male householder in Israel should be summoned by name and counted in the host to rally around His Law.

The more completely the community as a whole participates in the management of its most personal sacred concerns, even after the community has instructed its elected teachers and representatives to accomplish the tasks incumbent on the community, the more healthy, vital and prosperous that community will become.

On the other hand, the more the performance of the community's collective religious obligations is left to the so-called "professionals," to the trustees and the rabbinate, the less the *יחיד*, the individual, will make use (or the more he will be deprived) of his right, authority and opportunity to activate the best of his strength and insight for the religious concerns of the whole. The community is then headed to disintegration, and the whole will gradually atrophy due to the passive indifference of its parts. The individual's insights needed for the evaluation of the community's religious concerns and the joyous devotion to the cause of the whole will be increasingly lost. In the end, it will be claimed that there is no other choice but to entrust the religious concerns of the community to a small, usually self-perpetuating group because there are no other individuals with the intelligence and strength required for such tasks. *But those who present such claims forget that they themselves have brought about this unhealthy state of affairs because, contrary to the dictates of their duty, they failed to awaken and educate the spirit and willpower of others for the religious cause of the*

*community at large, and did not cultivate and strengthen these qualities through constant practice.*

Eventually, things may come to a point where the affairs of the community will be managed entirely by a closed circle of individuals who represent everything except the convictions and attitudes of the community. These individuals, as the result of their unnatural position of authority, may completely lose sight of the fact that, in reality, they are subject to the authority of the community, and that both they and the community are subject to the eternal power of the religious law and of Him Who gave it. Such individuals may then feel they can treat Judaism like a puppet subject to their momentary whims. The *יחידים*, the individual members of the community, may not even realize that they are entitled to protest such goings-on. The *יחיד* will be deluding himself if he thinks his conscience need not trouble him even if the religious cause of the community as a whole is about to go down in defeat.

Such an unhealthy state of affairs in a Jewish religious community may seem legitimate, or it may appear to lack only formal legalization, or perhaps it may have no basis whatsoever in the statutes of the community. But no matter what the situation, such a community is sick, suffering from a morbid condition.

It may happen that a community has elected a certain number of men to administer its religious affairs, with the stipulation that this board henceforth perpetuate itself by appointing new members as needed, without the necessity of resorting each time to an election. If a community has done that, then it has, quite legally but most irresponsibly, sold itself and its most sacred concerns to the hazards of chance. To the outside, these officials may seem to enjoy the confidence of their community, but now, years after the last election, all this is pure deception. Each member of such a self-perpetuating body owes his appointment only to the trust of his colleagues, so that it is a matter of chance whether the views and attitudes of these individuals happen to coincide with the views of the community. This is an example of an unhealthy condition brought about by legal means.

But a similar situation can arise entirely without the approval or action of the community. For instance, a civic government may deem it expedient to enact laws regulating the affairs of the Jewish religious communities to which its Jewish subjects belong. The government may be guided by the opinions of certain Jewish individuals whose general

education and personality make the government think they have insight also into Jewish affairs and a positive attitude toward Jewish law. The government then does not consider it necessary to gather first-hand information about the unique legal provisions on which the life of any Jewish religious community is based. That government may proceed to frame a constitution for the Jewish community on the pattern of legal ordinances suited for other conditions, without taking into account the fact that any independent organism, particularly one as unique as that of Judaism, requires special soil suited to its individual needs if it is to grow and prosper. By forgetting this reality, the government, motivated by the best of intentions, creates a form of Jewish communal life which on the face of it may appear entirely appropriate but which in fact—though the government does not know it—can serve only to stifle Jewish communal life.

Both these situations, the lack of ongoing elections for community officials and a government-imposed communal structure, were utterly foreign to the thinking of our forebears.

Over the centuries, no Jewish community has ever had so little self-respect or has been so unaware of its duties that it would voluntarily renounce the most hallowed right which is inextricably linked with the fulfillment of its great and ever-sacred obligation to the mission of Judaism. The Jewish community has always cherished its right to elect independently the men to whom it can safely entrust its heritage, and to keep a watchful eye on the welfare of that heritage under the care of its representatives, so that, if necessary, it can protect its sacred values by lawful expressions of its will.

In fact, though they harshly oppressed the Jews, states and governments always had such great respect for the unique values of Judaism, hallowed by a tradition of thousands of years, that they never attempted to interfere with the inner workings of the Jewish communities within their lands. It is true that the emperors and empires, the governments and princes of old took note of developments in the Jewish religious communities under their rule and, in many instances, lent their active support to preserve or restore the time-honored communal order whenever the need for such action arose. But they always wielded their authority only to implement that which had already gained the right to exist on its own unique soil as a result of the undisturbed inner development of Jewish communal life.

The Jewish community as it was then—self-respecting, known for

its good sense and circumspection, devotion and vigor, its sense of order and solidarity—was such that even its enemies had to feel respect for this entity that had survived centuries of tests and trials.

The social aspects of Jewish life were frequently restricted, but Jewish religious and communal life was left inviolate.

