End the Chief Rabbinate's Monopoly

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It’s painful to have one’s rabbinic credentials challenged by the Chief Rabbinate of Israel. But that’s exactly what’s happened to me. In truth, it’s much more hurtful to the many people I’ve been honored to serve over the years.

In recent days, I have been informed that letters I’ve written attesting to the Jewishness and personal status of congregants have been rejected by the office of the Chief Rabbinate. I’m not the only Orthodox rabbi to have his letters rejected – there are others.

I have chosen to go public because the issue is not about me, it’s about a Chief Rabbinate whose power has gone to its head. As Israel’s appointed rabbinate, it is accountable to no one but itself.

Nor could the Chief Rabbinate have denied letters from me or other rabbis without input from select rabbis here in America who, I believe, are whispering into the Chief Rabbinate’s ears. For me, they’ll whisper one thing, for another they will find some other reason to cast aspersions.

This is an intolerable situation. It not only undercuts the authority of local rabbis who are in the best position to attest to the religious identity of those living in their community, but wreaks havoc for constituents whom these rabbis serve.

Penning these harsh words about Israel's Chief Rabbinate is not easy for me. I grew up in a home that venerated the Chief Rabbinate. After my parents made aliya, my father served as rabbi of Shikun Vatikin in the outskirts of Netanya, Israel. There he worked with Rabbi Yisrael Meir Lau, then Chief Rabbi of Netanya who went on to become Israeli's Ashkenazic Chief Rabbi. Over the years I've met with many chief rabbis. I found them individually to be not only learned but caring.

But for some time, I've come to the conclusion that the Chief Rabbinate as an institution just doesn't work. Built into the very fabric of the institution is the principle of kefiyah, rabbis overlording the citizenry, forcing their religious dictates down their throats. Indeed, the Chief Rabbinate has become a subject of scorn amongst the grassroots public in Israel.

Spiritual striving and religious growth can only be nourished in a spirit of openness. For this reason, Israel as a state should give equal opportunities to the Conservative and Reform movements. Their rabbis should be able to conduct weddings and conversions. For that matter, civil weddings should also be recognized by the State. As in America, it should be left to the general public – if they wish, in consultation with their local rabbis – to decide whether to accept or reject these conversions and wedding ceremonies.

Such an open attitude is not only important for non-Orthodox Jewry, but for Orthodoxy as well. When Orthodoxy is presented as the only option, when it's forced upon people, it turns people off. A spirit of openness will make Orthodoxy more attractive.

A related reason that the Chief Rabbinate does not work is that it involves centralization of rabbinic power, that is, rabbinic power left in the hands of a select few who dictate religious policy throughout the country.

When the Chief Rabbinate years back questioned American Orthodox conversions, an Orthodox rabbinic organization, the Rabbinical Council of America, (RCA), rather than challenge the Chief Rabbinate and say clearly we have faith and trust in our rabbis in the field, capitulated to the Chief Rabbinate, and imported Israel's failed rabbinic centralized format to the US.

And so they established a system where only a select, relatively few rabbis are permitted to sit on conversion courts, undermining the authority of local community rabbis, and placing unnecessary stumbling blocks before serious potential converts. In a piece I co-authored over five years ago, I strongly

criticized this policy.

I predicted then that this would be but the first step towards further centralization. That it would not be long before a centralized rabbinic body fully usurps the authority of local rabbis, deciding which select few can do marriages. And only this body will be able to sign off on letters attesting to the Jewishness or the personal status of individuals from across the country. Is this the type of religious authority we want here in America?

The time has come for the government of Israel – its Prime Minister and Knesset – to pronounce in clear terms that the Chief Rabbinate will no longer have a monopoly on religious dictates of the State. This will present challenges. But these challenges pale in comparison to a coercive and centralized system which is vulnerable to abuse. As the motto goes, power corrupts, absolute power corrupts absolutely.

It's only in the spirit of openness that Israel as a Jewish democracy will thrive. It's in that framework that Israel's citizenry will be able to reach higher heights – spiritually and religiously.
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RCA deal hurts rabbis, converts
By Rabbi Marc Angel And Rabbi Avraham Weiss, JTA, March 10, 2008

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NEW YORK (JTA) – The Chief Rabbinate of Israel and the Rabbinical Council of America have concluded an agreement related to conversion that will allow the two groups to work together. This solves a problem that reached its peak when Israel's Sephardic chief rabbi, Shlomo Amar, announced in April 2006 that he would no longer automatically recognize conversions performed by rabbis belonging to the RCA, the main union of Orthodox rabbis in America.

