

[Editorial note: In December 2017, the Association for Jewish Studies (the professional association for Jewish studies academics) held its annual conference in Washington, DC. Two sessions, chaired by Dr. Ira Robinson of Concordia University in Montreal, were on “Halakhah for Ordinary Jews: Popular Halakhic Guides from the Nineteenth to the Twenty-First Centuries.” For these sessions, ten papers were distributed in advance. During the panel sessions, each presenter gave a five-minute synopsis and then moved to responding to questions. (Other papers looked at topics from the recent Orthodox emphasis on female “modesty” in clothing; the popular *Kitzur Shulchan Aruch* (a 19<sup>th</sup> century abridgment) and its role in Orthodox sex education; an Orthodox “internet rabbi;” and a groundbreaking Reform Jewish guide to practice from the 1950s.) Robert Tabak’s paper on the recent Reconstructionist publication, *A Guide to Jewish Practice*, was part of this panel. With the author’s permission, we are pleased to share the paper with you here.]

**The Reconstructionist *Guide to Jewish Practice*: Multiple Paths for Non-Halakhic Observance**

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From a Reconstructionist Jewish approach, this panel’s title is too narrow, as the movement does not define itself as a *halakhic* movement. Indeed, the second sentence of the introduction to volume 1 of the Reconstructionist movement’s recent *Guide to Jewish Practice*, the focus of this paper, states, “Most of us do not see ourselves as bound by *halakha* (Jewish law), but we seek to be guided by *minhag* (Jewish custom) and thought.” It continues, “We want to build our own way, shaping our lives as thinking, contemporary individuals within the context of the richness of Jewish practice and ideas.”<sup>2</sup>

The question of practice has long been discussed within Reconstructionist Judaism, even in the decades before it firmly established itself not only as a school of thought but a religious denomination or

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<sup>1</sup> Self disclosure. The author was a commentator or contributor to each of the three volumes of the *Guide to Jewish Practice*.

<sup>2</sup> David A. Teutsch, (ed.) *A Guide to Jewish Practice: Volume 1, Everyday Living* (Reconstructionist Rabbinical College Press, Wyncote PA, 2011), p. xix. This was followed by David A. Teutsch, with Richard Hirsh, (eds.), *A Guide to Jewish Practice: Volume 2, Shabbat and Holidays*, (Reconstructionist Rabbinical College Press, Wyncote PA, 2014) David A. Teutsch (ed.), *A Guide to Jewish Practice: Volume 3, The Life Cycle* (Reconstructionist Rabbinical College Press, Wyncote PA, 2014). Hereafter, these volumes will be cited briefly as “*Guide*.”

movement.<sup>3</sup> Mordecai Kaplan, founder of Reconstructionist Judaism and his immediate followers experimented with some changes in Jewish tradition, including expanding the bat mitzvah in 1922, and proposing more rights for women in Judaism.<sup>4</sup> Individual leaders identified with Reconstructionism including Kaplan and Ira Eisenstein—still participants in the emerging Conservative movement-- made decisions not consistent with traditional halakhah, though often individually and on an ad hoc basis.

The emerging Conservative movement—Kaplan’s home-- was reluctant through the 1940s to formally modify practice guidelines in ways that would differentiate the movement from Orthodox Judaism.<sup>5</sup> Kaplan and his followers were more willing to conceptualize such changes. Ideology and changes in Reconstructionist liturgy have received more attention than modifications to practice or to how to view Jewish observance.<sup>6</sup> A significant research gap is that there is apparently no ethnographic study of one or more Reconstructionist communities in practice.<sup>7</sup>

## EARLY STAGES

In 1941 the *Reconstructionist* magazine discussed creating a guide for practice. “This is the first of a series of four articles containing a summary report by [Rabbi] A. Elihu Michaelson of an informal conference of the Editorial Board of *The Reconstructionist*, held during the week of June 8, 1941.” The conference engaged in a preliminary discussion looking to the preparation of a much needed guide to

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<sup>3</sup> Often dated by the opening of the Reconstructionist Rabbinical College (abbreviated RRC) in Philadelphia in 1968. Tabak, Robert P. "Reconstructionist Rabbinical College." *Encyclopaedia Judaica*, edited by Michael Berenbaum and Fred Skolnik, 2nd ed., vol. 17, Macmillan Reference USA, 2007, p. 149. Accessed 16 Nov. 2017.