It was left to our demoralized age to see sons of the communities of Jacob, estranged from the religious life of their own communities, denying and even despising the unique essence of their own tradition. Here were members of these very communities, generally considered the most educated and hence the most knowledgeable among their co-religionists, declaring that their communities were obsolete and dying, not worthy of a closer, penetrating study. And so the governments could think that they were only performing an act of kindness and a deed of rescue if they ignored the unique character of Jewish communal life and replaced it with a new structure that was foreign to it.

A third situation is one in which, without making any changes in the communal statutes, the members of the community regard their religious concerns as a burden of which any individual would be happy to rid himself and leave almost entirely in the hands of a few men (more recently, albeit only in a very few cases, these men are paid a salary for their services). Such a situation often arises unnoticed as the result of temporary problems which occur almost inevitably from time to time within any community that is truly alive and really exercises its functions. The more active the community and the more vital its development, the more is it incumbent on that community to pay attention to such symptoms.

This situation arises because the members believe that things are more peaceful, more quiet and more decorous when no member of the community has the right to “meddle” in the community’s affairs, when the most important business is settled by a board of just a few men, with only a few strokes of the pen. But then things are also peaceful in the graveyard and quiet in the mortuary. The dead do not engage in arguments. Once a man has died there is not even a pulse left. Powerlessness in itself is a picture of peace and quiet, just like death.

But where the spirit of the whole still feeds and invigorates even the last root of an organism’s hair, where the blood flows from all the blood vessels to the heart and from the heart back to all the blood

vessels, where the heights of activity are attained only by the concerted action of the organism as a whole, then every movement, every segment of life itself is the result of a struggle. The sinews grow tense, the muscles twitch, the pulses beat, the chest heaves, strength and marrow interact, and the product of all this is life.

This applies also to the living community, particularly when a significant vital function of the community is expressed. Here the result not only may be but must be a give-and-take struggle of views and opinions. Here peace and quiet must not be allowed to prevail. There must be continuous, and often lively, noisy movement. It must be remembered that disputes help crystallize views and that debate serves to unify the strength and the fruit of the whole. As long as it is all לשם שמים, for the common cause and with the purest of intentions, lively debate and noise in the meeting hall mean life itself.

However, precisely this pulsating communal life, the noise in the meeting hall, frequently repels the best individuals who are otherwise the most sensible members of the whole. They like peace and quiet; any dispute, even one that is inevitable, goes against their grain. Injured vanity, the unpleasant feelings engendered by disagreements, the triumph of opposing views—things that anyone who truly seeks the welfare of the community לשם שמים will gladly and selflessly endure—often make weak individuals sick of Jewish communal affairs. As a result, though this is contrary to the dictates of their duty, they stay away when the sacred concerns of Jewish communal life would demand the presence of every individual. More and more, the meetings will be attended only by individuals with little insight, and since the business for which the meetings are called must be settled, it is settled in accordance with the views of those who have done their duty by being in attendance. It is only natural that, under such circumstances, communal developments increasingly tend to take a course that is contrary to the views of those who do not come to the meetings. Those who stay away from the meetings then become more and more unhappy with what is going on, but due to their lack of judgment they do not see that, by their failure to attend the meetings, they largely have only themselves to blame for the sad decline about which they complain. This lack of judgment and this weakness give rise to the morbid condition which we have described earlier.

However, there is a simple cure for all these unhealthy conditions.



If a community has abdicated its self-determination by laws of its own making, it can use the same legal means to retrieve those inalienable rights. Any constitutional problem within the Jewish community that has been enacted by a majority vote can also be changed back by a majority vote.

If the circulation of communal life was shut off by governmental decree, preventing the community from having a voice in its own affairs, probably all that is needed to bring about the needed change is a serious, frank presentation and explanation of the inviolable prerequisites for the existence of any Jewish religious community. For surely the governments have enacted these decrees only with the best of intentions; they are not to blame if their intentions did not provide the soil necessary for a flourishing Jewish communal life. They sought to promote religion, not to stifle it. Their aim was to encourage development, not to restrict it. They wanted to bring about the flowering, not the death, of the Jewish religious community. And so they would be happy, at long last, to restore to the life of the Jewish religious community that unique soil, in and upon which alone it can flourish and aspire to perfection.

Finally, the hour demands that we reawaken and stir up that communal life which has suffered as the result of ignorance and inner weakness. We must inspire all the members of the community with strength and a renewed sense of duty so that all petty considerations of personalities, vanity and faintheartedness may vanish in the face of our great and sacred cause. The life of the Jewish religious community may then reach that healthy state of development which alone will enable it to uphold its lofty, Divine calling as an instrument of God's holy Will.

But the healthy organism can shape only the body, as it were, of Jewish communal life. If this organism is to translate Judaism into living reality, if it is to possess the insights into what Judaism may expect from the personal and communal lives of its adherents, and if the will of the whole and of all its parts is to subordinate itself happily to these insights, then a second factor, one which we have already mentioned at the outset, is required. This factor is *Talmud Torah*, the universal knowledge of the Torah. In our next essay we will study the significance of this factor in the life of the Jewish religious community.