

Shabbat Shuva 5784
Why Do We Jew in the Ways that We Do?
Rabbi Betsy Forester

Today is Shabbat Shuvah, when we do our best to show that we are sincere in our t'shuvah. Our sages, who defined what *t'shuvah* is and how to do it, assumed that rekindled devotion to the observance of the mitzvot would be an essential component of our internal work and our outward behavior. I trust that each of us seeks spiritual renewal at this season, but for many of us, I suspect, whether and how the mitzvot as defined through halacha, fits into that work, is a whole other question.

A gap has always existed between communal religious standards and individual practices. People will always make personal choices, and tension between communal standards and individual practice is healthy.

But something has shifted in the religious landscape. Outside of Orthodoxy, the very notion of normative standards has been supplanted. Halacha—Jewish law—is considered by many as something the Rabbi needs to know, but the fulfillment of Halacha is not the end goal of most Conservative Jews, even those who are highly engaged. That is to say, while many of us feel attached to elements of Jewish practice and tradition, the motivation for those attachments lies close to, yet outside of, the desire to fulfill halachic requirements.

What is it that drives us to take our Jewish practices as seriously as we do? For me, it's a critical question, because if we understand how our practice works, we can work with it more effectively. I hope to ponder and write about it during my sabbatical next year. As I prepare for that project, I invite you, now, into an extended conversation about how we perceive our commitments to a serious Jewish way of life. Why do we Jew in the ways that we do? I am very interested in what you think.

To give you a sense of why this feels pressing for me as Rabbi of a Conservative shul, I'd like to share with you three recent *t'shuvot* from the Law Committee of the Conservative Movement.

A *t'shuva* is a rabbinic answer to a practical question, based on knowledge of the relevant sources and an understanding of the issues involved. *T'shuvot* are issued to guide rabbis in setting standards for their communities, and to guide individuals to observe mitzvot within current realities. Our movement is the most prolific *t'shuva* generator across the spectrum, due to our commitment to an evolving tradition based in Halacha. I think you will see the disconnect between these three *t'shuvot* and the

thoughtful practice of Jewish life that is familiar to us. I need you to know that I'm not bringing you this material to make anyone feel bad but to expose that seam.

The first ruling, now three years old, was authored by Rabbi Joshua Heller and concerns the use of technology such as Zoom and LiveStreaming on Shabbat.

According to this *t'shuvah*, we may stream or Zoom on Shabbat and yom tov, IF and only if everyone's equipment is set up before Shabbat. No one should interact directly with their electronic device other than sitting in front of it. Chat features and screen sharing should be avoided. Recording is permitted only if it is an unintended consequence of the technology. Rabbi Heller wrote, "The wider intrusion of technology into Shabbat and Yom Tov worship will require greater fences to preserve the sanctity of the day. It is a short step from watching services to emailing...and other activities which violate the letter and spirit of the law. Simple solutions, like covering one's keyboard...will not suffice. Serious communal efforts...will be required to maintain the sanctity of holy time in the face of unprecedented pressures."

When the news went out that the Conservative Movement had decided to permit Zooming and streaming on Shabbat, Heller's considerations and limitations went largely unmentioned and remain widely unheeded. The overwhelming lack of concern for halachic parameters—more than the fact of Zooming during a pandemic—is what made it a watershed event for our Movement, in my opinion. The gap between the halachic decision and the practice of our Movement's members and their leaders is what I find challenging.

The second *t'shuvah*, by Rabbi Avram Reisner, was approved this past May. It deals with eating out in restaurants that are not certified kosher. But wait, you may be thinking, haven't Conservative Jews been eating out vegetarian and dairy with the permission of our rabbinate since the 1950s? Indeed they have. But significant concerns and restrictions were lost in translation and our Law Committee has continued to make rulings. For example, in 1998 the Law Committee ruled that synagogue potlucks are *not* permitted, and a 2012 *t'shuvah* says "no" to veggie pizza from a non-kosher pizzeria. We have, in fact, *never* had a policy that equates kashrut with vegetarian food made in a non-kosher place. Now, Rabbi Reisner's meticulously developed *t'shuvah* comes to say this: We may eat food cooked by non-Jews as long as the food is kosher. We may eat at a totally vegan or vegetarian restaurant, so long as we do not do so on Shabbat. And if the restaurant is owned by a Jew, we should not eat there on a Saturday night or between Pesach and Yom haAtzmaut, lest we eat food prepared by a Jew at forbidden times. The *t'shuvah* also talks about bakeries but I won't go into that today.

