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JACOBS AFFAIR

TO THE EDITOR OF *TRADITION*:

Mr. Norman Cohen ("The Religious Crisis in Anglo-Jewry," *TRADITION*, Summer, 1966) purports to tell the inside story of "the Jacobs affair" and in so doing relegates the theological aspects of the controversy to the periphery. The real issue, he argues, centred around the question of whether Dr. Jacobs would eventually become Dr. Brodie's successor as Chief Rabbi. The more anglicised Jews directed all their efforts to secure this appointment while Dr. Brodie and his supporters successfully frustrated it. Were it not for this there would have been no opposition to Dr. Jacobs' theological views or, in any event, these would not have prevented him being appointed to the Principalship of Jews' College or to the pulpit of the New West End Synagogue.

Those of us who have supported Dr. Jacobs deny categorically that it was our intention to see him occupying the position of Chief Rabbi, a position which in our view has no permanent significance amid the realities of Anglo-Jewish life

nowadays. It is a wholly gratuitous slur on Dr. Jacobs' integrity to imply that he was blithely prepared to accept the Principalship of Jews' College for a brief period as a stepping stone to what Mr. Cohen evidently considers the more important office, we the less important.

Mr. Cohen, as one of the most articulate spokesmen for Dr. Brodie and his supporters, has now let the cat out of the bag. We now learn on the best authority that Dr. Brodie's motives in vetoing Dr. Jacobs' appointment were political. But the Anglo-Jewish community was led to believe that Dr. Brodie was acting all along in good faith in defence of a strongly held theological position.

Those of us who have built the New London Synagogue at considerable cost and with the expenditure of much time and effort have done so because we believe in justice and in the right of a congregation to determine for itself who is to be its Rabbi. We do find Dr. Jacobs' theology "attractive" even though Mr. Cohen calls it "traditionalism without teeth." Teeth can be used for more than

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one purpose. Backbiting is among the more unpleasant.

Bernard Spears,
Warden,
New London Synagogue,
London, England.

MR. COHEN REPLIES:

The "cat out of the bag" metaphor and general line of argument in Mr. Spears' letter are taken from the pseudonymous column "Personal Opinion" in the Jewish Chronicle of 29th October 1965, which criticized views I had expressed in a South African journal. Had Mr. Spears taken the trouble to do his own thinking — no easy task for a man to whom the Principalship of Jews' College is more important than the Chief Rabbinate — he would have realized that he is accusing me of two irreconcilable offences.

To let the cat out of the bag means to reveal an inconvenient truth. If I have done this, then my views were correct, whether or not they are welcome. If, however, my views are incorrect, I have revealed only my ignorance of the whole affair. I may be a fool or a rogue, but Mr. Spears, with his fastidious aversion to backbiting, should not try to make me appear both.

With regard to the categorical denial, I have my own sources of information regarding the New West End appointment and I am prepared to be just as categorical that, however straightforward Mr. Spears was in his loyalties, others had wider aims. In respect of Jews' College, I cannot see that Mr.

Spears is in any position to speak with authority. I have looked carefully through the Annual Report presented in 1961, when Dr. Epstein attended the Annual General Meeting for the last time as Principal and manoeuvres regarding the succession were well under way. Mr. Spears was not an Honorary Officer, nor on the Council. He does not figure among the members of any Committee, nor even as a subscriber.

Finally, I might mention that, in a "Daily Telegraph Supplement" some months back, Chaim Ber- mant, who is, I believe, a member of the Jewish Chronicle organization, expressly stated that Dr. Jacobs might have been Chief Rabbi, but for the Grace of God and some other reason. Did Mr. Spears write in decrying this as a baseless fabrication?

RABBIS AND DEANS

TO THE EDITOR OF *TRADITION*:

Rabbi Jakobovits in his "Rabbis and Deans" (*TRADITION*, Summer 1966) gives vent to the feelings of frustration and despair that seemingly envelop much of the Orthodox rabbinate of North America. Probably these feelings increase in proportion to the intelligence and vigor which the individual rabbi brings to his task. It is not difficult for even those who may disagree with much of his diagnosis to sympathize with Rabbi Jakobovits and to understand why his observations have drawn an encouraging response from many

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readers of TRADITION. But this sympathy should not blur the gratuitous nature of many of Rabbi Jakobovits' remarks, and after much consideration I offer these comments on the rabbi's unknowledgeable dicta regarding Roshei Yeshiva.

