

EMOR 5767 EXPERIENCE OVER THEORY

Shabbat Shalom.

This week, the Rabbinical Assembly – the association of 1700 Conservative rabbis worldwide – held its annual convention in Cambridge. It was a gathering filled with learning, discussion, and reconnecting with friends. Having it just ten miles from home was a mixed blessing. On the one hand, I saved on the hotel and travel costs and my time by not having to fly; but on the other, since I still drove carpool, tried to help out at home, and did some of my synagogue teaching and essential shul business, it was a bit challenging. During the week, it seemed as if I was everywhere at the same time and thus, a bit ... nowhere.

It even began in a hurry. I was quite excited to attend the opening plenary on Sunday afternoon with Ron Heifetz, the director of the Leadership Education Project at the Kennedy School at Harvard. I studied with him some 15 years ago, and his insights into the importance of reflecting on one's actions as one leads are ones I utilize regularly in my life. As it happened, I was running late after a slight muscle sprain from our synagogue softball victory in the morning, so I headed out armed with my MapQuest directions to find the Hyatt Hotel. It was actually quite simple: head down Route 2, make my way to Memorial Drive, and then find the hotel. But, I had forgotten that Memorial Drive is closed on Sundays, and so I took Storrow Drive. But I must have missed the right exit, and I ended up getting off farther east, heading towards Commonwealth Avenue. I asked a cab driver how to turn around. He told me, but again the confusing ramps, the absence of signs, and my lack of experience with Boston's roads led me astray, and I ended up back on Storrow Drive, but still heading east. I was afraid to take a different exit, so I waited until Government Center by MGH to reverse my direction. All was well, going west and then over the Charles, but I missed the hotel's parking lot and ended up on another adventure getting lost in and around MIT until I finally made it.

This morning's Torah reading, *Parashat Emor*, contains numerous laws pertaining to our calendar – an overview of the holidays – and laws for the Kohanim, the priests. Those who would serve as religious exemplars in the Mishkan, the temporary sanctuary utilized by the Israelites in the wilderness and in the Beit Hamikdash, the Holy Temple in Jerusalem, are supposed to live on a different level. One of the laws from today's parashah is that a Kohein should not marry a woman who is divorced (Leviticus 21:7).

The Talmud reaffirms this prohibition and even states penalties for the Kohein who does marry a divorcee – he loses his privileges as a Kohein, though the marriage is considered valid in Jewish law. The recommendation, however, is that these marriages be dissolved.

Professor Jonathan Sarna of Brandeis University taught at the convention that as immigrant groups came to America, their religious experience changed dramatically and so did their responses to Jewish law. Since in America, people rubbed elbows more, there was more mixing, and a more liberal and open society emerged; whereas in Europe, religious groups, especially Jews, kept more apart from each other. Not only were Jews more open to their new society, but also their communities were quite weak with no rabbis who came permanently to these shores until 1842.

One of the laws in this week's Torah reading, *Parashat Emor*, is reflected in the events of that time. We find documents where a Kohein wanted to marry a widow who was a convert which, while not banned by Torah law, is prohibited by rabbinic interpretation. Although the "*kiddushin are tofsin*," the marriage is a marriage, this was against the official decree of the religious authority of the time, even two hundred years ago. One such marriage was explicitly prohibited by the leaders of the Mikveh Israel congregation in Philadelphia (the largest in America at the time), and the couple was to be excommunicated from the community. But America fostered an open attitude and a willingness to reexamine Jewish legal viewpoints, especially some disqualifications. That openness was viewed by some people as a value on par with, or even more important than, traditional halakhah (Jewish law).

In this particular case, we have the actual ketubah, the wedding contract, even though the leadership explicitly prohibited the wedding. In fact, that wedding contract is signed by the great American Jewish leader who helped finance the American Revolution - American and Jewish leader: Haym Solomon.

Communities act based not just on legal principles, but also on their own experiences. Thus, the Kohein who was told not to marry this woman did have a Jewish wedding, having found other Jews to arrange and witness his wedding with a *huppah* and the traditional wedding ceremony. Eventually he was forgiven and, much later, even became president of the congregation!

