



## Daniel Jeremy Silver Collection Digitization Project

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### **MS-4850: Daniel Jeremy Silver Papers, 1972-1993.**

Series IV: Writings and Publications, 1952-1992, undated.

Sub-series A: Books, 1961-1990, undated.

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Come On In, the Water's Fine, unpublished manuscript, third  
draft, chapters 1-5, pages 1-123, 1983.

## Chapter 3

## CAN THE LEOPARD CHANGE HIS SPOTS?

As I thought about our first day's conversation I felt that somewhere at the heart of it was an assumption - how widespread I couldn't tell yet - that a person can switch religions as easily as he might decide to move from one apartment to another or change his style of dress; so I began the next morning by commenting that some of them had talked as if they might take a good look at Judaism and decide whether to join or go elsewhere, and that once that decision was made - to be or not to be - that would be that.

- Isn't it?

It's not that simple. Ask any convert. I'm sure most will testify to bouts of guilt, feelings of cultural awkwardness, and a nagging sense of being adrift.

As we grow up we are conditioned by the prevailing culture, the manners of our class, and the habits and attitudes of our peers. The imprint we received as children is deeply etched and not easily erased.

- Wasn't it the Jesuits who claimed that if they could have a child during the first six years of life his soul would belong to them as long as he lived?

That claim may be apocryphal. It certainly overstates the case. So does the Biblical proverb, "Train up a child in the way he should go and he will follow you the rest of his life." But nobody should minimize the power of conditioning.

Wholehearted converts to Judaism have told me, "I can't help it, I miss Christmas," or "I checked the wrong box at last fall's registration before I realized what I was doing" or "I feel more at home every year, but I've never stopped expecting the collection plate." A young man who'd been raised in a traditional congregation and had joined his wife's synagogue told me: "I agree intellectually with the Reform position but I'll never get used to a woman rabbi." My college advisor,



probably the most learned Jewish philosopher of his day, Harry Austryn Wolfson, began to suffer stomach pains when as an undergraduate he registered in a non-kosher rooming house, and for all his brilliance years passed before he associated these aches with his break with childhood custom. Any change in our habits takes its toll.

- I'm still convinced, as I told you yesterday, that I could leave without any regrets and without ever looking back.

And I'll repeat what I said: 'don't be so sure.' Around every synagogue you'll find a cluster of spiritual returnees; there's even a familiar name for them, ba'alei teshuvah, usually middle-aged or older men and women who stayed away from Judaism for years but now feel a need to come home to their roots.

Years ago I heard Margaret Mead describe how the siren call of home tugs incessantly at the emigrant. The peasants who left the villages of Eastern and Southern Europe for the coal mines of Pennsylvania or the steel mills of Ohio fled abject poverty. Many found a measure of prosperity in their home, but most never felt at home in their new life, and many longed to return to the old country to retire and die in familiar surroundings. Necessity drove them abroad and a need to be in familiar surroundings drew them back home. By the way, conditioning also explains the otherwise bizarre behavior of some converts to Christianity who worship Jesus in Hebrew, call their church a synagogue and insist that they're still Jews. They can't admit they've left home. It's not at all surprising that people are instinctively suspicious of converts. It's not so much that they doubt the convert's sincerity but they suspected the convert may know his mind but not his heart and that deep inside he remains what he was during those first and important years.

- I'm like that. I like to think of myself as a fair person, but I doubt the sincerity of most conversions. I'm not surprised when I read that the Soviet

He travels a great deal and makes it a point to attend services in Indian temples and Shinto shrines, but he hasn't been inside a synagogue since his bar mitzvah.

He says he can't be a hypocrite, but I noticed that he took his sabbatical at

and Red Chinese press labels the children of once-privileged families "capitalist roaders."

- Non-Jews tend to call anyone who comes out of a Jewish background a Jew, even if he has been a life-long member of some Christian church.

- Most conversions are acts of convenience. A Jew wants to move up in the corporate world. A non-Jewish fiancée wants to please her future in-laws and avoid the problems posed by an intermarriage.

I convert about thirty people a year, and about half of those who study with me are not contemplating marriage. Some seek a faith which will inspire them in a way their family's religion did not. Some have lived among Jews long enough to have become more comfortable with us and our ways than with any other group. For some it's a highly charged and wrenching emotional experience born out of gnawing and growing doubts about what they had been taught.

- I know people who have gone the conversion route and feel completely at home and at ease.

At home and at ease, yes. Completely at home, I'm not sure.

I remember one young woman, liberal, well-read, sure that her nominal Christian upbringing would not stand in the way of her involvement in the Jewish life of her future husband. She had told me before her conversion: "I never went to Sunday School. I've always believed in God but never in the Christ myth. In many ways I've always been a Jew." Some years later she came and asked me to deconvert her. I told her that no such ceremony exists. Besides, it wouldn't be my place to organize one. But we kept talking, in part because she was so determined that I understand her feelings: "I don't want to become a Christian. I don't believe in the cross. But I find I can't give up Easter and Christmas and somehow I feel disloyal to my parents."

- I've a philosopher friend who's a confirmed atheist and a religion buff.

He travels a great deal and makes it a point to attend services in Indian temples and Shinto shrines, but he hasn't been inside a synagogue since his bar mitzvah.

He says he can't be a hypocrite, but I noticed that he took his sabbatical at

the Hebrew University and he's always talking about the cultural scene in Israel.

- You're assuming that our homes stamped us with a Jewish imprint. Mine didn't. My home was a Jewish blank. My parents are good people, but the only thing Jewish about our lives was the fact that my mother served lox and bagels for Sunday brunch. I was never taken to a service. I could leave without ever looking back.

Perhaps you could. There are many degrees of conditioning and, obviously, the more conditioning the deeper the imprint. However, I doubt that delicatessen is the only Jewish element to which you were exposed. I know your parents. We've been in a number of political battles together. I know they're not synagogue people, but I also know their positions on welfare legislation and race and I'd argue that their strong convictions about injustice grew out of their Jewish upbringing.

- You're reaching a bit far. Since you know my folks you know they're people who are quite aware of what they do and why. They've never once suggested to me that their political interests had anything Jewish about them. They feel religion is medieval and the synagogue is irrelevant. I can't tell you how many times my father reminded me that prayer never fed an empty stomach.

They wouldn't be the crusaders they are if they hadn't been brought up in the passionate world of the Jewish labor movement. Your parents grew up during the twenties in homes where the books of Peretz, Sholem Aleichem and Ber Borochov filled the shelves. Their parents were part of a group of young socialists who took for granted that religion was a reactionary force in society. Yet, their special passions had deep Jewish roots. Some day you might want to read Isaac Deutscher's autobiography, The Non-Jewish Jew. As a young man Deutscher renounced the synagogue and became a Communist. He never returned, but as he grew older he recognized that the social legislation of the Torah into the welfare system of the medieval Jewish community and the tradition which goes back to Amos and Micah of prophetic outrage at all forms of privilege had been spiritually formative and, insofar as they remain central in Jewish life, redeem it in his eyes.



- I don't see where you're going with your argument that Judaism should be important to us because we can't quite get rid of it. Deutscher may have remembered reading Amos in heder, but he certainly had his children read Marx rather than the Five Books of Moses. What you're talking about is a lingering cultural residue, and nostalgia has a short half-life. If the heart has gone out of the enterprise, if no one still believes the special message, why keep at it? You're talking about a lifeless thing.

Am I? You're here. The call of the cradle faith is a compelling, often an unyielding, summons.

- My parents are strange Jews. They give to the United Jewish Appeal. They belong to a synagogue. They talk about Israel, anti-semitism, Soviet Jewry and synagogue politics, about everything except God or prayer.

They're not so strange. I can't tell you how often one of my Confirmation students, while questioning me on some religious matter, will add: 'I asked my parents and they told me to ask you.'

- You're the expert.

- They're afraid they won't be able to find the right words to explain their feelings.

- My father kept a Bible on his bedside table, but he never talked about his beliefs. When I asked him why, he'd put me off: 'What I believe is between me and Him.' I always held it against him that he shut me out, and I always wondered why. He'd talk with me quite easily on other private matters: love, anxiety, values, sex.

- My parents were somewhat like that. I was car-pooled to religious school.

If it was their turn to drive I wouldn't get out of the car unless I was in a play or receiving some award. After school they would ask whether I enjoyed the morning but not what I'd learned. I never understood why they sent me to Sabbath School.

- It's hard to talk about what you believe.

- Particularly if you've never really given your beliefs much thought. When I'd ask my father about God he'd say: 'I don't know, that's not a question I want to spend much time on.'

- So why did he insist on Religious School?

- He told me: 'you'll always be known as a Jew, so you should know what it's all about.'

Sociologists put it this way. Jews belong to a community of fate, only part of which is also a community of faith.

- There seem to be fewer drop-the-kids-off-and-go-on families now than when I was being car-pooled. I'm in temple more often than my parents ever were and in recent years I've noticed my parents, too, have become more observant. I think it's the times. We're terribly confused and more than a bit disenchanted and we seem to need a regular dose of encouragement and confirmation that we're doing the right thing.

- Whenever I go to services, I'm surrounded by empty pews.

You're both right. The interested are more intensely involved and the disinterested are, if anything, less willing to give Judaism even a passing glance.

- I'm not sure about all this community talk. Our Federation uses the motto, 'we are one,' but I don't see community. I see groups of Jews who have little in common: the affiliated and the unaffiliated; community activists and those who don't do anything; observant Reform and non-observant Orthodox; some who worship every day, some who worship twice a year, and some who don't come at all.

- Observant Orthodox and non-observant Reform.

- Those, too.

What's your point?

The Jewish community does not seem to have a center. It's not clear what, if anything, holds it together. You've said a religion expressed a special message.



There are a lot of conflicting messages out there.

We're a fiercely independent lot, always have been. Moses led twelve fractious, often rebellious, tribes. You know the old line, 'two Jews, three opinions' — yet, in times of crisis most of us pull together.

- Are you saying that the Jewish community exists only because most Jews will rally round when the anti-semites are on the war path? Survival is important, but there should be some positive benefit in a group's survival. I won't spend time and energy on a group which doesn't stand for values I approve.

I think you'll find most Jews, the non-Jewish Jew and the synagogue Jew, share a commitment to social justice. The non-Jewish Jew feels pride in the prophets and their fierce defense of justice in all its forms. The synagogue Jew will talk of the mission of Israel and may actually quote Isaiah: "I, the Lord, have called you in righteousness and taken hold of your hand, to set you as a covenant of the peoples, as a light to the nations, to open the eyes of the blind, to bring the prisoners out of confinement, and those who dwell in darkness out of the dungeon."

Both are saying: it's right to be actively, politically, concerned with the world's problems.