The plight of the Orthodox rabbi is real; and, yet, there is no logic or evidence in support of the notion that the problem is somehow rooted in the very recent ascendancy in this country of a small group of hard-working Roshei Yeshiva. The relative success of the deans has not come at the expense of the rabbis, and their loss of function or debunking them will not result in a return to the rabbinate of the functions that are thought to be within its competence.

The key to Rabbi Jakobovits' displeasure is what he regards as "The denigration and usurpation of the role of the practicing rabbi by yeshiva deans" which has undermined the place and functions of the rabbinate. His solution is "the restoration of rabbinic authority."

No, "denigration" and "usurpation" suggest a conscious and deliberate effort by the deans to (1) lower the prestige of the rabbis by (2) unfairly assuming their functions. How the activity of the Roshei Yeshiva has denigrated rabbis is hard to understand, particularly when we consider that a generation ago, when Roshei Yeshiva were not as prominent, many observers of American Judaism predicted the disappearance of Orthodoxy, except if the rabbis have been more lowly regarded because they have suf-

fered by comparison with the deans. As to usurpation, the charge is totally unjustified. The few Roshei Yeshiva have not taken over functions *performed* by rabbis.

No one will gainsay, I suppose, that the weakness of the rabbinate is part of the more general problem of its dysfunctional (or, non-functional) nature. Except rarely, the rabbi is not the appointed leader of a community (the institution of community being a considerably broader one than the synagogue) but the hired spiritual leader of a synagogue, an institution whose major manifestation is usually a building. Rooted in a synagogue which in turn is rooted in land, the rabbi, with few exceptions, has not been able to establish an organic relationship with the total Jewish community, and thus handicapped he has been separated from the ordinary functions of community. For this the Roshei Yeshiva are not at fault and they must not be made to bear the burden for the unfortunate image of rabbis as "expedient fund-raising agents." In fact, I think that there are some rather common-sense explanations for this development; however, if we are to conceptualize, we should recognize that, divorced from community dynamics and without living relationship with Jewish communal functions, functions which throughout much of the history of American Jewry were not alive in the areas where so many of our rabbis practiced, a considerable number of rabbis have rather welcomed the function of fund-raising..

The Roshei Yeshiva have filled a

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vacuum and are contributing mightily, and at great sacrifice, to the development of a viable Orthodoxy, a functional Orthodoxy. In doing this they contribute to the possible evolution of a more functional rabbinate; no doubt in the course of their activity they become involved (often reluctantly) in many things that take them outside of the yeshiva, including fundraising. The growing health of religious Judaism is a tribute to their work. We are far better off because of them; this is the meaning of the respect in which they are held by the bulk of the rank and file of committed Jews. To substitute for this meaning the charge of usurpation is not merely to indulge in unfortunate name-calling; additionally, it is to distort the historical record. What Rabbi Jakobovits objects to is the loss of rabbinic authority which he sees as transferred to the deans. I have already said that by and large American rabbis are not communal appointees. Apart from this it is amazing to hear that non-functional rabbis are, by virtue of their contracts, vested with an authority superior to that of Roshei Yeshiva whose authority is earned by virtue of their deeds (and not simply because of "mere wisdom or learning" as Rabbi Jakobovits suggests). And this amazement grows when we recall that a charge levelled against Roshei Yeshiva, most often from the Orthodox left, is that they restrict themselves too much to the yeshivot and do not vigorously lead the Orthodox community at a time when there is a paucity of leaders. In short, what they are advised to

do, if we accept Rabbi Jakobovits' classification, is to usurp rabbinical authority. At any rate, the few rabbis who are the heads of *kehilot* and whose activities encompass a broad range of communal functions, such as chinuch and kashrut, need not and do not feel themselves threatened by the Roshei Yeshiva.