According to the terms of the agreement, the Chief Rabbinate approved a list of about 15 RCA rabbinic courts and approximately 40 rabbinic judges whose conversions will be accepted. From this point on, only conversions done by these rabbis or tribunals will be recognized. Any rabbi who wishes to be added to that list needs the approval of two leading Yeshiva University rabbis representing the

RCA and one from the Chief Rabbinate. The RCA and the Chief Rabbinate also agreed that all conversions previously performed by rabbis, other than the 40, are subject to re-evaluation by the head of the RCA's Beth Din of America.

This agreement is deeply disturbing on many levels. What is most troubling is that conversions, done years ago with the informal backing of the RCA, are now being scrutinized. This, we believe, strikes at the very ethical fabric of halacha. Over the years, thousands of people have been halachically converted and now they and their children, and for that matter, their marriages, will all be questioned. The pain that this will cause the convert, a person whom the Torah commands to love, will be unbearable.

Indeed, the RCA's capitulation to the demand of the Chief Rabbinate to scrutinize past conversions done by its members raises the strong possibility that down the line the bar may be raised even higher. Already, the Israeli institution no longer represents the centrist, religious Zionist ideology, but is, in effect, made up of religious appointees of the haredi world. Years from now a new, more extreme Chief Rabbinate may very well pressure the RCA to question "sanctioned" conversions being done now.

Not only is the convert's status questioned here, but the respected position of the local rabbi is also at stake. The policy sends a clear message that rabbis who have Orthodox ordination and are not among the chosen 40 do not have sufficient knowledge, judgment and wisdom to perform conversions – and they never have.

There is an irony here in that, from a certain perspective, congregational rabbis have a greater understanding of the issues surrounding conversion than those who are primarily situated in the Beit Midrash. These synagogue rabbis who are "in the trenches" with the potential converts have a unique understanding of the situations and conditions that affect their respective constituents. As is displayed on their ordination documents (smicha klaf), these rabbis are sent to spread Torah to their communities and have been invested with the trust, power and weight of our Torah to help shape the Jewish world. This decision undermines their mission.

If this agreement was meant to develop a mechanism of oversight, there are other ways in which this could have been accomplished. One proposal could have been that junior rabbis in their first three years do conversions under the guidance of senior rabbis. Additionally, the RCA could have questioned individual rabbis whom they suspected were doing conversions improperly.

We are not the first to raise concerns about the Israeli Chief Rabbinate. Over the last few years, there have been legitimate and important Orthodox voices in Israel that have expressed opposition to its rightward trend and its hard-line position concerning conversions in Israel. Now, through its deal with the RCA, the Chief Rabbinate is dictating its specific conversion standards to those living thousands of miles away in the United States.

Rather than extend the Chief Rabbinate's reach to the Diaspora, the RCA should display confidence in its loyal members by declaring that their conversions are valid and acceptable in the eyes of God and halacha. This should be our posture as we move forward together with like-minded voices in Israel.

This was a moment of truth. The criteria on conversion as drafted by the RCA/Chief Rabbinate are the most stringent and do not reflect the range of legitimate halachic opinions. The approach insists, for example, that parents converting an adopted child commit to 12 years of yeshiva education. But suppose parents are only prepared to make an eight-year commitment; suppose they are committed to sending their child to a community day school; suppose, as is a growing trend in our Jewish world, they simply cannot afford tuition; and suppose their child has a learning disability and must be sent to a secular school?

We have received reports that such potential converts have already been turned away. What is next? Will past conversions, such as these, now be nullified retroactively?
If these standards become the criteria for who is a Jew, it means there will be only one voice – enforced by just two rabbis – speaking for Modern Orthodoxy in America.

The first issue is the question of who is overseeing the overseers: What are the criteria for appointment? What makes these 40 judges competent and hundreds of others not? What communities do they represent? Are the appointments based on merit? On politics? On being dedicated students of particular rabbis?

To consolidate so much power in the hands of so few rabbis – whether left, center or right – is a frightening step. Making matters worse, the RCA has chosen as its representatives two Yeshiva University rabbis who speak only for the right-wing of Modern Orthodoxy – effectively abandoning the organization's trademark commitment to providing a home for both right- and left-wing voices. With its cowering to outside dictates, the RCA appears to have opted to reflect the haredi-controlled voice of the Israeli Chief Rabbinate, instead of insisting that the broad spectrum of Modern Orthodox positions be part of the solution.

What makes this chapter especially sad is that the new arrangement not only undermines the power of the local rabbi as teacher and spiritual guide, but even worse, puts fear into the hearts and minds of many wonderful converts who are upstanding Torah-observant and God-fearing Jewish souls.