<sup>4</sup> For example, M. Kaplan, *The Future of the American Jew* (New York, 1948), “The Need to Amend the Jewish Law,” p. 410-12 in a longer section on “The Status of Woman in Jewish Law,” calls on “Jewish women throughout the world to inaugurate a movement that will aim to remove the religious, civic, and juridical disabilities which traditional Jewish law imposes on them...” p. 412. See scholar Mel Scult on much earlier statements by Kaplan, <https://kaplancenter.org/mordecai-kaplan-women> .

<sup>5</sup> For example, Jonathan Sarna, *American Judaism: A History*, (Yale Univ. Press, New Haven, 2004) pp.237-42.

<sup>6</sup> See Eric Caplan, “Reconstructionist Prayer Within the Context of Contemporary North American Jewish Life,” (Ph.D. diss.) McGill University, Montreal, 1998 and Deborah Dash Moore on the 1940-41 haggadah, “Democracy and *The New Haggadah*,” *American Jewish History* 95:4 (December 2009), pp. 323-348. More generally, see Hirsh, Richard. "Reconstructionism." *Encyclopaedia Judaica*, edited by Michael Berenbaum and Fred Skolnik, 2nd ed., vol. 17, Macmillan Reference USA, 2007, pp. 146-149 Accessed 16 Nov. 2017.

<sup>7</sup> The single statistically significant study of the movement, including patterns of observance, is now dated. Jewish Reconstructionist Federation, “1996 Demographic Study of the Reconstructionist Movement—Full Report” (1996, Michael Rappoport, R &L Associates, Princeton NJ)

Jewish ritual usage.<sup>8</sup> The discussion continued with an additional gathering in the summer of 1942, followed by considerable correspondence on the topic of ritual practices until the end of that year.<sup>9</sup>

Later, in *The Future of American Jew*, Kaplan used the earlier articles as the basis of a section, "Toward a Guide to Jewish Practice" emphasizing pluralism, folkways, and less focus on prohibitions. He also argued for a Jewish ethical code as well as a ritual code for the modern world.<sup>10</sup> However, the Guide remained a concept until the 1962 "Guide for Jewish Ritual" with 48 pages including notes. This *Guide* offered brief chapters on principles of evaluation, the Sabbath, holidays, public worship, the life time of the Jew (four pages, plus three more on death and mourning), and kashrut.<sup>11</sup> Clearly, this initial attempt was quite brief.

## RECONSTRUCTIONIST RABBINIC LEADERSHIP

The Reconstructionist Rabbinical Association (RRA), founded in 1974 by new graduates of RRC, almost all in their late 20s, was joined by some veteran Reconstructionist rabbis. As Richard Hirsh wrote, "As an independent movement, Reconstructionism had to grapple with creating positions and practices that, if not exactly couched as a return to *halakhah*, meant a serious engagement with *halakhah*."<sup>12</sup> The rabbis soon began discussing several areas of Jewish practice related to rabbinic roles. After several years of study of classic and modern practices, they issued "Guidelines on Conversion" in 1979, "Guidelines on Religious Standards" (1980) and "Guidelines on Inter-marriage" in

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<sup>8</sup> *Reconstructionist*, vol. 7:13 Oct. 31, 1941 "Toward a Guide for Jewish Ritual Usage" Part 1, current attitudes"

<sup>9</sup> *Reconstructionist*, Oct, 2 1942, Vol. 8:11, by Eugene Cohen pp. 16-20, "The Reconstructionist Summer Conference. Ben Zion Bokser and Ira Eisenstein were among those to lead discussion of a guide to Jewish practice. Subsequent issues had more discussion. Among numerous letters to the editor, see for example Rabbi Jacob Trachtenberg on Reform Judaism, *Reconstructionist*, Dec 11, 1942 Vol. 8:16 pp. 17,20 in an issue headlined "Yizkor," mourning more than a million Jews killed by the Nazis in Europe. I am grateful to Richard Hirsh for calling my attention to these articles.

<sup>10</sup> Kaplan, *The Future of the American Jew*, 1948."Toward a Guide for Jewish Ritual Usage," pp.413-428, and "What is a 'Good Jew'?" pp. 347ff.

<sup>11</sup> "A Guide to Jewish Ritual," Reconstructionist Press, New York, 1962. The preface is by Ira Eisenstein, who thanks Rabbi Ludwig Nadelmann for his editorial role. [preface, unpagged].