The short answer to Rabbi Jakobovits' complaint that rabbinic jurisdiction—essentially the determination of Jewish law — has been transferred to "academic scholars" is that American rabbis regularly serve as the transferring agents when they go to Roshei Yeshiva for guidance on halakhic matters.

Rabbi Jakobovits' solution for this problem (I am, of course, unconvinced that there is a problem) is based primarily on his analysis of three desiderata that are inherent in the exercise of rabbinical jurisdiction and which are not present (when they decide questions) in "yeshiva deans who are remote from the concerns of contemporary society." The three requisites are relevance, sweet reasonableness, and a measure of tolerance. How and why practicing rabbis are automatically vested with these virtues I do not know; nor can I accept the crude, stereotypic, non-intellectual, blanket description of Roshei Yeshiva, particularly the ironic assertion that they are lacking in tolerance. Is this true of Rav Moshe Feinstein, a Rosh Yeshiva in the United States for about thirty years? Is he remote from contemporary society, "shielded from the pressures of public opinion, and conditioned by the un-

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questioning loyalty of . . . (his) yeshiva students”?

Rabbi Jakobovits says some sensible things about the role and training of a *posek*. Unfortunately he misdirects his attention to Roshei Yeshiva who, in fact, by and large, are not *poskim*. Perusal of *Hapardes* and *Hamaor* will show that it is the rabbis who produce the responsa. Indeed, the two cases included in the blanket condemnation of deans find Rabbi Jakobovits in support of the rulings of a Rosh Yeshiva and in opposition to many rabbis. Thus, the “violent agitation” that he speaks of against liberal decisions regarding artificial insemination and the Manhattan eruv mostly came from rabbis — and the leading rabbi-critic, the Satmar Rov, has credentials as the appointed leader of a community that may well be unmatched by any other rabbi in America.

Another charge is that yeshivot discourage rabbinical careers. There is no evidence to support the allegation and I know of no Roshei Yeshiva who prefer that their *musmachim* go on to college to become accountants and lawyers rather than practicing rabbis. It may well be that the constant talk of American rabbis, of the low state of their profession, of the compromises and hardships, contributes significantly to the unattractiveness of the profession in the eyes of yeshiva graduates; my notion is that all this has little to do with rabbinical recruitment, that external factors such as the accessibility and attractiveness of other professions usually determine yeshiva student attitudes toward the rabbinate as a profession.

It is hard to understand Rabbi Jakobovits’ criticism of yeshivot for not producing Zevulun, devout businessmen and professionals. For, in fact, this is what the American yeshivot of today are doing best; each year they graduate many hundreds of committed Jews who go on to college and then a career. Rabbi Jakobovits seems to recognize this elsewhere in his discussion; at least he should not criticize the yeshivot for discouraging rabbinical careers and also for not producing a sufficient number of Zevulun.

The indictment that yeshivot (and by implication, Roshei Yeshiva, too) stifle a sense of communal responsibility is unfortunate — and untrue. For example, “the dearth of Torah-committed members in our major Orthodox synagogues does not excuse the yeshivot—it indicts them,” is both reckless and in disregard of the historical record as we know it. It is much more valid, although still somewhat shoddy from the historical standpoint, to indict the rabbis and synagogue leaders for their failure to develop a *chinukh* system which might have prevented the depletion of the synagogues.

Finally, I cannot accept Rabbi Jakobovits’ tortured conception of communal responsibility “as expressed, in the first instance, by active membership in established congregations.” Membership in a synagogue alone indicates nothing about the assumption of responsibility for the welfare of the Jewish community; certainly most synagogue members are nothing more than just that. On the other hand, the

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deprecation of shtibels as "communally ineffective" is an unjustified canard that unfortunately finds acceptance in certain supposedly sophisticated sections of the Orthodox community. There may be some good reasons for criticizing the shtibels, but I doubt that the lack of communal responsibility is one of them. I happen to belong to a shtibel consisting of about one-hundred young American men. I also happen to believe that no synagogue in America has a better record of community support than this shtibel.

These and other similar comments by Rabbi Jakobovits mar whatever value there is in certain of his points regarding the state of the American rabbinate. By gratuitously and unfairly condemning Roshei Yeshiva he lost an opportunity to discuss, in an enlightened way, the means by which we can have a true restoration of rabbinic authority.

