Say No to Religious Coercion

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In suburban Baltimore, MD, the Jewish Community Center in Owings Mills is contemplating establishing Shabbat hours with activities. The Orthodox community called a protest rally in opposition to this policy change. The rally's purpose was to celebrate "the beauty and sanctity of Shabbat." The rally was "officially" against "nobody," but seemed to be occasioned by the new Shabbat policy of the JCC. In much of contemporary Orthodox life, spin is critical; one must sound "liberal" and reasonable but act traditionally and with a countercultural, parochial agenda.

"'This is going to be a very positive program for the support of Sabbath observance,' said Eli Schlossberg, one of the rally's organizers. "Just like the last one we had, we're not coming out against anything or anybody." If this euphemistic claim were indeed the case, that the rally and Orthodoxy is "positive" and not against anyone, the rally would have occurred not in response to the JCC opening on Shabbat, but as an unconditioned and unconditional invitation to experience Shabbat.

The Owings Mills facility is not located in an Orthodox neighborhood, and it serves a largely non-Orthodox population. On the other hand, the Park Heights JCC, serving a mostly Orthodox population, will not open on Shabbat. A 3500 person protest took place 12 years ago when the Owings Mills JCC considered opening on Shabbat. The social/religious meaning of the new rally and the rhetoric that justifies the rally requires analysis.

My own position is that the JCC ought to be closed, but the Orthodox community should not squander its moral voice on these kinds of communal conflicts.

Orthodoxy must teach by gentle example and not with coercion or protests.

We have to examine and understand
[1] The position of those who want the JCC in Owings Mills to remain closed,
[2] The reasons supporting the opening of the JCC on Shabbat,
[3] The position of Rabbi Joseph Soloveitchik regarding religious coercion, and
[4] What a responsible Orthodox response ought to be

[1] The position of those who want the JCC in Owings Mills to remain closed Those who advocate forcing the JCC to remain closed on Shabbat maintain that the word "Jewish" really means something significant, dear, and sacred. Being Jewish means that Shabbat is important, beautiful, divine, and yes, obligatory. It is a violation of Judaism to desecrate the Sabbath, and "Judaism" and "Sabbath violation" are as antithetical as are the terms "Jewish" and "non-Jewish."

Opening the JCC on Shabbat will offend good, pious, and sincere Jews, the most Jewish of Jews, the Jews for whom Judaism is too precious to be compromised. And violating the Sabbath in the name of the community will disrupt and, heaven forefend, undermine the unity of the community, whose existence is assured by the commitments and feelings of the consistently, fervently and steadfastly Orthodox community who observe the Shabbat and want all Israel to share in Shabbat observance. God said: "remember and observe" the Sabbath and we dare not forget what God commands in the Ten Commandments. How can we call ourselves Jewish if we deny what God says, ignore what God orders, and we without sensitivity to Jewish belief, practice, and sensibilities?

[2] The reasons supporting the opening the JCC on Shabbat, Those who wish to open the JCC have their reasons as well, which from the perspective of its segment of the Jewish community, also make sense. And in order to feel their feelings and respect their integrity, we, the Orthodox community, are morally and religiously required to hear them as we wish to be heard by them. Rightly or wrongly, there are those who adhere to different Judaisms, who believe, behave and belong as Jews without Orthodox commitments. In New York, the "Y" is open on Shabbat; in Israel, people are allowed to observe Judaism any way that they choose; and in Haifa, busses run on Shabbat. Just as Orthodox Jews resent and resist pressure to abandon their cherished beliefs and opinions, other Jews who identify as Jews also cherish their autonomy, the right to define their personal expressions of spiritual identity, and do not look to Orthodoxy for authenticity, be the issue rite observance or right morality, and for whom Shabbat afternoon is leisure time to be celebrated as a matter of personal choice. Why should the beliefs of others impede, impinge, or impose themselves on those who believe

differently?

Jews have always defined themselves differently. Today we call this phenomenon “pluralism.” We have a right to act in ways that others believe to be wrong. Orthodoxy has its own issues. People with the wrong head covering, the wrong color of clothes, with the contamination of secular studies and ideas, and those unwilling to accept the Orthodox flow are not, for some, “really Orthodox” either. So let’s live and let live, agree agreeably to disagree, and to compete constructively with each other and not contend cantankerously against each other.

[3] The position of Rabbi Joseph Soloveitchik regarding religious coercion In Thinking Aloud, p.41, edited by Rabbi David Holzer, a record of R. Soloveitchik’s oral musings on current issues appear, teaching three essential doctrines: a. thinking is allowed b. we are allowed to disagree with the consensus c. coercion may never be used in modernity to enforce compliance.