- That's not much of a special message.

It is when you consider that most religions counseled men to turn away from the world and the worldly. Some even told them that they'd not know any peace of mind until they gave up all public commitments, including family and marriage.

- Before we get side-tracked into the question of purpose, answer for me a more practical question. Who belongs to this Jewish community?

Any Jew.

Who's a Jew? How does one qualify?

You become a Jew in the same way that anyone becomes an American citizen — by being born to parents who are citizens or through naturalization. According to rabbinic law a Jew is a person born to a Jewish mother or one who converts.

- I was asking a religious, not a legal, question.

I've tried to make it clear that the tradition took for granted that one's religious identity was a legal fact as well as a profession of faith. In the ancient world you were a citizen of a religious community and governed by its law.

- Why was the mother the determining factor?

The Hebrews, like the other peoples of the ancient Middle East, practiced polygamy, and in such societies rules based on maternal descent were the norm since they provided the only effective way to settle questions of inheritance and precedence.

- Today it's one husband and one wife. The rationale for using the mother is no longer valid.

Recently the Reform community acknowledged this when it decided to consider as a Jew any child of an intermarriage who had been raised as a Jew regardless of which parent was Jewish.

- Even so, law and religion shouldn't have anything to do with each other.

Shouldn't is a bit too strong. Religion cannot be sealed off from the other sides of one's life. I must say I rather like the matter-of-factness of the legal approach since, despite all our pretensions to being free spirits, we are in large measure what our family raises us to be, and mothers play a major role in that conditioning process. The old rule also makes clear that the Jewish community is an open community.

- That's true of all religions.

Not so. You have to be born a Brahmin to be one. Membership in a tribe and caste are often essential to belonging.

- I thought we didn't seek converts.

We don't maintain missions, but we are happy to accept converts. In the Greco-Roman world we were quite active in the missionary field until the emperors of Rome became Christians and ruled that only their church could receive converts.

During the Middle Ages when Europe was ruled by Christian law, Jewish communities were sometimes put to the sword if a local Christian became an apostate.

- Be more specific about the situation today.

There are conversion classes in most large towns, but for the most part, we don't actively missionarize.

- Why not?

I suppose we're still somewhat inhibited by the fact that we are a minority. Then, too, Judaism has never taught that non-Jews will be barred from Heaven. We're not accustomed to the idea that a convert to Judaism saves his immortal soul.

- My mother's a convert. She once told me that when she told an aunt of her decision the aunt broke into tears because they wouldn't see each other in Heaven.

- I've always thought of the Jewish community as somewhat tribal.

The law is specific: a Jew is a Jew by virtue of birth or conversion, and the convert is the full equal of one born a Jew. The Jewish community is an open community. Ruth, a convert, was worthy of being the great-grandmother of King David and, by inference, a direct ancestor of the Messiah.

- We claim to be a Chosen People.

The Chosen People, not the chosen race. Anyone who's willing to follow the covenanted way can join with us. Jews have never claimed any genetic distinction.

The Bible is remarkable among classic literatures for the absence of any myth which claims for the community descent from the gods. Abraham is described in the Torah as a semi-nomad of no particular nobility. The Israelites whom Moses led out of Egypt are called an asafsuf, an undistinguished lot, and they were joined by an erev rav, people of no particular lineage who, having thrown in their destiny with our Fathers, are never again spoken of as a distinguishable and separate group.

- Still, the Jews felt they were God's favorites.



We like to feel that we have been singled out. All religions assert some special relationship to their god or patron.

- Only Jews claim to be a chosen people.

Not so. Christianity makes precisely the same claim. In fact, they say that God removed the title from Israel and gave it to the Church. All the classic religions claim some special relationship with their God. The chosen people idea seems to me little more than a reification of what the psychiatrist calls a healthy ego.

- I don't like pretensions of any kind.

God's choice of Israel brought special responsibilities rather than special favors.

-How did the chosen people idea come into being in the first place?

Quite naturally. Our ancestors were certain God had given them a special message, and they felt honored by that fact. Their lives had a new focus and they spoke of this feeling as 'election.' The Torah has God say to Israel: "You have seen what I did in Egypt and how I carried you on eagles' wings and brought you here to me. If only you will now listen to Me and keep My covenant, then out of all peoples you shall become My special possession for the whole earth is Mine. You shall be My kingdom of priests, My holy nation."

- Many claim that we're racists because we speak of ourselves as a chosen people.

The rabbis said God first offered the Torah to Israel's various neighbors, but each in turn demurred. They didn't want to be held to such a strict account. Racial arrogance has nothing to do with it. God chose a motley of erstwhile slaves.

- Our rabbi says that its attractiveness in the past, the chosen people idea should now be dropped because it has become an embarrassment. In a world which believes in democracy and cultural pluralism it makes us seem a closed and uncooperative group and, in fact, he believes that chosen people talk encourages clannishness among Jews.

I've no particular trouble with the term. It says to me: 'Be grateful that you belong to a people who sensed a special duty and feel compelled to do it.'

I wouldn't want to be part of a people who were satisfied with the minimum and conventional standards of their time and place. As God's chosen people, Jews couldn't - can't - let Him down. In any case, I won't allow anti-semites to dictate what I can believe or say.

- You're being uncharacteristically romantic.

- No, I'm simply reminding you that we tend to set our standards by what others expect of us. I did my best work in school for the teachers who expected the most of me. Jews felt God had said to them what my parents often said to me: "Don't settle for the average." Like a capable student whose ability has been recognized, more was demanded of the Jew.

- When a teacher said: I expect more of you than of some others, I felt I was being manipulated and I hated it.

- We can't all get A's.

Judaism's a 'you can' tradition. We believe there's always room for improvement.

I can understand why those who want only to be left alone never volunteer and say no thank you when they're asked to take on a special assignment, would reject the label. I cherish it as a reaffirmation of the nobility of the human spirit.

- You make Judaism sound like an early version of one of those pop culture, human potential seminars.

I don't mean to. Judaism's message is not 'here's the way to be successful' but 'here are God's Instructions.' Our prayers are quite explicit about the goals we ought to set: "You have chosen us from all peoples. . .you have sanctified us by your commandments and brought us near to Your service." We're not after success for its own sake but after the holiness of life, the sense that we're doing what we should be doing.



- By those standards Judaism has not been particularly successful. I don't see where we are any more virtuous than the rest of the world. My dad was only half jesting when he kidded mother about the gonifs in her family.

Not all Jews have been good, saintly, or even conscious of any special obligation, far from it. We've had our crooks - I just finished reading The Rise and Fall of the American Jewish Gangster - our fools and our fanatics; but history bears out that we've been a remarkably creative people over an incredibly long period of time. I'm convinced our track record wouldn't be what it is unless the Jewish people had internalized a sense of election and historic purpose. God's choice laid on us a compelling sense of duty.

- Jews do feel themselves brighter and better. The way my grandparents used the term goy, it was the ultimate put-down.

In Biblical Hebrew goy simply denoted a nation of people. At first it was a term Jews applied to themselves, goy kadosh, a holy people - but in time, and for want of a better expression, goy came to be the term which summed up their feelings about peoples they understandably resented. Your parents must have come from Eastern Europe where though most Jews were as impoverished as the illiterate peasants who cursed them every day and beat them up when they were drunk, Jews maintained a literate and cultured society. Europe's Jews, understandably, felt superior to such louts and contemptuous of the anti-semitism which excused their bullying.

- It's never right to stereotype another group.

Don't be a Mr. Too Good. The lives of these Jews was often a living Hell.

Understand goy as a form of catharsis, a necessary release of frustration, and remember, no rabbi ever defended goy as an estimable expression. The Torah insists that Jews should treat non-Jews with respect. "You shall not wrong or oppress a

a stranger, for you were strangers in the land of Egypt." God was the Father of all peoples and all peoples merited His care.

- I don't hear goy any more, but some of the feeling of superiority is still there. Look at the way Israelis treat the Arabs.

- You're overstating the case. I spent a year in Israel and there are restrictions mostly born of security concerns, not contempt. Some look down on Arabs. Many do not. Israel's Arabs are citizens. There are Arab members of the Knesset, Arab-owned-and-run newspapers, and Arab professors and students at the Hebrew University. When I was at the Hebrew University I was a member of an activist group of Israelis who were pushing the government to relax the special identity checks to which Arabs had to submit. I wish we'd been more successful, but it's hard for people who have lived for nearly forty years under the threat of terrorist attack and military assault to dismantle what are seen to be necessary safeguards.

- Jews don't enjoy even minimally circumscribed rights in any Arab country.

Jordan's constitution specifically prohibits any Jew from becoming a citizen.

- Jews do feel different. I know I do.

Some years ago I was asked to write A History of Judaism. Before I accepted the assignment I had to ask myself, why write such a book. I came to a simple answer: we had had a significant career. We've been around a long time, but longevity is not in itself interesting. The bedouin and the nomads of the world have been around a lot longer. It's been said, "Jews are like everyone else, only more so." It's the "more so" that interests me. Even people who don't like us admit our significance. Indeed, some scholars who've studied the causes of anti-semitism argue that one of its main components is jealousy of Jewish energies and abilities.

- I've a friend who says anti-semitism is our fault. We claim to be the chosen people. No one likes someone who feels superior.

It's interesting that this argument was first advanced by those who claimed that Christians were the New Israel, the newly chosen.

- What can we do about anti-semitism?

As Jews, nothing. It's their problem, not ours. Prejudices are immune to facts or reason. If all Jews were saints anti-semites would damn us for not being normal. Prejudice seems to be a reflex of some primitive survival mechanisms.

Animals protect their own against strays and strangers, and most human groups have a remarkably low tolerance of physical or cultural differences.

- Then any claim of distinction encourages envy and invites misunderstanding.

Would you have us then encourage mediocrity? Group distinction and distinctiveness are necessary to progress. The advantage of a pluralistic and democratic society is that some group is always ready to challenge what appears obvious to the majority and which, in fact, is not obvious at all but simply the conventional wisdom.

Pluralism encourages progress.

- So, vive la difference.

Not always. There is no virtue simply in being different. Those who dye their hair orange are exhibitionists, not the catalysts of civilization.

- Cults like Hare Krishna do add a bit of color.

- So do Jews who make a big thing of playing baseball, wearing a yarmulke.

There's no benefit in flaunting distinction. Jews cover their heads to show respect and reverence, not as a team badge.

- To some baseball is a religion.

You won't find it mentioned in the Covenant.

- I need another definition. You've now used covenant several times and I'm not certain what it means.

Covenant, berit, describes the agreement between God and Israel that underlies and defines Judaism. According to the founding myth, God's Instructions were



set down in a text, the Torah, which Israel accepted at Sinai. Sinai was seen as a time when a specific contract - the covenant - was stipulated by God and agreed to - signed - by Israel. I like Abraham Heschel's phrase: "God gave His word to Israel, and Israel gave its word of honor to God."