<sup>12</sup> Hirsh, Richard. "Reconstructionism." *Encyclopaedia Judaica*, edited by Michael Berenbaum and Fred Skolnik, 2nd ed., vol. 17, Macmillan Reference USA, 2007, p.148. Accessed 16 Nov. 2017.

1983. The “Religious Standards” statement called on local congregations to develop religious standards locally, with the RRA playing a role in creating guides for areas with major rabbinic roles, such as conversion, marriage, and divorce.<sup>13</sup> An RRA Responsa committee, chaired by Rabbi Robert Aronowitz, an Orthodox-trained rabbi who joined the RRA, issued a handful of responsa to advise rabbis (one related to surrogate motherhood around the time of the “Baby M” case ca. 1989) but its writings and even existence have been virtually forgotten.<sup>14</sup> The RRA issued a rabbis’ manual, after years of preliminary work, in 1997. This included a number of innovations, including the first gay commitment (wedding) ceremony in a rabbinic manual.

### **Overview – *The Guide to Jewish Practice (2011-2014)***

#### **Writing and editing the Guide**

There was no major ritual publication by the Reconstructionist movement as a whole, aimed at congregants as well as rabbis, between 1962 and 2001 when a new generation of affiliated rabbis and lay people had emerged. In 2001, Richard Hirsh, executive director of the Reconstructionist Rabbinical Association, wrote a guide to mourning and funeral practices as a prospective guide for a siddur edition for mourners. Because of the constant need for written advice that rabbis could distribute to mourners, this was subsequently published as a pamphlet by the RRA. However, it was copyright by Richard Hirsh and was framed as “not a policy of the RRA.”<sup>15</sup> This distancing removed the need for a more collective editorial approach and committee vetting which probably would have taken several years.

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<sup>13</sup> These early resolutions are posted on the RRA website, <http://therra.org/resolutions.php>. The 1979 resolution on conversion has been superseded by new guidelines, [RRA Guidelines on Giyyur \(Conversion\)](#), 2009, as well as a document on personal status, [RRA Guidelines on Ishut](#) (2013). The newer guidelines are not posted publicly and only available to RRA members. <http://therra.org/member-resources.php> accessed Nov. 16, 2017. However, many of the values and some of the text of these documents influence sections of the *Guide*, vol. 3.

<sup>14</sup> Rabbi Aronowitz died ca. 2000 after a long illness. The RRA responsa committee had not been active for a number of years.

<sup>15</sup> Richard Hirsh, interview, 9 October 2017. The 2001 pamphlet, “The Journey of Mourning: A Reconstructionist Guide” was essentially the same as a section with the same title, also by Richard Hirsh, included in the paperback prayer book *Kol Haneshemah: Prayers for a House of Mourning* (The Reconstructionist Press, Elkins Park PA, 2001). This work is also largely the same (augmented by the addition of multiple commentaries) as R. Hirsh, “The Journey

At the same time, David Teutsch was working to bring publications on ethics and Jewish practice to a wider public. The first booklet in what would later become the *Guide to Jewish Practice*, on kashrut, was completed in 1999. The anthology, *Behoref Hayimim: In the Winter of Life: A Values-Based Jewish Guide for Decision Making at the End of Life*. Teutsch edited both volumes.<sup>16</sup>

Unlike the Reconstructionist *siddur* (prayer book) series, *Kol Haneshamah*, which took some 15 years to complete and whose publications spanned the decade 1999-2009<sup>17</sup>, the *Guide to Jewish Practice* was not vetted by an editorial committee. David Teutsch, director of the Levin-Lieber Program in Jewish Ethics at RRC and a leading Reconstructionist thinker, was the editor, joined especially by Richard Hirsh, executive director of the RRA<sup>18</sup>. This project did not include representatives of the Jewish Reconstructionist Federation (as the congregational arm was then known) who wanted full representation as had been the case on the Prayerbook Commission. Instead, an advisory committee that included lay people and rabbis was created that could offer comments and suggestions but did not have control or formally vote on content. Richard Hirsh said the advisory committee “worked well.” Other non-rabbis with experience and expertise offered comments as well. David Teutsch pointed to helpful input on issues including the wording around abortion and Down syndrome as well as a section on surrogate mothers that was modified as a result of suggestions from people with life experience with these issues.<sup>19</sup>

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of Mourning,” a booklet published by RRC in 2006, which later became a section in vol. 3 of the *Guide*, (2014) “The Journey of Mourning,” pp. 411-478.