Marvin Schick
Bronx, New York.

RABBI JAKOBOVITS REPLIES:

I remain unconvinced and therefore unrepentant. Mr. Schick's flood of words, partly muddied by some quite unworthy imputations, certainly does not submerge the facts and problems which trouble me and a growing number of others within Orthodoxy, especially in America and Israel.

Nothing I have written in the items complained of or elsewhere entitles Mr. Schick to the gratuitous insinuation that his regard for Roshei Yeshiva and their immense

contribution to the revival of Torah Judaism is any greater than mine. I would not otherwise have devoted at least one half of all my public appearances in America to the support of Yeshivot.

Despite Mr. Schick's protestations, the fact is that most Yeshivot *are* denigrating the practical rabbinate. Ask any average Yeshiva or Kolel student what he thinks of taking up a rabbinical career! The fact is that Yeshiva deans *do* usurp functions which *should* be performed by competent practicing rabbis, and if such rabbis are scarce, it is because the Yeshivot have not encouraged or produced them. I agree that "the weakness of the rabbinate" and the dearth of religious leadership generally have created "a vacuum" which is partly and "at great sacrifice" being filled by Roshei Yeshiva. But this is only half the truth. The other half, completing the vicious circle which only they can break, is that they have helped to create and perpetuate this vacuum by their failure to raise effective spiritual leaders, *poskim* and *askanim* to guide our communal life. Under the existing circumstances, their usurpation of the rabbinate may be justified by the rule of *bemakom sh'ein ish*, but it is nonetheless anomalous in Jewish history and deleterious to the Torah interests of the community at large. Traditionally the vacuum should instead be filled by the rule of *havu lakhem anashim . . . va'asimem beroshekhmem* (Deut. 1:13).

Mr. Schick's attempt to remove from Yeshivot to rabbis the charge of intolerance and "violent agita-

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tion" against certain permissive rulings is as specious as it is disingenuous. Does he really not know who signs the various public bans and *issurim* today, who organizes and participates in the protests, denunciations, anonymous mail campaigns and other pressure tactics against verdicts by recognized Orthodox rabbis or even Roshei Yeshiva? He ought to share the burdens of rabbis by occupying their seat for one week, and he may discover the answer—together with the truth about my other strictures and proposals in "Rabbis and Deans."

I wished the Roshei Yeshiva would know and appreciate my anguishing problems in enhancing the rule of, and respect for, Torah as well as I know and appreciate theirs. They would then help me and my colleagues to fill our ranks—in the rabbinate, the synagogue and the community—as we help them to fill theirs, by placing our children and all others we can influence into their care. They would then support our stand in *governing* Jews and Jewish communities by the law of the Torah as we support theirs in *making* Jews fit to govern and to be governed by the law of the Torah. They would then also, incidentally, use the services of rabbis not merely as "expedient fundraisers" (which no rabbi I know "welcomes" as claimed) but at least for consultations on religious policies, especially when these in-

volve community-relations and other considerations far beyond the day-to-day experience of Yeshiva deans.

By Zevulun I understand something more than "committed Jews who go on to college and then a career" (often clandestinely and in the face of their Yeshiva's discouragement) or members of shtetls with the best "record of community support." How many Feuersteins or Bunims or others of their vision and interests have our present-day Yeshivot produced, or are they likely to produce? How many Yeshiva-trained *ba'alei battim* hold leading positions in national or local community organizations, like the UOJC, the Federations, or even Torah Umesorah and the local day school boards; how many would care to join and influence these bodies and agencies determining the fortunes of the community at large and the Orthodox component within it? So far, the bulk of the support even for Yeshivot still comes from the non-Yeshiva element, thanks largely to the "weak rabbis." The balance between Issachars and real Zevulun (perhaps, according to Mr. Schick's categorization, I should include practicing rabbis among the latter) as a deliberate (not accidental!) product of Yeshiva education continues to be grossly uneven, and so is the balance between Yeshivot and Kehillot in the present structure of the Torah society. *Q.E.D.*