Covenant thinking colors all Jewish thought. At Sinai Israel did not accept God. God does not need acceptance. Rather, God offered Israel a covenant, and Israel accepted its terms. The Torah contains these terms and is Israel's charter. The covenant, like any contract, contained a schedule of benefits and payments. Jewish life has a contractual as well as a conceptual basis. God didn't simply say, 'here is what I want you to do, please help Me out;' rather, He said, "Here is a contract, if you sign it you'll be bound to the terms which include incentives for compliance and penalties for default." The covenant is regulated by a God who is long-suffering and patient, but at the same time, expects us to live up to our word. Israel remains a chosen people only so long as it remains a choosing people. God may abrogate the covenant if Israel remains indifferent to these agreed-on responsibilities.

- Why, of all peoples on earth, should God decide on Israel as the second party to this contract?

Your question can't be answered. Do you know why you are who you are? All we can say is that it happened, or rather that Israel felt that it had happened.

Later, it was suggested that Israel had been chosen precisely because she was the least distinguished of nations. If God could take the least promising and raise them on high, what could He not accomplish?

- You're saying that Israel has a special relationship with God.

Yes, but I'm not saying that God cares only for Israel. The Jewish tradition insists that God is the God of all men, that we are members of a single human

family, that Heaven's gates are open to any and all who deserve to enter, that God's Instructions are to be shared by Israel with anyone who asks, and that His promise at the End of Days is for all peoples. There was a covenant for Israel and one for all mankind; indeed, the covenant with Noah, which is the universal covenant, preceded Israel's.

- I thought the rules were the same for everybody.

The universal covenant was described as stipulating the general rules every society requires: the prohibition of idolatry, blasphemy, murder, adultery, robbery, and cannibalism, and the mandate to establish courts of justice. The covenant at Sinai was both more extensive and specific.

- In the army I learned never to volunteer. Given the high cost of being different, wouldn't it have been better if Moses had said: Thank you, God, 'thanks, but no thanks, your offer of a special relationship can only cause us a lot of grief.'

It's probably safer to be part of the crowd, but those who live ordinary lives never know what it feels like to be fully alive. The Torah wouldn't have the power it does if it were simply a list of fairly obvious do's and don'ts.

I like the fact that it includes duties which demand patience and sensitivity on our parts and even duties which can never be fully met, duties which the tradition speaks of as lifneh v'lifnim meshurat ha'din, above and beyond what can be specified: time spent with someone who is frightened or disturbed, volunteering for a service when no one else will step forward, blowing the whistle on those who take advantage of office, testing a vaccine on yourself when there is no other way to check its efficacy.

They sensed that a sermon might be on the way and the discussion quickly took another tack.



- As a teacher I know the value of motivation and of a feeling of self-worth, but rules bother me. I believe in letting each child follow his interests. They have to be free to grow.

Freedom is essential to our vision. God signs Himself as "the Lord, your God, Who brought you out of the land of Egypt, out of the house of bondage," and Passover celebrates freedom. The Torah requires that we: "Proclaim liberty unto the land, unto all its inhabitants." On the sabbatical year, each seventh year, Hebrew slaves were to be freed.

- That's hardly a resounding abolitionist statement. It suggests that for six years slavery is an acceptable arrangement.

Free labor did not yet exist and people could not imagine such a working force. This was probably as far as a law then could go. Certainly, no other law code of the time went this far. Biblical thought makes clear the essential wrongness of slavery and Jewish practice moved steadily toward full abolition.

The Torah's spirit is manifest in a rule which requires that a slave who prefers shabby security to the challenge of freedom shall have his ear pierced as a sign that his hearing must be defective. He had failed to hear God proclaim the law of freedom.

- You're being inconsistent. You can't praise freedom on the basis of your respect for an ancient law book which restricts freedom. The Torah is full of do's and don'ts.

Good laws secure a people's freedom. Without signals and stop signs we could not drive confidently or safely. There are laws and laws. The laws of a Fascist state are arbitrary and repressive. Most of the laws of a free society are necessary and beneficial. In Russia the Politburo simply announces what the Party wants.

Our Constitution was discussed and debated before it was democratically adopted.

happily, but I have no problem with it for peace, order and justice. Eichmann's

At Sinai God simply announced His Instructions. There was no time for debate. No vote was taken. That's hardly a democratic process.

You were dealing at Sinai not with any law but with God's law. Jews accept on faith the identity of God's law with justice and benefit.

- Which is a cute way of rationalizing its arbitrary nature.

Torah law, far from accommodating arbitrary power, legislates a number of protections against tyranny. The king could act as judge but was specifically denied the right to promulgate fundamental law or to abrogate Torah law for his benefit; and the Bible reports with obvious pride a number of incidents when a king exceeded his authority and a prophet publically condemned him as Nathan denounced David for having rid himself of Uriah so he could marry Bathsheba and as Elijah damned Ahab and Jezebel for their resort to perjury and judicial murder to acquire for themselves Naboth's vineyard.

Its legal sections require prompt payment for property damage, just weights and measures, and due process in court procedure. The Torah does not accept the idea of a double standard; that you can be less honest in commerce or politics than in your private life on the argument that it's a jungle out there: "In all your ways acknowledge Him." The full protection of the courts is to be accorded to those too weak to protect themselves - the widow and the orphan; the well-placed are not to be favored, and those whose dress or customs are strange are not to be mocked. Marriage was not simply a sexual alliance or an arrangement of property but kiddushin, a sanctification of two lives.

- You've picked examples to suit your argument. I'll cite you a rule which is unjust: capital punishment which is nothing more than judicial murder.

I'm not as ready to damn capital punishment as you seem to be. I approved of Eichmann's trial and execution in Israel. I would restrict the death sentence narrowly, but I have no problems with it for mass murder and genocide. Eichmann's

crime, by the way, was almost the only category for which the death penalty is mandated in Israel's law and this fits in neatly with the development of Jewish law. The Bible seems to have few qualms with the death penalty, but over the centuries the rabbis enmeshed capital cases with so many due process requirements that it became almost impossible for a court to put a criminal to death. The Talmud reports that a court that carried out a single execution once in seventy years was called a murderous court.

- I thought you said the Torah could not be amended or changed.

Amendment was prohibited. Interpretation could not be avoided. Any law code must be applied to changing and unforeseen conditions and the sages tried to do this, using as their standard the Torah's own informing spirit. Obviously, the sacredness of life was held to be one of the Torah's central themes.

- Give me a 'for instance.'

There is a rule that cities of refuge are to be designated in the Promised Land where those who commit an unpremeditated murder can flee to escape revenge.

In those days the common practice was that if a man was murdered, his kinsmen organized a posse and took a life for a life. There was a certain rude justice in this practice but little sensitivity to such questions as intent or mental competence. Some crimes are premeditated; some are accidental. Often there are mitigating circumstances. The creation of such cities was a bold attempt to create a situation which would protect an assailant until he could be brought to trial where not only his guilt but his degree of culpability could be assessed. Some historians doubt that refuge cities actually were established; but clearly, the Torah was expressing its belief that due process was essential to justice, and this rule focused Jewish legal thought on due process, change of venue, and a fair trial - worthy concerns which were thoroughly and thoughtfully developed in later times.



- I'll give you a contrary 'for instance.' A Torah text says that a husband may initiate divorce proceedings. Nothing is said about the wife's prerogative in such matters. You say the Torah was interpreted with an eye to the broadest possible justice. As far as I know, this rule was never reinterpreted to remove its sexist bias.

The Torah permits the divorce when a marriage isn't working out, some religious traditions don't, and does not require that during divorce proceedings either partner make a ugly public accusation against the other. It was enough to say: it hasn't worked out.

- You're evading the issue which is a woman's lack of standing.

Over the years rabbinic courts exerted various kinds of pressure to force husbands who were holding their wives to an impossible relationship to proceed with the divorce, but you've found your issue.

- The Jewish understanding of justice was never freed of the bias of male chauvinism.

The Bible presents the biographies of at least a few women who were liberated for their age: Miriam, Deborah, Ataliah, a reigning queen, the prophet Huldah, and insists that both Adam and Eve were created in God's own image. It was only later, after the Babylonian Exile, that men and women were separated on the Temple mount and that women were subjected to such legal restraints as the right to appear as witnesses in civil cases. I'd argue that the separation by gender which the Talmud encourages, symbolized by the women's balcony in an Orthodox synagogue, represents an understanding of Torah regressively affected by the harem mentality of the Oriental world and by anxiety at what they perceived as the breakdown of family structures in the Greco-Roman world. There is no rule in the Torah that a woman must limit herself to housewifely and mothering roles; indeed, by a different exegesis the equality of persons could have been derived from a central text in the creation story: "Male and female created He them." I'm a firm believer in

women's liberation and I believe my view has a solid Torah basis. It's too bad the rabbinic commentators were more affected by their need to create a separate world than by their need to explore the Torah's more open spirit.

- I still don't understand why rabbis took this regressive approach to women's rights.

- After Alexander the Great, the Hellenistic way of life transformed the world where Jews lived and many were shocked and scandalized by what they considered the looseness or carelessness with sexual and personal standards which now permeated society. The Maccabean revolt was in part fueled by this conflict of values - young men competing nude in the games, homosexuality treated as a common and accepted practice - and many, revolted by what they saw, tried to protect their communities from all that the outside world represented, including the tendency of the late Greek world to give women a large degree of freedom. Battling their version of E.R.A., the sages began to insist on a segregation of the sexes which was far more rigorous than earlier practice.

The rabbis were not male chauvinists who treated women as sex objects, quite the contrary. They felt their rules protected and honored women and kept them from being caught up in demeaning practices. Rabbinic literature is full of praise of women as people, beloved of God, with an important role to play in the home and family.

- Times have changed but the orthodox haven't. The orthodox synagogue in my town has just put up a mehitzah. Why are they moving backwards?

Faced by a world full of change some Jews have again become afraid of any change and are again building up the walls which they think will protect them from the perversions of the larger society. Then, too, there's the fact that women's liberation became an early rallying cry of the Reform movement which has since then undone all the old chauvinist forms, and the traditionalists are determined to dig in their heels and prove all Reform to be misguided.



- I'll give you a 'for instance' where you won't be able to rationalize the Jewish position: the law requiring that a witch be burned.

The Talmud treats this rule as an important element in the Torah's broad-gauged attack on magic, necromancy, whispering charms over wounds, and voodoo, an attack on superstition which was unique for its age and one which carries a message I wish the Age of Aquarius would listen to. Interestingly, there is no record of any witch being condemned or of any Salem-type trials in ancient Israel.