<sup>16</sup> Note the overarching title of the first booklet: “A Guide to Jewish Practice: Introduction; Attitudes, Values and Beliefs; Kashrut: The Jewish Dietary Laws,” RRC in cooperation with the RRA, 2000. The kashrut volume introduced the pattern of marginal commentators on the central text, followed throughout later volumes. *Behoref Hayamim*, RRC Center for Ethics, 2002.

<sup>17</sup> Teutsch was editor of the *Kol Haneshamah* liturgy publications, a preliminary erev Shabbat prayer book plus six later volumes, which spanned the decade 1999-2009. The initial publication was preceded by a several years of preparatory work. In vol. 3 (2014), he says, “The writing and editing process lasted for 15 years...” p.xvii.

<sup>18</sup> Hirsh graduated from RRC in 1981. He is credited on the title page of Vol. 2 of the *Guide* as assistant editor, and thanked in the brief intro to vol. 3 for writing “Most of the main text of this volume.....” p.xvii. Hirsh is the author of several major sections of the third volume, including those on arrival of children, conversion, and death/mourning (all with the addition of multiple commentators.)

<sup>19</sup> Interviews with R. Hirsh and D. Teutsch, op.cit.

All works, individual or collective, are products of a particular era and location. The editor, assistant editor, and a number of the main contributors are Reconstructionist rabbis of a generation who graduated as rabbis in the late 1970s through 1980s, though there are many younger commentators. In a way, the work represents what Richard Hirsh described as “a snapshot of the current movement.” He added that American Judaism has changed over the period of 2000-2014 when the Guide was being conceived and written, and it may be that “the paradigm it is predicated on might not be as compelling.”<sup>20</sup>

Some of the issues raised by Haym Soloveitchik may be contrasted with this Guide. Soloveitchik noted “the new and controlling role that texts now play in contemporary religious life.”<sup>21</sup> This guide is a text, but its multi-vocal nature invites readers, including those who have no particular *minhag* or pattern of observance, to consider options. Commentators at times voice alternatives, saying in effect to a *minhag* (practice) described in the text, “Not me,” or “Not in my place.”<sup>22</sup>

## Unique Features

The Reconstructionist guide is unique in several ways.<sup>23</sup> First, this decidedly non-Orthodox guide, unlike many publications (including many from the liberal movements, such the earlier brief 1962 Reconstructionist “Guide to Ritual”), not only includes significant contributions on “ritual” observances

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<sup>20</sup> Teutsch graduated from HUC-JIR in 1977, Hirsh from RRC in 1981. Hirsh’s comments from interview 9 Oct 2017.

<sup>21</sup> Haym Soloveitchik, “Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy,” *Tradition*, Vol. 28, No. 4 (Summer 1994) <https://www.lookstein.org/professional-dev/rupture-reconstruction-transformation-contemporary-orthodoxy/>

<sup>22</sup> R. Hirsh, interview, 9 Oct 2017.

<sup>23</sup> One chapter of the *Guide*, on bar/bat mitzvah, has been posted on line by RRC (from Vol.3, 2014). This serves as a useful sample of content and style, including multiple commentaries. [http://www.rrc.edu/sites/default/files/ORPHAN\\_PDFs/TheLifeCycle\\_V3\\_BarBatMitzvah\\_0.pdf](http://www.rrc.edu/sites/default/files/ORPHAN_PDFs/TheLifeCycle_V3_BarBatMitzvah_0.pdf)

(those connected to the life cycle; the calendar cycle including Shabbat; and kashrut [dietary laws]).

This guide includes significant sections on **relationships with other people** (*bein adam l'havero*).

Second, this guide is **intentionally multi-vocal**. Not only have individual chapters been contributed by various writers (all Reconstructionist rabbis) but virtually every section has multiple commentaries offering kavvanot (spiritual insights), drash (insights), ethical comments, explanations, and notes on practices, some of which contrast with or contradict the main text of the article. Insights come from personal practice, rabbinic teachings, contemporary writings, and literature.<sup>24</sup> Over 100 contributors and commentators participated in the three volumes. The vast majority are Reconstructionist rabbis (serving in various posts, including congregations, Hillels, chaplaincy, education, and communal service); several non-rabbinic RRC seminary faculty and administration members; and a smaller number of actively involved lay people. For example, several of the commentators in the section on “Organizational Ethics and Economic Justice” have extensive backgrounds in business, management, or non-profit organizations.