The Conservative Movement has always been open to major changes based on new moral and social perceptions. The daring ad-hoc acts of the late 18th Century found a more official and appropriate expression within the Conservative Movement. In 1952, the Committee of Jewish Law and Standards (the central body which determines halakhah for Conservative Jews) adopted a *teshuvah* (a religious responsum) by Rabbi Ben Zion Bokser, z"l, that permitted rabbis to officiate at a wedding of a Kohein and a convert and, in 1967, permitted marriages between a Kohein and a divorcee. Again, while these marriages were prohibited by Jewish law, if they occurred, the marriage was valid and the children were Jewish children with no stigma attached to them. This has been expanded by more recent teshuvot including those by Rabbi Arnold Goodman in 1996.

Another example from a different religion. James Carroll, a former priest and chaplain at BU and the author of *Constantine's Sword*, a landmark work on Christian anti-Semitism, closed the convention on Thursday. He shared with us the example of the Catholic Church here in Boston in the 1950's. Father Feeney was a priest who preached on Boston Common "no salvation outside the Church," meaning that if you did not believe in Jesus, you would go to hell. In particular, he targeted Jews as the central example.

Feeney's boss was Cardinal Cushing, and each Sunday night, Cushing had dinner with his sister Dolly, who had married Dick Pearlstein. As a Jew, Dick did not care for Feeney's offensive speeches on Boston Common and told his brother-in-law so. In 1950 Cushing told Feeney to stop preaching "no salvation outside of the Church," even though it had clearly been part of the Church's official doctrine for hundreds of years.

Feeney did not stop – he wanted to continue to assault the "heresy of Americanism" as some parts of the Church called it. Since he did not stop, Cardinal Cushing excommunicated him in 1953. Feeney appealed to the Vatican, which upheld the excommunication. Carroll recounted that he remembered this event - the news of this carried to his Virginia home. As a ten-year-old boy at that time, he asked his mother "don't we believe in 'no salvation outside the Church'?" – something he was taught as a young boy with vivid descriptions of hell. His mother replied "No, we believe in 'live and let live.'"

Influenced by his own experience and a Jew, Cardinal Cushing changed Church doctrine. In fact, he was responsible for several speeches at the Second Vatican Council that ended up in the renunciation of the Christ-killer slander against Jews and perhaps, more importantly and more provocatively for Christians, the acknowledgment that the Church believes that Jews also have a permanent covenant with God, a covenant that was not superseded by the Christian belief of a later covenant with Jesus.

These examples demonstrate that in America we take our truth from experience as well as from tradition. Since we have changed our social perceptions about how we view women, those who are divorced and those who are gay, our laws, both civil and religious, have changed in response to this.

While it's clear that we moderns sometimes utilize our own experience and perceptions as much as our Jewish tradition, there are risks. We must be aware that there must be limits to change. To continue the tradition, we must build on what came before – it must be a part of the same ancient narrative, even as we infuse it with new and different meaning. This critical issue of limits to change is quite challenging in our liberal American society. We should think critically about these limits and the dangers of riding roughshod over classic Jewish practice.

Let me take you back to my Sunday trip on Storrow Drive for a moment – upon reflection, I probably should have tried to pull over and determine the best way. Or, better yet, maybe I should just break down and finally buy one of those portable GPS navigation systems to help me find my way. But, as I got lost and then more and more lost, I learned three valuable lessons.

First, I drove through some parts of Boston and Cambridge and now know my way a bit better. I learned from this experience. Second, as I kept making the wrong choices and becoming later and later for the session, I got frustrated, especially when I passed the hotel and found myself in a 15-minute detour. But then I laughed – the fact that I could not get to the hotel even though I was just a hundred feet away was absurd – laughter can be a good response to a difficult situation. Last, I realized that a GPS - that is, the received wisdom of learning and tradition - could have helped me greatly.

Thus, our encounter with modern life and our exploration of received wisdom and a wry awareness that neither has all the answers may provide a good path, a modern halakhah.

Shabbat Shalom.