- You keep talking about the Talmud. I once tried to read it and found that it has no style, that few ideas are fully developed, and that the language is so epigrammatic and special that, for the most part, I couldn't follow the argument.

The Talmud's a law library, not a book. It's meant to be a research tool, not to be read from beginning to end. Spend a few years learning its structure and methodology and you'll be impressed by the sophistication and spirit of its legal approach.

- For instance?

Under Talmudic law a confession is not accepted as evidence. Since prosecution was not made easier by the prisoner's self-incrimination, Jewish authorities were not tempted to torture a prisoner and reports of torture to elicit a confession are rare in Jewish records.

- You've been talking about the Torah text as a beginning, not a conclusion, as the basis of a way of life and not as its final and unchanging blueprint. I know Jews who say that Judaism hasn't changed since Sinai.

They're wrong. Jewish history is a record of constant change. Originally, there were many Israelite shrines, some of which, like the sanctuary at Arad, have now been excavated. Later worship was centered in the shrine King Solomon built in Jerusalem. Leviticus is full of shrine regulations, but Isaiah heard God say: "Who has asked this of you to trample my courts? Bring no more vain oblations. . ." and, of course, none of us has ever taken part in such ceremonies

or would want to. In time the synagogue entirely replaced the shrine-Temple.

The woman of valor who looks well to the ways of her household has become the woman rabbi who carefully and effectively guides the life of her synagogue.

The bell rang. I closed by re-emphasizing the liveliness and the importance of the continuing process of Torah commentary. I suggested its impact and value by saying that no one could extrapolate modern Judaism, or even rabbinic Judaism, from the Biblical text. Judaism is not the commandments given at Sinai but the way of life Jews have spun out of the Torah's statements and spirit. I could see that many were about to challenge this claim, but fortunately, it was time to break for lunch.



## Chapter 4

## WHY KEEP AT IT?

We had spent a lovely afternoon in the woods. There was still an hour until dinner. It was a relaxed and reflective time.

- I grew up in a Jewish neighborhood and I was in high school before I realized that the whole world wasn't Jewish. I still remember my shock when it sunk in that we were a few million among nearly five billion earthlings. Ever since, I've wondered if Jews still constitute a critical mass. In the laboratory a chemical can be present in such minute quantities that it can no longer catalyze a reaction. If we can no longer make a difference, why keep at it?

- We've always been a tiny minority.

Not to the degree we are now. It's estimated that in the period before the bloody and futile revolts against Rome during the first and second centuries - you know about Masada Jews made up ten percent of the population of Rome's Eastern provinces. In medieval Europe we constituted perhaps two percent of the population but the proportion was much higher in cities where the future was about to unfold. It's only in recent times, really in this century, that we have fallen so far behind. In 1900 there were some twelve million Jews in a world population of approximately one and a half billion. Today we are twelve or thirteen million in a population of four and a half billion. The population explosion has passed us by.

- The Holocaust killed nearly half the Jews of Europe.

- Middle-class, career-oriented, non-Catholic Westerners like us were the first to seriously take up birth control.

- Someone has said there's now an Eleventh Commandment: You shall deny Hitler a posthumous victory. Since the Nazis meant to annihilate the Jewish people and almost succeeded, we must make sure that their plans don't succeed,



which means large families and lively and attractive communities.

You're paraphrasing Emil Fackenheim.

- I don't know anyone who prefers a career to children who would change her plans just to spite Hitler.

- I certainly won't.

There was silence for awhile. We had come to one of those decisions which are too personal, really, to be talked about. Finally, someone asked why Jews do not seem to realize how few of us there are.

- That's easy. Jews are visible. We belong to an upwardly mobile, risk-taking, achievement-oriented group. Almost every day the papers carry a story about some Jewish artist, musician, entrepreneur, physician, professor or politician.

- Israel's constantly in the headlines. Every time I turn on the evening news there's a piece on the West Bank or Jerusalem.

Necessity forced us to be risk-takers. We weren't wanted in company board rooms so we had to strike out on our own. Academic bigotry, too, forced us to go into the unexplored and undeveloped areas. Earlier in this century so many Jews were pioneers in the field of nuclear physics that when the Nazis came to power they mocked this branch of science as *Judenphysik*. It has always pleased me that one of the reasons the Allies won World War II was that the Nazis' purge of these scientists critically delayed their missile and A-bomb programs.

- I've always felt that Jews have played a disproportionately important role in the development of the modern world, but I've never been able to figure out why.

Try two thousand years of literacy. Judaism considers study as an act of devotion: "And you shall teach them (the commandments) diligently to your children."

The Talmud requires that a father educate his son and by the second century the education of all male children had become an accepted community norm. In medieval

A few thousand. In 1939 there were over two million. When there are no actual Jews to blame, anti-semites invent Jews. We are any dissident with whom the powers that be have an argument.

- I've always felt that the persistence of anti-semitism testifies in a perverse way to the importance of being a Jew. I like to think that just by being around we keep the fascists nervous.

- A lot of Jews are conservative business types whose philosophies are anything but liberal.

- We're talking about perceptions.

And the perception of Jewish liberalism is not a pure fancy. Jews tend to vote for liberal candidates. In recent years a disproportionately large number have been involved in the civil rights and anti-war movements. A French essayist, Jacques Maritain, described us as "an activating leaven injected into the mass" whose role has been to teach the world "to be discontented and restless as long as the world has not God." In his view we represent a number of ideas which trouble the greedy and privileged: justice rather than privilege, freedom of conscience as a challenge to tyranny, and reason in place of propaganda.

- Before our halo begins to strangle a swelled head, let's admit that our liberalism was and is tinged with self-interest. We stood to gain whenever the power of the entrenched and privileged was breached.

Other groups who stood to gain from political and economic reform remained largely passive or politically conservative. It was a case where our religious traditions and our private benefit nicely reinforced each other. From childhood we've been taught that if we've gotten ahead we can thank our lucky stars, our mazzal. Hard work helps, but neither work nor brains can guarantee financial well-being. The rabbis often described life as a wheel of fortune which spins

- Are there any Jews left in Poland?

spends a good deal of time talking about Jews. Almost the entire cast of the New Testament were Jews: Jesus, Paul, the High Priest, Judas Iscariot, the Pharisees.

We are the once chosen people whose ancestors were famous patriarchs and infamous deicides, and our conversion will precede the Christ's Second Coming.

- Come on, no one really believes such nonsense anymore.

My grandfather would have said, 'From your mouth to God's ears.' After the conversion of the barbarian tribes of Northern Europe, Jews and a few gypsies were the only non-Christians left in the continent. Fear and superstition being what they were, we were a ready scapegoat for all catastrophes, plagues and for the spread of values and ideas the majority deemed subversive. Many still see Jews as the masterminds of a powerful conspiracy against whatever interests they hold sacred: the Church, white supremacy, the working class, the Third World, Western capitalism, Soviet Communism. When the Czar, Alexander II, was assassinated in 1881, though no Jews were implicated, the government set out to cleanse Mother Russia of all Jews because we were seen as Typhoid Marys who spread the virus of political freedom and democracy wherever we went. In central Europe the forces of nationalism branded the Jew as a cosmopolitan, Heinrich Paulus said Jews were "fundamentally incapable of understanding the German soul." At the same time the forces of socialism labeled the Jew an unredeemable capitalist. Karl Marx's collaborator, Friedrich Engels, pictured the Jew as a congenital bourgeois whose ingrained commercial instinct turns him into an economic parasite.

- The Soviet Constitution forbids anti-semitism.

It also guarantees human rights.

- When Poland outlawed Solidarity the Communists justified their action by claiming the labor movement had been infiltrated by the Free Masons and the International Zionist conspiracy.

- Are there any Jews left in Poland?



Europe literacy was almost universal among male Jews and rare among Christians.

The immigrant family, recently settled in New York's East Side, may not have fully understood the philosophy behind C.C.N.Y.'s curriculum, but it was a place of learning. It had teachers and a library and no tuition; and the young were pushed to register. Register they did, and when the knowledge explosion came many of them possessed the skills desperately required by a complex technical society.

- I read some place that Jews moved from Ellis Island and the East Side into the Bronx and Queens into the middle-class faster than other immigrant groups.

We came at the right time. America's economy was growing famously in order to meet the needs of a vast continent. Then, too, Jews brought a tradition of literacy and we had the advantage of prejudice.

- Advantage?

Since mainline businesses and banks rarely hired Jews, the immigrants and their children had no choice but to gamble their effort and brains in high risk activities, and as the technological revolution took hold we were ready and trained to take advantage of areas of unexpected opportunity.

- I've always assumed we exaggerate our numbers because we had unconsciously picked up 'their' assumptions. They talk about Jews taking over a neighborhood, about the power of the Jewish lobby, about Jewish control of the media, about the arts depending on Jewish support. They talk a lot about us and since "they" think there are more of us than there actually are, so we do, too.

- You're right about "their" sense of our numbers. An M.C. on a local night talk show identifies almost anyone with a foreign sounding name as a Jew. He can't seem to get off the subject.

Sunday Schools are partially responsible. Christian teaching inevitably

continuously. Today's millionaire may be tomorrow's welfare recipient, so those who share the risks of life must help each other out, and all of us must do what we can to even out the odds for those who are unlucky in their place and time of birth. Justice, not charity; the rights of all, not privileges for the few.

- Christians must look at social justice the same way. They read the same Bible.

Today many do, but it was not always so. Christianity tended to emphasize faith over works and the glories of the next world more than the opportunities of this one. Its founder suggested that the church and the state each had a separate and particular mandate: "Render unto Caesar the things that belong to Caesar and to God the things that belong to God." Compare this with Isaiah: "Who has asked you to trample my courts. Bring no more vain oblations. . . cease to do evil. Learn to do well. Relieve the oppressed. . ." The New Testament so changed the thrust of our Scripture that there were times during the Middle Ages when the Roman Church forbade its laity to read the Hebrew Bible lest they read, "misunderstand," and challenge the church's supernaturalism and its emphasis on deferred rewards.

- That was then. Today rabbis and priests walk together in the civil rights and peace marches.

During the Reformation some Protestants began to read our Bible with fresh eyes. They were in open revolt against Roman authority and deliberately pushed aside a thousand years of Roman commentary, and they were able to see the Bible as an inspiring source of wisdom and inspiration whose message about individual rights, political freedom and economic justice supported ideas about constitutional democracy and natural rights which were beginning to be popular. Since then, as change has become the central fact of our lives, most churches have become as concerned with ways to improve life on earth as about the way to get into Heaven.

- Still, I'm uneasy with the thought of a Jewish lobby.