The layout of most pages does not look like most recent books, where the views of an editor or author form the basis of that section. Deliberately going back to a version of the Vilna Talmud page (and printed versions of earlier works such as the Mishneh Torah and Shulchan Aruch), and more proximately *The Jewish Catalog*, the *Guide* includes and validates commentary and varied perspectives on almost every page.<sup>25</sup> David Teutsch is clear that the *Guide* is not a code, stating “Not all thoughtful Jews will

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<sup>24</sup> See for example a reference to an essay by Bialik connecting to kashrut. Vol. 1, p. 532.

<sup>25</sup> Richard Siegel, Michael Stassfeld, and Sharon Strassfeld, *The Jewish Catalog* (Philadelphia, Jewish Publication Society, 1973.) This format of marginal commentary was continued in the two following *Jewish Catalogs* (1976, 1980) and in Michael Strassfeld, *The Jewish Holidays: A Guide and Commentary* (New York, 1985). The Reconstructionist prayer book series, edited by David Teutsch, for example, *Kol Haneshamah: Shabbat V'hagim* (Wyncote, PA: The Reconstructionist Press, 1994) includes marginal notes, commentary, and *kavvanot* (prayer intentions.) Sections of the *Guide to Jewish Ritual* that do not include multiple commentaries include the introduction, preface, and the section outlining values used in this book (discussed below.) The section on values-based decision making (VBDM) favored by Teutsch does not include commentary, but is followed by a dissent by Barbara Hirsh, a reply by Teutsch, and another perspective by Rabbi Jeremy Schwartz.

reach the same conclusions about what to do.”<sup>26</sup> In the style of this guide, the main text provides almost no specific textual citations, though many of the commentators do.

Appropriately for a movement that sees gender equality and LGBT inclusion as cardinal values, approximately half of the commentators are women, and major sections of the second and third volumes were written by women.<sup>27</sup> Women’s commentaries enrich sections such as Purim discussions of alcohol consumption, violence in the story, and “Purim Through a Feminist Lens.”<sup>28</sup> In addition, a number of commentators identify as lesbian, gay, bisexual, or transgender.<sup>29</sup> In addition, new ceremonies or rituals are proposed to mark many life transitions including puberty, menstruation, medical assisted fertility effort, pregnancy loss, gender transition, moving into or out of a home, and school and job transitions, illness, healing, and coping with addictions.<sup>30</sup>

The third principle is **clarity about the values or principles** that the *Guide* is based upon. The first volume includes over twenty pages on “Attitudes, Beliefs and Values Shaping Jewish Practice.”<sup>31</sup> This section explicitly includes traditional values as well as values that “come out of American Judaism.” Over fifty values are listed alphabetically, for example (with the book’s translations of Hebrew terms): Bal tashhit (Avoiding waste); B’riyut (Health and wellness); B’tzelem Elohim (Human beings are created in the image of God); Democracy; Diversity; Egalitarianism; Haganat hateva (Environmentalism); Inclusion...<sup>32</sup> Each term has a paragraph of explanation. Under the term “Mitzvah (Obligation),” Teutsch writes, “Jewish tradition teaches that God gave 613 mitzvot in the Torah. While most Jews do not believe that each obligation we have was individually formulated by us for God and we realize that obligations inevitably change over time, we recognize that community can only exist if there are rules

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<sup>26</sup> Interview with Teutsch, 2 Oct 2017.

<sup>27</sup> David Teutsch was the author of the text of the first volume, as well as shorter sections in the following volumes.

<sup>28</sup> *Guide*, Vol. 2, pp. 463-505.

<sup>29</sup> This is an observation by this author based on public statements and writings by a number of commentators and contributors.

<sup>30</sup> This is only a partial list from the *Guide*, vol. 3. In many cases new prayers, poems, and rituals have been posted for these and other events on [www.ritualwell.org](http://www.ritualwell.org), a pluralistic web site sponsored by RRC.

<sup>31</sup> Section by David A Teutsch, *Guide to Jewish Practice*, Vol. 1 pp. 565-578.

<sup>32</sup> *Ibid*, pp. 566-569. These examples are selected from the pages cited.

that community members follow...Some mitzvot serve as pathways connecting us to our community and our people, to our highest values, to humanity, and to God.”<sup>33</sup> While Kaplan’s approach of living in two civilizations (Jewish and American) underlies this unapologetic listing of values, his language of “folkways” has essentially vanished from contemporary Reconstructionist discourse.