This t'shuvah confirmed my permission for us to serve the meal we brought in from a vegan restaurant for our new Torah celebration 2 ½ weeks ago. But it is out of touch with the practice of the vast majority of Conservative Jews, including some 85% of our polled rabbis, who already maintain a kashrut practice of “eating out pescatarian.”

Finally, let's talk about electric cars. We have two hot-off-the press *t'shuvot* about driving electric cars on Shabbat. Both assume that cars with combustion engines, like most of us drive, are not permitted on Shabbat. That alone should give us pause. Our rabbis *did* issue a *t'shuva* in 1950 that said we may drive to *shul* on Shabbat. But that *t'shuva* long ago fell into disfavor among many Conservative rabbis. Now, a *t'shuvah* by Rabbis David Fine and Barry Leff says that we may drive an *electric* car on Shabbat, for Shabbat purposes only, and as long as we stay within 8 miles, don't carry anything with us (I guess we don't need car keys) and we don't touch anything prohibited on Shabbat. And if you don't have an electric car to drive to shul, the next best thing is a hybrid car. But if you can walk or ride your bike, you should do that. By the way, this *t'shuva* was opposed by Rabbi Heller of the Zoom *t'shuva* and Rabbi Reisner of the veggie restaurant *t'shuva*. How many congregations will be changed because we now have permission to drive electric cars to shul? Zero.

I said that there were two *t'shuvot* about electric cars. The other, authored by Rabbi Chaim Weiner and my brilliant and humane teacher, Rabbi Mordecai Schwartz, maintains that we should not drive on Shabbat. I happen to love this *t'shuva* because it is so spiritually compelling. I don't drive on Shabbat. If I had an electric car, I don't know if this *t'shuva* would make a difference in my life. I love this *t'shuva* not because of what it says about driving per se, but because it breathtakingly restores Shabbat as a life-giving spiritual practice. To me, this *t'shuvah* demonstrates the kind of spiritually moving articulation of why we do what we do that we need.

Again, my intention is to help you see that many, many highly engaged Conservative Jews practice in ways that value *Halachah* insofar as it points us to experiences we find meaningful and important beyond the letter of the law, yet we do not feel called to follow the law all the way home. I want to be clear that I do not intend sarcasm about these *t'shuvot*. I think they are informative and well reasoned, and for what it's worth, they are relevant to me, personally.

I have long believed that the halachic process used by Conservative rabbis is the most authentic application of rabbinic Judaism since the Middle Ages. It has been a source of pride, inspiration and grounding for me as an individual and as a religious leader. And, as a Rabbi who loves *Halachah* and also lives in the real world and not a cave, I believe that a Jewish future worthy of our commitment must articulate a compelling vision of

serious Jewish practice that speaks our language—the language of people who aspire to high levels of engagement. I believe this is consistent with what our sages taught: The language of our Torah is meant to be comprehensible to our people—**דְּבַרֵּה תוֹרָה כְּלִשׁוֹן בְּנֵי אָדָם.**

We need a language that allows us to build serious Jewish practice together, and a halachic process that draws us into the profound and life-giving potential of serious Jewish practice. I believe that our Jewish practice will become more vibrant and transformative when we shift how we frame it. Again, I'd love to know what *you* think. Let's talk over Kiddush and over coffee in months ahead. Our one-on-one conversations will be helpful to me.

I pray that our practices bring us closer to God and Torah. May we honor the intentions of our forebears and live out the courage and creativity they passed down to us.