Would you want us to be the only group in America without a voice? I find it fitting that a number of Jewish agencies have lobbies in Washington. Some lobby for welfare legislation, others in the civil rights area, and others for Soviet Jews and Israel. That's the way the political game is played. Most of the time these agencies join forces with other religious groups. They know we can't get what we want on our own.

- There are a lot of Jews in government and we do seem to be disproportionately represented in law and medicine.

- Are you arguing for quotas: only so many Jews in any profession?

- Not at all. I was simply stating a fact. When Jews discovered they were discriminated against by the larger economic units, they turned to specialties like law where they could make their own way.

Tradition also played a role. The Talmud is a law book. The rabbi was the community's legal officer and when medicine was still learned from books he was also quite often the community's physician.

- Rabbis work in synagogues.

Today many of them do, but for most of the two thousand years since rabbis were invented their work was in a community's courts and councils. They were responsible for the daily and proper regulation of Jewish life and graduate education. Of course, they went to services, but they did not have any special synagogue function.

- You make them sound like officers of a Watch and Ward society.

In a way they were, but their purpose was not to see that unwanted disciplines were enforced or to impose puritanical standards of behavior, but to inform everyone about the proper way of carrying out disciplines which the community willingly accepted because they were God's Instructions. The law was so much a part of Jewish life that Jews naturally assumed that God had given our people a

strictions. Would our government be selling sophisticated weapons and the A-10s to Saudi Arabia if Jewish power were all it's cracked up to be?



- I want to go back to the issue of perceptions. I'd always assumed that as we worked together the old misunderstandings would disappear; but experience has taught me it isn't that simple. It's clear to me that the old negative perceptions are remarkably resilient. A few months ago I went to a public welfare forum sponsored by the local church federation. In the course of the evening, the Chair's frustration at the failure of several bloc grant projects turned into an attack on the Jews who were present because we had not "delivered" the banks we "controlled" on the issue of redlining. There wasn't a banker in the room, and as far as I know no Jew has a major office in any bank in my town.

- The best-known activist minister in my town and our rabbi are fast friends. He often speaks at our synagogue.

- The best known activist minister in my town rarely misses a chance to attack Israel for its settlements on the West Bank. He says Israel should exist but he always finds a way to blame Jerusalem for the PLO's violence.

- Won't it ever end?

- It will end with there's justice for everyone.

Don't make the mistake of limiting anti-semitism to the political right. The radical group who killed the Czar deliberately fanned the flames of anti-semitism in their pamphlets and speeches and justified their lies as the best way to radicalize the peasants. Some of the ugliest anti-semitic diatribes of our day are those broadcast and published in the press and radio of the Communist world.

- We don't help the situation when we boast about the Jewish vote and "Jewish kpower" because such talk only feeds the conspiracy theories anti-semites dote on.

The problem is not what anti-semites may do with our loose talk but that it's not true. We're a minority, less than three percent of this country's population. Many individual Jews are financially successful, but politically we don't often get our way. During the 1930's when Europe's Jews were the boat people nothing American Jews did or said prompted Washington to remove existing immigration restrictions. Would our government be selling sophisticated weapons and the AWACs to Saudi Arabia if Jewish power were all it's cracked up to be?

commission to live as the law prescribed, not only because this would be to our benefit but so that we might witness to the Torah's value and so inspire others to make its rules their own. Jews have long felt that our mission in life is to promote Torah.

- I've always thought of 'witness' and 'mission' as churchy words. I don't associate them with the synagogue.

The mission theme is authentically Jewish. A prophet, Deutero-Isaiah, who was among the exiles in Babylonia, heard God promise these captives that they would be returned to Judea and that He would do this not only for their sake but in order that Judea might become "a light unto the nations." He envisaged the repopulated Jerusalem as a community obedient to God's law which would be a compelling example - witness - to the world: "For out of Zion shall go forth the law and the word of the Lord from Jerusalem."

- I like the idea, but it sounds unrealistic. In the real world the decency of a community, unfortunately, counts for very little. Each nation follows its own destiny. I guess I'm a bit of a cynic, but I'm convinced that if the world ever becomes one world it will be the result of force.

You're too much of a pessimist. Tanks count, but so does example. Think of all the unconscious lessons we learned watching our parents. Many of us serve institutions and causes because we admired others who did. Character and sensitivity are not lost on the world. Look at the difference Gandhi made.

- But look at the difference Hitler made.

Amos.

- Attila.

- This debate will get us nowhere. I want to get back to your claim that 'witness' and 'mission' are proper Jewish themes. Until this moment I'd never

heard a Jew use the terms.

Our generation hasn't done much serious thinking about our religion. We worked at survival and at some cultural aspects of inheritance, but we have tended to leave religious themes alone. Many felt religion was passe and that they could do without it. Others simply had no time in their crowded schedule. They were too busy climbing the greasy pole. You may not have heard mission talk, but let me assure you that whenever Jews have thought seriously about the tradition they've used these terms. They've had to since they're the terms through which we come to understand the rationale of Jewish survival. Simply put, the witness theme expresses our feeling that the world is better off for our presence. Besides, God had clearly intended this to be our role, "You are My witnesses, says the Lord."

Doesn't the mission theme assume that Torah is The Truth - otherwise there would be no reason to promote it? Yet, you said earlier that we didn't claim that our way was the only way to please God.

It's natural to feel deep in your guts that your faith is the right one, that the world would be better off if the Torah way was universally accepted, but there is quite a difference between an imperial church which tries to force everyone to follow its rule and the Jewish hope that the world will see the light because of the quality of the example that we set.

- We've been a tiny and dispersed minority. How could a people locked into ghettos hope to change the world?

Ghettos arrived rather late on the scene. When Deutero-Isaiah first spoke of the "light to the nations" mission, Judea had been and would be again one of the states of West Asia. Athens was really not much bigger than Jerusalem.

- But you'd have thought we would long since have seen the futility of mission talk, the world didn't become Jewish.

It certainly ceased to be pagan and the two dominant religions of the West were grafted from the Jewish root. It was easy for Jews to concern themselves that they had partially succeeded and that after the world had become accustomed



to what they saw as watered-down versions of the covenant, the New Testament and the Koran, people would be willing and able to take the final step.

- How did they explain the growing popularity of many of their ideas and the increasing persecution which accompanied their lives?

Israel was being tested and they developed a myth that reassured them that despite the world's low esteem, little Israel was still the key to redemption.

- I don't follow you.

During the Middle Ages the idea became popular among Jews that an accident had occurred during Creation which had caused some parts of God's essence to escape and become trapped in the cosmos. For God to be able to bring redemption to the world He had to be able to muster all His powers and only Israel's prayers, particularly of the holy and learned, had the power to release the imprisoned elements so that they could return to God and His power would again be whole.

- You can't be serious.

All myths are incredible to those who don't believe them, but recognize this Kabbalistic theme for what it is, a defiant affirmation of the significance of Jewish survival. Though a social outcast, the Jew knew himself to be important and not a bit of flotsam tossed about by the tides of politics.

- It's still an incredible illusion.

I've noticed that as our times become stressful and confusing, as the headlines become darker, the streets less safe, and the threat of nuclear war more menacing, seemingly reasonable people turn to astrology, the occult, cults, and other no less impractical schemes. We need to have hope and when there are no available practical remedies, we'll invent and commit ourselves to almost any idea which offers us hope.

- I've always thought of the Jewish 'mission' as an ethical one. I feel God wishes us to be socially liberal and politically active.

- I've a colleague at the university who seems to pick up every cause that comes his way. When I ask him 'why,' I get two answers: "It's a good cause" and "I'm a Jew." He'll plunge into a cause he feels is just even if Jews could get hurt in the process. When the university Senate debated an affirmative action hiring policy I tried to tell him how Jews had suffered from quotas, but he wouldn't listen. He was doing his Jewish thing.

- He was right.

The jury's still out on that score. There's a fine line between equal opportunity and enforced quotas. Certainly, the Jewish concept of justice insists that we consider those who may be hurt by our reforms as well as those we are helping.

I read a book on Reform Judaism, one which defined the Jewish mission in social action terms. The quote, I think, was "to be a partner with God in the work of Creation."

- Where did the idea come from that our mission was to man the barricades?

Imagine yourself a Jew in Europe in the early nineteenth century. You're one of the first of your family to be allowed to live outside the ghetto. Change is trembling in the air but not yet realized in the society. Change promises you and yours greater opportunity. You come from a close-knit community which took the concerns of public welfare and human dignity seriously and it doesn't take any particular discernment to see that it is the forces of privilege and traditional power which stand in the way of an open society. Your own hopes and your conditioning combine naturally with the optimism of the age to turn you into a social activist.

- You make it seem as if Judaism predisposed all Jews to be liberal.

Some of the leading neo-conservative political thinkers in America today - Irving Kristol, Nathan Glazer - are Jewish.

And unlike most industrialists who read and quote their economic theories, they're a bookish lot who claim that their arguments are intended not to continue

privilege but to increase the social good and to provide the prosperity from which everyone can benefit.

- I was raised in a temple where our rabbi talked endlessly about what he called prophetic Judaism. Insofar as I understood prophetic Judaism it was simply his synonym for progressive politics. He was active in the community and given to quote Amos and Isaiah. His sermons were really social action pep talks. We should pursue justice because justice should be pursued, but that if Jews listened to man's call to righteous living we'd be the leaven in the dough, the enzyme in the organism, the catalyst which would stimulate major social change. He was a kind and sensitive man, but I never understood how he expected the thirty or forty folk who came to services regularly to change the course of history, or even to make a difference in city politics.

As we've said, Jews long have been accustomed to think of themselves as significant, as God's chosen people, and a set of popular items reinforced the perception. Conventional wisdom during most of the last century had it that civilization, then defined as the culture of the West, grew from two sources: the religion of Israel and the philosophy of Greece. Primacy in learning was given to Aristotle, primacy in moral passion to the Hebrew prophets. Jews had given to the world the concept of the one God, the Ten Commandments, and the vision of humanity: "Have we not all one Father? Has not one God created us all?" Social activists were in the habit of quoting the Bible as authority for his program.

- Jews were important. I'm always surprised how many Jews played leading roles in the shaping of modern culture Mahler, Freud, Einstein and in the reshaping of the political order: Lasalle, Marx, Brandeis.

- Lasalle or Marx had only contempt for Judaism.

- They dreamed of a dramatic revolution and they blamed religion for keeping the poor passive. In their eyes religion was a counter-revolutionary force.



It was a time when those who had plans for the future were too busy to "waste" time with the meaningless ceremonies and rituals. It was a time to be up and doing. It seemed a waste of time to be in shul praying.

- Why did men like these rail against Judaism? Judaism was a state-church anywhere in Europe.