The commitment to multiple values invites discussion of the process of deciding among them, as values will often come into conflict.<sup>34</sup> A comprehensive discussion of Values Based Decision Making (VBDM) and its critiques, a hallmark of much 21<sup>st</sup> century Reconstructionist thought, is beyond the scope of this paper. VBDM sees multiple values affecting choices, rather than stating a presumed hierarchy of values (for example, *d’oraita* [from the Torah] having precedence over *d’rabbanan* [from the rabbis]). Applying these values means not all conduct is permissible.

In addition, in areas where the rabbi usually has a central role, the authors deliberately distinguish areas of practice followed by “most” “many,” or “some” Reconstructionist rabbis. This clearly guides, without binding dissenting colleagues. For example:

**“Most** Reconstructionist rabbis recommend the conversion of an adopted child for a number of reasons –the most powerful of these relating to issues of identity and status...”<sup>35</sup> If there has been no formal conversion of an adopted child, *b’diavad*, after the fact, **“Some** Reconstructionist rabbis might require some formal rituals of conversion to confirm the Jewish identity of the child. **Most** Reconstructionist rabbis would affirm a person’s adult Jewish status without requiring any formal ritual steps, although in individual cases a person might voluntarily choose some ritual of affirmation and/or formal conversion.” (emphasis added)<sup>36</sup>

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<sup>33</sup> Ibid, pp.573-74.

<sup>34</sup> These issues of values in conflict are part of traditional discourse as well, though the American-derived values are less likely to appear explicitly. For example the Talmud records a debate between the house of Hillel and the house of Shammai about honesty and weddings, namely, whether, as the followers of Hillel say, one should always use a formula praising the loveliness of the bride, or as the followers of Shammai say, words should be adjusted to her physical appearance. BT Ketubot 17a. This debate places the values of “truth” as a value against other values that could be described as *k’vod hab’riyot* (human dignity). Teutsch’s list of values includes *Emet* (Truth and integrity) p. 569 and *k’vod habriyot* (Human dignity) p. 572.

<sup>35</sup> Vol. 3, p.59

<sup>36</sup> Ibid. P.60. I am grateful to Richard Hirsh for pointing out the “many/most/some” language.

Although the Reconstructionist Guide is not *halakhic*, it draws widely and appreciatively on *halakhic* literature as sources for practice, *minhag*, and values.<sup>37</sup> For example, in the brief section on *Mikvah*, and traditional and contemporary uses, it notes, “The exact construction and size of the *mikvah* is carefully regulated by *halakha*, and most *mikvot* (sic) are constructed according to these precise specifications.”<sup>38</sup> A section on Shabbat observance provides an outline of “The *Halakhic* Shabbat Observer” prior to discussing “A New Definition of *Shomer Shabbat*,” with the note offered by Deborah Waxman that, “The non-Orthodox approach presented here presumes that committed liberal Jewish practice is as authoritative—legitimate, empowered and filled with meaning—as Orthodox practice.”<sup>39</sup>

#### **Example One—Ethics of Speech<sup>40</sup>**

The section opens with a citation of *Igeret Hagra* by the Vilna Gaon on the holiness of speech. Among the subsequent sections are “Confidentiality, Privacy and the Need to Know;” “Truth, Lies and Advertising;” “Slander and Malicious Speech;” and “Speech and Technology.” In the first two pages of the “Confidentiality...” section, four commentators cite issues and examples from Deuteronomy, Mishna Bava Batra, the Basic Laws of the State of Israel, a story about Reish Lakish and teshuva from BT Bava Metzia 84b, *a takana* of Rabbenu Gershom prohibiting reading the mail of others; the violation of

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<sup>37</sup> See also Daniel Cedarbaum, “The Role of Halakha in Reconstructionist Decision Making,” *The Reconstructionist* Vol. 65:2, Spring 2001. <http://therra.org/Reconstructionist/Spring2001.pdf> This issue features an issue on decision making.

<sup>38</sup> There are dozens of citations for *halakha* in the combined index. *Mikvah* quotation, *Guide*, vol. 1, p. 81. On p. 80, one commentator, Barbara Penzner, notes the role of *kavana* (intention) in *mikva* immersion, citing Maimonides (MT *Sefer Taharot, Mikvaot* 11.12). On the same page, Richard Hirsh notes the recent liberal re-evaluation of the *mikvah*, saying “The *mikvah* offers a classic cautionary tale for why progressive Jews ought to be conservative in deciding what is archaic and what is authentic...Another generation may need what an earlier generation discarded.”