When Rabbi Joseph Soloveitchik was sent to Berlin to study philosophy, pressure was put on his father, Rabbi Moshe, to disallow the study, the exposure to heresy, the very bad social religious example of non-conformity, and the frontal challenge to accepted, conventional religion. Rabbi Joseph went to Berlin, and his father, R. Moshe, blackballed by fanatics, came to America to teach at Yeshiva University.

The Biblical Joshua and Caleb defied the consensus of 10 wrong-headed spies, Moses ignored the consensus created by Pharaoh’s tyranny, the prophets rejected the consensus of ancient Israel’s regnant elites, and no Judaism that is authentically Orthodox regards the consensus of a self-selecting clique to be a covenantal command. When told by a student that his understanding of a Talmudic passage disagrees with the “consensus of latter day sages,” i.e., aharonim, R. Soloveitchik responded that he too is an aharon, a latter day sage. There is no rule in Judaism that insists that a post-Talmudic rabbinic consensus, which is not convincing, may be coercively applied.

Rabbi Soloveitchik is modern and not ultra-Orthodox for a reason. Just as the Biblical Joseph saw ancient Israel in Egypt as a new reality, requiring a different approach to a world that is different from that of his ancestors, R. Joseph Soloveitchik saw the Holocaust and Israeli statehood as new realities which Jewish law must address and confront. He therefore contends:

I am at loggerheads [i.e., in disagreement] with the entire [Orthodox] Jewish community. But I can’t help it. No undue influence and no coercive circumstances

must interfere with the behavior of the person. If one is constrained by legislation which is provided by effective sanctions, by public opinion, by ulterior considerations to conform to certain codes of morality or ethical standards, then the sublime sacrificial action is desecrated, vulgarized. [Think Aloud, p. 41]

For R. Soloveitchik, the individual conscience, both of others as well as his own, is inviolate. Being coerced to observe the Sabbath makes for an angry Jew, not an observant, believing or loyal Jew. Folkways and customs are neither commandments nor are they inherently religious acts. R. Soloveitchik regards the placing of phylacteries [tefilin] on the person of one who has no cognition is a meaningless act, and not a religious deed. An Orthodox Judaism that coerces conformity, that stifles individuality, i.e., the very image of God, and applies social disapproval for actions and attitudes that regnant elites regard to be socially disruptive, secularizes the sacred and is not Orthodox at all.

[4] What a responsible Orthodox response ought to be If I am reading Rabbi Soloveitchik correctly, Orthodox Judaism in modern times must understand mitsva not as “good deed,” a secularizing of Torah, and not as a coercive “command,” but as a “precept,” more enjoining than commanding, never denying the possibility of dissent. Those who would ride to or swim at the JCC will do so in less Jewish environments, facilitating intermarriage. Orthodoxy must be a loving, accepting moral model, not a coercive clique of clerics for whom conformity to their righteous will is unreasonably reified into the rule of God.

Orthodox Jews have a right to require kosher food at the JCC, so that the JCC be the center of an inclusive, i.e., not excluding, Jewish community. No one forces Orthodox Jews to violate their conscience; Orthodox leaders must take pains to respect the feelings of non-Orthodox Jews who believe, behave, and belong differently. Orthodoxy has a right to demand that it not be excluded from the organized Jewish community; in return, Orthodoxy must serve as a model and not a menace, as a conscience but not as an enforcer, as pious gentle examples of goodness and not as a judgmental thought or behavioral police force.

More critically, Orthodoxy must walk humbly before God and show dignity before humankind. All too often, Orthodox Jewish leaders confuse respect for God with respect for human leaders. God has a right to rule absolutely, human leaders do not have this right. God gave the Torah as a book that we read, share, revere, and reference, sanctifying our conversation. If Orthodox Judaism is to be a Judaism for all times, seasons, and Jews, it must in modern times apply Rabbi Joseph Soloveitchik’s strategy of sharing the Torah in respectful conversation. Jews who do not like Orthodox Jews will not wish to live as Orthodox Jews.

Rather than coerce or manipulate others to conform to Orthodox norms, subtly conceding that Orthodoxy is right and other Judaisms are wrong, Orthodox Jews must become God’s goodwill ambassadors instead of appearing as God’s political shock troopers. By respecting the integrity of the other, the image of God that inheres in the other may shine; by speaking as if our voice is God’s voice, it is God’s voice that is sadly silenced. Rabbi Moshe ibn Hagiz taught that the Torah was given without coercion; that Israel’s decision to accept the Torah had to be reported to God because a literal reading of what God said did not indicate that a mountain was threateningly suspended over Israel’s collective head. Only people who are free to resist the Torah are able to accept the Torah freely. Orthodoxy denies this existential choice to other Jews in defiance of God’s Sinaitic example.