All kinds of psychological explanations have been offered: rebellion against the medievalism of Jewish life and of their parents, a desperate desire to prove they belonged, that they shared the accepted prejudices. I also feel that their attitude was in some part shaped as a defense mechanism to protect them against summary dismissal by a world which looked on Jews and Jewish ideas as beneath notice. Jews who wanted to be heard had somehow to convince the world they weren't talking as Jews.

- The claim that Jews are the foremost and most important force for social change in our world is patently absurd. Nobody did more for racial justice in America than Martin Luther King, Jr. Many of the most interesting experiments in social democracy were undertaken under Protestant influence in Scandinavia.

Recently, the Catholic Church has been actively advocating economic justice in Latin America. I wouldn't like to see a world without Jews - we are colorful and not without ideas - but we don't have a monopoly on social consciousness.

You're right, but don't minimize our track record. The prophets revolutionized religious thought when they defined God's service as the doing of righteousness. In their day it was assumed that the gods required sacrifices, not social action. Later, the rabbis established the first mandatory educational system and the world's first democratic religious community - the synagogue, have set an example the mosque, and later the Protestant church, deliberately took as their model. Medieval Jewish communities were miniature welfare states, complete with institutions which provided funds to bury the indigent dead, ransom captives, establish dowries for poor girls and basic support for impoverished families, and some nineteenth-century reformers based their blueprint of a modern welfare state after

what they knew of the ghetto. In my city, Cleveland, as in many American cities, the local Community Chest was developed by civic leaders who were impressed by the way local Jews organized to take care of their own. The kibbutzim in Israel represent the only democratic communitarian experiment which has proved its staying power, and its philosophy and forms have been widely studied and copied.

- Okay, but we can't live in the past. Isn't it possible that the work of a separate Jewish community is over and done? American law promotes justice as as diligently as the halacha does. The welfare state is an accepted concept. The kibbutzim have been carefully studied. What's left for us to do and what makes you think we have anything to offer the world now that our lives are no longer set apart and distinctive?

- There's Israel.

- Perhaps if they ever let Israel alone it can become again a creative community. But for the moment its energies are directed towards survival.

The world needs to have us around if only to remind it of its best instincts. We're living in a time of social retrenchment. I see Christianity slowly withdrawing from the social gospel into evangelism, our laws are becoming more punitive, and our government has cut back drastically on welfare and Medicare programs. Vista, the Peace Corps and CETA have been scrapped.

Another thing, there's justice and justice. The politboro's concept of justice and mine are poles apart. A revolution which kills and imprisons thousands of innocents is not the Torah way of achieving justice. Torah insists that the means as well as the ends must be just and humane. The Torah's concept of justice is not an abstraction which a state or party can arbitrarily impose but the sum of a number of specific instructions which appear in the law and which must be carefully worked into the fabric of community life, not to oppress our neighbor, not to insult the dead or put a stumbling block before the blind, not to hold the wage of a laborer beyond its due time, not to be partial to the poor or defer to

the powerful, not to deceive or lie to another but to correct oppression, defend the orphans, plead for the widow, and to set these concerns above the parochial interest of party or state.

- You're saying that many of the world definitions of justice are not that at all.

- The Gulag.

- Regressive tax schedules.

- Law and order.

Justice is a vision, not a blueprint. It's a hope, and the Torah rules suggest how we can begin to weave its pattern into the fabric of civilization.

- In any case, justice can't be the whole purpose of being Jewish. If justice were the sum and substance of our mission there wouldn't be any reason for synagogues, ceremonies, or services.

Some nineteenth-century formulations of the mission theme, prophetic Judaism was one, came close to reducing Judaism to just that - a set of ethical standards. They said that you serve God by working to eradicate racism and class distinction or to eliminate poverty. Home observance, synagogue worship and traditional learning - all that gives beauty and warmth to Jewish life - were downgraded.

- They are secondary, aren't they?

Not in my book. Without the encouraging moments and the learning moments when we remind ourselves of our duties we tend to run out of steam and to be more passionate than effective in the commitments we make. We need occasions when we can open ourselves to the message and the mystery, otherwise we run down or allow our passions to run away with us. There's no virtue in becoming a Don Quixote who rushes off to do good and succeeds only in making himself into a laughing stock.

- Or a Hamlet who broods about what must be done but does not do it.



- If you're saying I can't be a good Jew unless I worship regularly in the synagogue, you're wrong. Religion is morality. I live by the Ten Commandments. That's what it's all about.

It depends on what you understand by the Ten Commandments. No offense meant, but I generally find that people who tell me that they live by the Ten Commandments actually lead quite ordinary lives. It seems to me we need the basic commandments and much more. I must not only not steal or lie but be sensitive to the emotional as well as physical and financial needs of others. Our prophets said: "You shall pursue justice." Our sages said: "Sanctify yourself before you try to sanctify others." In this way they reminded us to take ourselves in hand before we try to reform the world. One of the least appetizing features of life today are those hot angels who are so zealous to reform the society but whose own lives are a moral shambles.

- While you were talking about the mission theme, 'it's good to be a Jew because Jews are good for the world,' I thought of those World War I recruitment posters which showed Uncle Sam pointing a finger at a young man and saying: 'your country needs you.' A rousing challenge never hurts. It's the billing that bothers me. You seem to be saying the Jewish people play a star role in God's plans. I don't feel that there are any star parts, we're all in this mess together.

Obviously, everyone has to do his share. I simply suggested that we have been more than silent walk-ons. The only question we can really deal with is what being active in the Jewish mission can mean personally to any of us. God will decide what our activities will mean for all those with whom we share Planet Earth. I'm a great believer that Torah talk should concentrate more on what Torah can mean to Daniel Silver than what it means in global terms. Since I am firmly convinced that being Jewish has made me a better human being, I have no problems with the thesis that being Jewish can be equally beneficial for others.

- Not in the clamor of a crowded street/not in the shouts and plaudits of the throne/But in ourselves are triumph and defeat," Longfellow, eighth grade English.

"The only way to get an idea across is to wrap it up in a person," Silver, last week's sermon. I'll add a well-known story of a young rabbi who, upon ordination, set out to save the world. Repeated disappointments taught him that the world wasn't ready to be saved, so he reduced his expectations. He'd inspire his congregation. Despite his best efforts, many remained unresponsive. Again, he lowered his sights. He would raise his family in piety, but children have minds of their own and his were no exception. At the end of a long and devoted life he realized that the only accomplishment he could guarantee was the careful cultivation of his soul.

- But why follow the Jewish road? Surely, other religions encourage sensitivity and holiness.

The traditional answer would be, "God out of His grace gave us the Torah and there can be no better instructions." If you want a more down-to-earth answer I'd simply say: 'yes, there are other high-minded and sensitive religious cultures, but ours is really quite remarkable.' If it's a question of by their deeds shall you know them, our classic achievements are a cherishing home, a truth-seeking school, and a democratic synagogue. Our tradition has set as its goals the disciplined adult, fully informed, spiritually independent, socially compassionate, and morally responsible; and the disciplined community, equally compassionate and responsible within a just and democratic institutional structure. And our people have created institutions which promote these values.

- Rabbi, you're being uncharacteristically romantic. I've been to Israel. Some of the most observant Jews there have terrible reputations. They obey every minor religious rule but not the major ethical ones. If they're your evidence of Judaism's power to transform the human spirit, it will stand up in court.

I read recently an article by a former chief rabbi of South Africa, a scholar of unquestioned orthodoxy, who is, if anything, more dismayed than you are by the ultra-pietists who have made a fetish of ritual and have forgotten that Torah insists ritual and righteousness are to go hand in hand. Don't judge Judaism by them - they're a minority of a minority. The Judaism they've made their own is a petrified version of the full tradition.

- By whom shall I judge?

I could give you a long list of the great and the good, but I'd rather you judge the Jewish message by the Lamed Vavniks.

- Who?

Lamed Vav is the Hebrew number thirty-six. According to folklore, in each generation there are thirty-six saintly, anonymous people who spend their lives raising families, encouraging the anxious, and lightening the burden of others, and because they do so they encourage God to continue the human experiment. One of the things I love about our tradition is its tendency to praise 'ordinary people.'

- You say these thirty-six are anonymous. It sounds to me as if this is a way of saying they may not be.

They're there. You've met some of them and so have I; kind and sensitive people who will give you the shirt off their back and all the listening time you need. Such people don't just happen, they're shaped by a sensitive and wise culture.

The dinner bell sounded, and they went off laughing over the possibility that the cook might be a lamed vavnik. Hadn't he just saved them from one of my think-about-it quotations?



## Chapter 5

## THE TREE AND THE RIVER

I'm confused. We've talked for two days about Jewish identity, Jewish values, the Jewish way of life; and conflicting images still come to mind: a kid playing baseball with a yarmulke on his head; aliyahs in a congregation where almost nobody wears a yarmulke; a petition signed by rabbis supporting a woman's right to have an abortion on demand; and a rabbi giving the keynote speech at a Right-to-Life convention. At my bar mitzvah my grandfather told me, "Be a good Jew." I thought then I knew what he had in mind; now I'm not sure.

He probably hoped you would be proud of your heritage, active in Jewish life, and say Kaddish for him when he died.

- I'm sure you're right. He kept a kosher home which had a mezuzah next to the door and he was unhappy when my parents joined a Reform congregation though he relented a bit after my bar mitzvah. He told me he was surprised at how 'Jewish' the service was.

For better or worse, the world has changed. Your grandfather grew up in a traditional Jewish environment. Until modern life introduced diversity the Torah tradition was everywhere essentially the same. There were manuals which set out the rules. Today variety rather than consistency is the norm. Manuals of Jewish practice are still published, but they are intended for one or another branch of Judaism, not for the whole community. Of the seventy thousand Jews in my town only eight percent claim to be orthodox, and not all of these follow all of the rules. Orthodox and Conservative congregations celebrate most major holidays for two days; Reform observes only one day. Some Jews keep a kosher home but rarely attend worship. Others attend services regularly but make no attempt to keep the dietary laws. Not only are we members of a pluralistic community, but most of us practice ritual serendipity.

- That's my point. Since the term Judaism no longer defines a particular body of thought and practice, there's no such thing anymore as the surprising and special message you've been talking about.

- The orthodox insist that their approach is the authentic one.

- They didn't think of you as a rabbi.

Some will have nothing to do with me. Others respect my scholarship although they disagree with my method and approach. My grandfather was an orthodox rabbi, he had his semichah from the Slobodka Yeshivah in Lithuania. Yet, when he came to America he sent his sons to the Hebrew Union College, a Reform seminary. Even those who are convinced I'm totally misguided will grant that I'm a Jew since it's a tenet of the rabbinic traditions that even if a Jew sins he remains a Jew.

- Does their reading you out bother you?