<sup>39</sup> Shabbat observance, Vol. 2, pp. 42-60, especially pp. 42-47. This is part of a lengthy discussion of Shabbat including spiritual, personal, and community aspects as well, Vol. 2 pp. 3-72, followed by an extensive discussion of options for home and synagogue observance of Shabbat, Vol. 2 pp.73-200. The quote by Rabbi Deborah Waxman is from Vol.2, p. 45.

<sup>40</sup> First published as a booklet, “Ethics of Speech,” RRC Press,2006. In *Guide*, Vol. 1, pp.99-158.

privacy in a cell phone conversation by a physician discussing a patient made on a train; and the internet as inviting intrusive information, “Technology can breach privacy by aggregating information that is legitimately public, but was previously inaccessible on a practical level by reason of obscurity...”<sup>41</sup> A few pages farther on there is a discussion of the obligation to report sexual and physical abuse: Teutsch writes, “The commitment to confidentiality is not as great as the commitment to *pikuah nefesh*, saving a life.” The text continues, citing the teachings of the rabbis on *lo ta’amod al dam re’ekha*/do not stand idly by the blood of another person (Lev. 19:16).<sup>42</sup>

### **Example Two: Conversion to Judaism**

The guide notes the Reconstructionist (and US Reform) movement’s adoption of “ambilineal” (better known as “patrilineal” descent) as a basis for Jewish status.<sup>43</sup> This section also includes a discussion of people with some Jewish ancestry but who were not raised Jewish, or those who have ambiguous religious identities. It builds on a distinction between “identity,” “the ways in which individuals refer to themselves,” and “status,” an affirmation of a claim of identity by a community, a group of people, or some other form of collectivity” (such as a congregation or movement.) The RRA had decided in 2009, “Conversion to Judaism involves both identity and status. One takes on a Jewish identity by entering into the historical story of the Jewish people as one’s own and by living in and through the cultural-religious categories of Judaism. But *gerim* [converts] also have a need for recognition as Jews by choice by the Jewish community.”<sup>44</sup>

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<sup>41</sup> Vol 1, pp. 109-10.

<sup>42</sup> Vol. 1., p. 112

<sup>43</sup> As noted earlier, this section draws significantly on documents adopted by the RRA on conversion (2009) and on personal status (*ishut*) in 2013.

<sup>44</sup> *Guide*, Vol. 3, p.285 which builds on work by RRA, “RRA Guidelines on Giyyur,” 2009, p. 3.

<http://therra.org/RRA%202009%20Guidelines%20on%20Giyyur.pdf> and augmented by an RRA “Statement on *Ishut*, 2013” <http://therra.org/members/RRA-ITF%20Statement%20on%20Ishut%20Adopted%203.2013%20CORRECTED%20COPY%204.15.13.pdf> Both resolutions are only available on the members’ section of the RRA website, accessed 14 Nov 2017.

This section of the guide, not a handbook for the convert, discusses preparation for *Giyur* [conversion], rituals of *giyur*, conversion of children, and “affirmation,” a ritual process of a person with “some potential but ambiguous claim to Jewish status” can, in the words of a commentator, mark “returning to Judaism.”<sup>45</sup> The Guide also discusses “Growing into Identity,” a process of personal growth, learning, and experimentation that takes place “on both sides of the event.” Rabbi Barbara Penzer discusses using Shavuot, Rosh Hashanah, and Yom Kippur as potential times for inviting recent converts who wish to do so to speak “about their journey to Judaism.”<sup>46</sup>

### **Use and Reception of the *Guide for Jewish Practice***

The editors report an underlying condition: there was a need for the Reconstructionist movement to define itself at a particular historical moment. It wanted to frame questions as much as answers, asking not “Do you keep kosher?” but “What’s going on with kashrut and how do you fit in?”<sup>47</sup>

Specific uses include:

- 1) Adult education, encouraging close reading. For example, one congregation sponsored an intensive adult education program, led by its rabbi, around the “Ethics of Speech” section. Observers reported that the program affected the way people related to one another.<sup>48</sup>
- 2) To guide group decision making. An example in a number of communities is using the guide as framework to establish congregational kashrut policies.<sup>49</sup>
- 3) A reference book for individuals when they need to make decisions.