I'm always troubled by narrow-mindedness. Actually, I'm troubled less by traditionalists who say up front I'll have nothing to do with you than by the rather widespread assumption among many who are not taught orthodoxy is honest-to-God Judaism, and that conservative and liberal congregations are makeshifts for those who haven't the stomach for the full fare. My Judaism is a statement of whole-hearted commitments made after serious study and reflection, not a watered-down accommodation.

- They've kept the faith. You've changed the rules.

What they call tradition is simply the practice which was familiar in pre-modern Europe. King David and Isaiah practised a difficult tradition and so did Hillel and Akiba. In fact, what we call orthodoxy is not a single entity. In Cleveland a group recently broke away from the orthodox day school because they hired teachers who had earned a college degree.

- What's the issue?

Those who broke away contend that the college-educated teacher, however traditional in practice, will bring modern, and therefore unJewish, ideas into the classroom.

- You can't turn back the clock.

You can isolate yourself from the prevailing culture. A number of religious groups have done so - the Amish and Mennonites come to mind. During the first quarter of the nineteenth century Moses Sofer, a brilliant Talmudic scholar, made the case for a continuing, consistent, one hundred percent keep-modern-life out approach. Young men would go to a yeshivah, not the university; the community would use Yiddish, not German; and the synagogue would keep the service as it was rather than adapt it to the modern taste. He went so far as to say that Jews should refuse the citizenship rights which were, for the first time, being offered in countries like France and Austria if the state demanded in exchange any infringement on the traditional, that is the medieval, patterns of communal self-government supervised by the rabbis.

- Sofer couldn't have been very popular.

He wasn't. Most traditionalist minded Jews in Western Europe and America followed, instead, the lead of another nineteenth-century thinker, Samson Raphael Hirsch, who insisted that one could lead a fully orthodox life and yet go to the university; that traditional Judaism would lose none of its authority if it was explained and expressed in the terms modern philosophy found appropriate and that the forms of Jewish self-government could be adapted to an open society.

I thought Jews had always accepted what was sound in the general culture.

- Not always, but there's been a great deal of cultural interchange over the years. The Talmud, for instance, often uses the terminology of Greek and Roman law in discussing the halacha. Moses Sofer wanted not only to preclude conscious cultural borrowings but also the subtler changes which occur in the psyche when Jews are conditioned by outside culture.



- For instance?

Exposure to European culture inevitably tempered the old male chauvinism and the tradition of father as patriarch. Hirsch's followers could keep the women's balcony but they had to be concerned with the education of women. Since the children of the neo-orthodox, as Hirsch's followers were called, studied in schools where European language was the language of instruction, many no longer spoke Yiddish with ease and so lost the support of a speech which naturally reinforced the pre-modern Jewish identity.

- Your point?

Judaism is always in process. Having been educated in a German university Hirsch's inner being, Hirsch's attitudes, were significantly different than those of Moses Sofer who had remained isolated from the influence of modern institutions. All of us have been raised in an open and heterodox society and it is inevitable that the perceptions will be significantly different from our ancestors. Even if I were raised orthodox I wouldn't think about sexuality or family structure as a Maimonides or a Gamaliel did. Neither of them had ever heard of the nuclear family, women's liberation, or Dr. Freud. What I'm saying is that religion does not exist outside people's minds and souls, and each generation's mind and soul is influenced by its special environment.

Their world believed in constants and universals. Our world concerns itself with perspective, process, and indeterminacy. Theoretically, there are only two options open to us: to build an isolation booth counter culture as Moses Sofer advocated or to accept change and to accept the fact that Judaism is and always has been an emerging tradition and that our community is no longer of a single mind. There are, and always have been, Torah traditions rather than a single constant and unchanging tradition. Judaism describes the unfolding of an original

set of ideas and not a set of ideas and institutions which have been constant over time.

- You've argued that religions exist to confirm a community's values and hopes. If you're right about change, then it becomes impossible for Judaism to do what you say a religion must do. You can't have a successful religion which says we can't tell you which values are beyond question. Perhaps what we've been teaching you is not exactly so. If Moses had written the Ten Commandments on an erasable blackboard no one would have paid them the slightest attention.

- Recently I read the result of a Gallup Poll which suggested that a sizeable percentage of those who attend church in America nurture doubts about the historical accuracy of the events the New Testament describes. If they don't believe in the empty tomb or that God sent down His only son, why do they keep coming?

I have doubts of the same kind. At Seder when I read the Haggadah I can't help thinking it never happened, at least not this way. I don't believe in the plagues or in the splitting of the sea and I even doubt that there was a massive slave breakout. Pharonic Egypt would never have permitted it.

- So?

- A part of me withdraws a bit from the Seder. I don't mean I don't enjoy the food and the sense of family, but I don't pay much attention to the prayers and I find myself wondering what, if anything, I can trust in our tradition.

- Why do you go to a Seder?

- Habit.

Let's go back to the crucial questions: how a religion which admits that its practices and even some of its values have changed can go about doing what a religion must do, that it provide its community the sense of direction, that reinforcement of redemptive commitment which we require.

Let me try to set the problem. Judaism's familiar myths reinforce the theme of unchanging standards. It was taught that God had intruded in history and through Moses had mediated His complete and final set of directions for mankind, the only set of Divine Instructions we can ever have. "You shall not add nor subtract from it." The myth is a powerful one in itself and it was further reinforced by the custom of writing the Torah scroll, following exactly an age-old scribal tradition, this symbolizing this identification of Torah-Judaism with unchanging truths. Our problem is that we know that this sustaining image is not true. The whole Torah wasn't given to Moses on Mt. Sinai. Modern research has shown that the Torah consists of material from Moses' time and from earlier and later ages.

- My grandfather would have called you an epikoros.

In doing so he'd at least be giving me credit for some learning. A lovely story which was popular in Eastern Europe at the turn of the century tells of a student in a Polish yeshivah who somehow heard about the philosophies of Kant and Hegel and wanted to know more. One day he learned that a famous free thinker, an epikoros, was in town and he asked for an interview in the hope of becoming his student. An appointment was arranged and when the young man presented himself this conversation presumably took place: "How well do you know the Bible?" "Fairly well." "And the Talmud?" "A few pages." "Have you read Maimonides and Ha-Levi?" "Not yet." "Young man, go back to the yeshivah and study. You don't know enough to be an epikoros."

- Some Jews would label what you've been saying as heresy.

Heretics are not necessarily cynics. Most are serious believers who simply hold positions different from the conventional wisdom. Some years ago I was asked to write the article on "Heresy and Heretics" for the Encyclopedia Judaica. I



wrote: "The heretic may be bitter or cynical or defiant, but he is not an apostate and often believes that he represents true Judaism." More often than not, heretics are simply the out-voted minority.

- Are you saying that whatever I want to label as Jewish is Jewish?

Emphatically not, but that my answer requires some careful explanation - and your patience.

During the Middle Ages the rabbis often used the image of a tree as a metaphor to describe the development of the Torah tradition. The seedling had been planted at Sinai; over the centuries the trunk had thickened as each generation added its understandings of the original affirmations. Over time the tree's branches lengthened and thickened as commentary added detail, the tree's principal parts; the unity of God, free will, providence, reward and punishment, and the Messianic promise. Each spring the tree came into leaf and each fall shed its leaves as communities developed customs appropriate to their circumstances and then, under new circumstances, changed or abandoned them. Customs might change but not the basic teachings. The tree is firmly rooted in one place and as long as it survives it retains its original shape. The tree metaphor suggests Judaism unfolds but does not change in any essential way. The tree metaphor is attractive to those who accept Judaism as a religion of unchanging doctrines and eternal verities.

There is a problem, however. The tree metaphor doesn't accurately portray what actually occurred. Imagine Moses resurrected among us and on a visit to the most traditional synagogue he could find. Ask yourself how he would react to all that he would see and hear of the religion he helped to found. Synagogues developed a thousand years after Moses' death. The first rabbi was ordained more than thirteen hundred years after Moses appointed Aaron as High Priest. If I took Moses to the Ark and opened the scroll which bears his name, he could not read it.

The Torah script, though antique, uses an alphabet which was developed several centuries after his death. Moses would not even recognize the scroll itself since the Torah did not achieve its present form until the time of Ezra some eight centuries after Moses' death.

- Then how could anyone even suggest the tree metaphor?

- Our generation is uniquely conscious of history. Those generations were not. It's not only that we have new research tools but that we see change everywhere every day. Medieval man lived in an apparently unchanging world, using the same tools or the same piece of land as his ancestors. He had no reason not to accept on faith the truth his father had accepted.

- But even then there were cultural changes. Civilization never stands still.

There were changes, but they came with glacial speed, so slowly that they were hardly perceived.

- You're claiming that the tradition was in fact capable of making some radical reforms and yet did not lose the comforting sense of being rock solid. Tell me more about those changes.

Polygamy was the accepted form of family structure in Biblical times; monogamy was required in medieval Europe. The Temple was served by hereditary priests; in the synagogue clergy have no special role, and anyone who cares to and can do the work can qualify. The priests encouraged, and most Biblical Jews enjoyed, pageantry centered on sacrifices; but Hosea and Isaiah condemned such ritual as misconceived and it long ago disappeared. The Pharisees affirmed the resurrection of the body and the Sadducees denied, correctly, that this teaching had any basis in Biblical literature. Liturgy developed in Talmudic times praises a God who "brings the dead to life." In the Middle Ages there were rabbis who found all manner of esoteric and kabbalistic ideas in the Torah text, and others who denied

that these ideas were there at all. The Hasidic movement in the eighteenth century shaped itself around the charisma of miracle-working "saints," a practice sharply denounced by traditional leaders who considered these wonder-working rebbes to be charlatans and at times excommunicated their followers. Modern Jews are not the first Jews to reform the tradition.

- My grandfather would have explained the cessation of sacrifice as a temporary matter. The Romans had destroyed the Temple. It would be rebuilt by the Messiah and all would be again as it once was. He would explain most of the changes you have listed simply the result of a fuller understanding of the law.

He'd be wrong. He would simply be revealing how deeply he'd been conditioned by the prevailing myths of his time. Talmudic Judaism had sanctified another myth which explained how practices not stipulated in the written Torah were in fact Torah. There had been, it was affirmed, two parts to the original revelation. The familiar Torah scroll contained one part. The second part was an oral tradition which had been passed along by word of mouth from Moses through the authorized teachers of each generation. When the tradition recorded a "new" practice, it is not new at all. It had been part of the oral tradition ever since Sinai.

- Why stuff everything into a single revelation?

Relating everything to a single source, God and a single event, Sinai, which was credited by everyone, allowed what had become accepted as Jewish to be certified by the cachet of the original covenant. Presumably, nothing had changed and Judaism was able to play its critical role confirming the accepted practices and values.