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<sup>45</sup> Guide, Vol. 3, p.331 on “Affirmation” and comment by Rabbi Roni Handler.

<sup>46</sup> Guide, Vol. 3, pp. 333-35.

<sup>47</sup> R. Hirsh interview

<sup>48</sup> D. Teutsch interview 2 October 2017

<sup>49</sup> D. Teutsch interview

- 4) Used by rabbis (and others who study it) as a guide to clarifying and deciding moral questions, issues of minhag/ritual practice, and theological issues.
- 5) Used in rabbinical school curricula
- 6) Used in some Christian seminaries that teach an introduction to Judaism. These volumes offer insights that are not primarily theological (though there certainly are theological reflections and even sections) and raise the questions of “What do Jews actually do?”

### **Reaching its Audience**

Even editor David Teutsch notes the challenges of creating an involved Jewishly educated community to use works such as this. “It is a painful fact that most liberal, adult Jews have neither the level of Jewish education or of Jewish experience to make well-grounded decisions. What is more, some of those Jews are proud to make their decisions without such grounding.”<sup>50</sup>

Wide attention to serious works on non-Orthodox Judaism is apparently quite limited. Despite the first volume winning a National Jewish Book award, I located only a handful of reviews.<sup>51</sup> From my survey, there was not a single review of the third volume of the *Guide* or of the whole three-volume set. Since the sale price for the three volume set, some 1900 pages, is \$99, the market is limited.<sup>52</sup> Many of

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<sup>50</sup> Teutsch, *Guide*. Vol. 1, “A Reply to Barbara Hirsh,” pp.609-10.

<sup>51</sup> Vol. 1 was reviewed in one of last issues of *Conservative Judaism*, Summer 2013, pp. 124-27; also *Jewish Book World*, summer 2012, pp38-39, and 43 reviewed vol. 1 and *JBW* also reviewed. Vol.2, Fall 2014 pp. 72-73. Rabbi Jeremy Kalmanofsky, compared the Reconstructionist *Guide* with the recent Conservative movement anthology, Martin Cohen (ed) *The Observant Life: The Wisdom of Conservative Judaism for Contemporary Jews*, Rabbinical Assembly, New York 2012. Kalmanofsky’s review is at <https://jcastnetwork.org/honesttogod/how-do-liberals-jews-behave-conservative-and-reconstructionist-practice/>. According to David Teutsch (interview, op.cit.) this blog post was revised after an exchange of messages between Kalmanofsky and Teutsch.

<sup>52</sup> Reconstructionist Press, <http://stores.jewishreconbooks.org>, website accessed 10 Nov 2017.

the sections that make up the first volume (“Ethics of Speech,” “Bioethics” “Organizational Ethics”, among others) were first published as inexpensive booklets. Most of these remain in print.<sup>53</sup>

Teutsch considered putting the entire volume on line, but technical questions such as whether to post it as an e-book or as searchable documents that would require extensive re-formatting made this step difficult in his opinion.<sup>54</sup> Currently, the vast range of material and richness of commentaries remain an undiscovered treasure for Reconstructionist and other Jews—even those from other approaches to Judaism, including more traditional approaches. Most potential readers, even Reconstructionist Jews other than rabbis, are unaware of its existence. Unless the movement can find a way to make the *Guide* available and more readily searchable, for example on a web platform such as Sefaria<sup>55</sup> or [www.ritualwell.org](http://www.ritualwell.org) (sponsored by RRC), the insights, challenges, and questions raised by this innovative resource will remain known to a very limited audience.

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<sup>53</sup> RRC website, <http://www.rrc.edu/ethics-center/publications/publications> for booklets and <http://stores.jewishreconbooks.org/special-offers/> for the three-volume *Guide*. Accessed Nov. 16, 2017. Curiously, RRC seems not to have placed all these items, plus the sample chapter cited above (note 23) on the same web page. The more scholarly *Reconstructionist* journal ceased publication in 2007. The movement’s more popular print publication, *Reconstructionism Today*, ceased publishing in 2008. The RRA’s newsletter, *RRA Connection*, briefly noted the publications but did not do extensive reviews. RRA rabbis received complimentary copies of the books.

<sup>54</sup> Interviews with D. Teutsch and R. Hirsh, op. cit.

<sup>55</sup> [www.sefaria.org](http://www.sefaria.org)