- Didn't everyone realize they were being conned?

It happened so slowly and so naturally that the idea of an oral tradition emanating from Sinai seemed to everyone the only possible explanation of how Judaism had taken its present shape. What they accepted as the oral Torah and for as long as anyone knew been Torah. The oral Torah contained well-known traditions



and rules which had been practiced for generations.

- If the tree doesn't do the trunk, what image do you put in its place?

I use the metaphor of a river. I look on the Torah tradition as, indeed, I look on all the major religious traditions, as a mighty river, say the Mississippi. The Mississippi begins as a small stream feeding a clear-water Minnesota lake and flows several thousand miles to the Gulf of Mexico. The Torah begins in an event, the Exodus, and in a revelation at Sinai, whose substance we cannot fully recover, and flows down three thousand years to our day. As it flows across time and space, its aspect changes. Tributaries add their flow, new ideas. Rain falls and the melting of winter snow adds to the flow. Some river water is lifted off by evaporation. Farmers pipe off water for irrigation and cities draw water to support their population. The river flows on, one river; but ever changing. Much of what existed in Moses' day is no longer, I doubt that many of the water molecules which emerge at the river's source actually reach the Gulf, much has been added; but the mighty stream flows on. The river metaphors suggest that it is not simply the adaptation of an unchanging Torah to changing times, but, in fact, a Torah always in the process of becoming.

How then does Judaism certify values?

The Mississippi flows in a single direction, drawn on by the fall of the land and the spin of the earth, by God's hand. The Jewish experience flows into history, drawn on by changing times, the changing needs of Jewish life, and by the thrust of those unique and revolutionary ideas which gave Jewish life its original impetus. Like the river, Judaism remains affected by the current of ideas and Instructions which began to flow at Sinai. It's a case of the present emerging out of the past but not being identical with it. The spring continues to flow. We've never stopped reading and thinking about the original Torah. We

... moral, as their activities in the shrine. Sacrifices were "vain oblations" unless we "cease to do evil, learned to do well." We added the idea that ethics,

celebrate the holidays and the Sabbath mandated by the Torah, but certainly in a different manner than the ancient Israelites did. Commentary, the interpretation of the language of the Torah, is our way of signaling that our religious lives and ideas remain part of the Jewish continuum.

- I was taught that the rabbis simply drew out the implication of the Torah texts and applied these texts with care to the issues of the day.

- That's what is usually claimed, but it's not true, or rather, true only if we accept that various, purely formal and artificial systems of commentary are natural means of drawing out a text's implication. The second century sage, Akiba, insisted that not only every sentence and phrase in the Torah had meaning but every letter, and even the white space around the letters, with the result that the Talmud suggests that if Moses were to visit one of Akiba's lectures he would find Akiba's interpretations of his Torah completely foreign to him. Most of Akiba's interpretation became part of the accredited Talmudic tradition. They might easily have been dismissed as the quixotic result of arbitrary word juggling.

- The Mississippi flows toward the south. You speak of a current to Jewish life. What's its direction?

Towards a vision of life in which unity, oneness, is the primary category. The ancients of West Asia were animists. Each element in nature represented a separate, and not necessarily compatible, force. Our people proclaimed God Creator and came to understand that all the separate parts of life were, in fact, elements of a single entity, creation, Nature. Out of many Gods, One. Out of a vision of separate races, the myth of a single set of parents for all peoples, hence humanity. . . . "Have we not all one Father? Has not one God created us all?" The business of religion had been that of priests and shrines. We insisted that how people conduct themselves in the street and marketplace must be as "religious," moral, as their activities in the shrine. Sacrifices were "vain oblations" unless we "cease to do evil, learned to do well." We added the idea that ethics,

goodness, had to involve our whole way of life and was not limited to an occasional charitable impulse. We added that moral impulses needed to be checked by mental effort. "The ignorant person cannot be a saint." Why not? Because an impulsive act, however innocent its motivation, can have unexpected and unwanted consequences. Against a tendency to make the religious discipline one which emphasized denial, we insisted that body and soul were equally precious to God and that the body must not be neglected by the pious. When some religions separated this world from the next, we insisted that the kingdom of God, a decent, peaceful and just life on Planet Earth must be as urgent a goal as our desire to enter Heaven.

- Adaptation is a necessary survival mechanism. I'm not surprised that religion, like all facets of culture, changes over time, but I am finding fascinating your description of the inevitable tension a religion has between the fact that it is necessarily a dynamic institution and its need to confirm unchanging values. Now that I think of it, it's surprising any of the religions have lasted as long as they have.

As I said earlier, the perception of change is a modern one. Until recently most folk lived in the same house, plied the same trade and used the same tools as their parents. They got accustomed to the familiar and took for granted that "that which has been is that which will be." It's only in our day that the pace of change became such that it couldn't be denied. TV, the laser beam, heart transplant operations, and the polio vaccine were invented and developed in my lifetime.

- You'd think that a tradition whose scripture presents itself as a history of the Jewish people would be conscious of change and would have developed a way to accommodate change.

Again, it's a matter of perception. In the ancient world empires rose and fell, but the fields were plowed and irrigated in time-honored manner.

- But the Jew who lived and worked in medieval Europe used different tools than the ancient Israelites and knew that he possessed a literature which had developed in the subsequent centuries.



After the Biblical period Jewish life lost all interest in history. One of the largely unnoticed changes in the Jewish soul has to do with its abandonment of any real interest in history after the Biblical period. Besides the Biblical editors, a number of professional historians like Artapanus, Nicolas of Damascus, and Josephus worked during the late Biblical period, that is until the destruction of The Temple in 70 C.E., and then this interest stopped quite suddenly, and from the second to the nineteenth century, excepting a few medieval martyrologies, Jews avoided writing history.

- Why?

History is of interest only to those who make history. These were the centuries of galut, exile. The Temple had been destroyed. Jews felt like prisoners sentenced for life, and to the prisoner who has no hope of early release each day is like the last. He lives in his memories of what life had been like before he was jailed and in his plans for the years after his release. They came soon. These were the centuries when Jewish existence was a heavy, relentless sentence which had to be endured, and since it could not be changed by Jewish efforts, politically Jews were an impotent minority, why write about it?

- What did he think and write about?

Mostly about the years before the Hurban, The Temple's destruction, about Torah, timeless truths, and about the future Messiah and the redemption which would relieve him from his predicament.

- My father is a history buff and he's got a whole shelf of Jewish histories, including, incidentally, your books.

Emancipation in the nineteenth century brought the Jew back into history. The modern Jew began again to feel a part of the action and so he began again to take an interest in all that was happening. The sense of helplessness has been

be arrived at.

Exactly. Unless we are prepared to discard all the norms of modern critical discourse and to claim that religion alone among human activities is unaffected by

lifted from our souls and Jews began again to read and write history.

- I think what's different today is our sense of time's importance. My grandfather never wore a watch. I'm a lawyer and the clock's always running.

- I never wear a watch. My father always had things to do and places he had to be and I've rebelled against his preoccupation with time as money all my life. He was never around when I needed to talk. Moses must have been a wise man to have invented the Sabbath. One day in seven, like it or not, you couldn't make money and you had to talk with your children.

- History is a waste of time. When it's over, it's over. The past doesn't repeat itself. It's the privileged classes who tell us to study history in order to curb our determination to effect change.

- I don't understand.

- My history prof made it a point of telling us that every successful revolution has ended with a new set of bastards in power. The politburo uses Siberia just as the Tsars used to do. He used history to lower our hopes about remaking the world.

- Only fools throw caution to the wind.

- If we're passive, the bastards will stay in power and nothing will ever change.

I'm fascinated by history. I've always been. I agree history never repeats itself, but it's an imaginative discipline and perhaps the best way to learn about how society operates and what we're really like.

- I'm fascinated by time. We claim to be Einstein's heirs, yet so many still neglect in their thinking the fourth dimension. What you've really been saying is that modern thought is dialectic and existential and that we have to abandon the old kind of philosophy which believed that fixed and absolute definitions could be arrived at.

Exactly. Unless we are prepared to dismiss all the norms of modern critical discourse and to claim that religion alone among human activities is unaffected by

the flow of life, we must learn to discuss Torah as a dynamic entity and abandon the image of Torah as a one-time, fixed and final statement whose basic terms have, in fact, never been redefined.

- We're back to the basic question. Is there a Torah tradition, a special message, or Torah traditions, a number of not necessarily consistent messages?

I analogize Judaism's evolution to our modern notions of the development of a human being. At one time people looked on an adult as a larger version of the child, but close observation has shown that this is not the case. The child has immunities absent in the adult and the adult has a musculature and nervous system quite different from the child's. During puberty and adolescence fundamental physical and emotional changes take place. The red-haired, blue-eyed dependent infant grows into the brown-haired, brown-eyed, independent-minded, sexually active adult. The child becomes the adult. They are developmentally one, but after each passage the person has acquired new characteristics. Judaism has changed in the same organic ways. The priest-led cult has become the familiar synagogue. It was a change without a break, a breakthrough, not a break with. Just as we can write a biography of a person despite all the changes which have taken place, so we can write a history of Judaism. What we cannot do is claim that Judaism has remained unchanged over the ages.

- How do you handle revelation? After all, Judaism claims God dictated the Torah.

Martin Buber taught me to see Torah as the record of meetings between Israel and God during which our fathers opened themselves to the mystery of the divine and apprehended something of that mystery. They described their awakening with phrases like "and God spoke," "this is the vision of. . .," even though they realized that such terms failed to express the unique nature of their experience, but they



had no other terms with which to explain the source of their insights.

- You don't actually believe in revelations?

It's tempting to dismiss revelation as mystification devised by crafty priests to make sure that the peons don't ask too many questions, but in doing so we fail to examine seriously the process through which new ideas emerge from the hidden resources of the mind. The investigations of Freud, Jung, Eliade, and other social scientists have helped us understand that when our ancestors said, "Thus says God," they were simply confirming an experience during which a religious leader had become aware of what had not been known before. The prophets were not babblers who in some drugged haze said anything that came into their minds but sober and sensitive men and women who spent sleepless nights and days trying to understand the conditions of their lives and who discovered, sometimes to their own amazement, that a new idea had been born in their minds and that they had come to see their situation in an unexpected and enlightening way. Revelation describes our surprise when the bottom of the mind seems to open and our thoughts take off in unexpected directions.

- The imaginative process you're describing doesn't prove their ideas came from God.

Nor does it prove the contrary. There's a mysterious, almost magical, quality to the unexpected appearance of a powerful new idea, and I'm not prepared to dismiss the notion that ideas that enliven and give us understanding come from God.

Obviously, I don't accept the familiar picture of revelation as God's words mediated through a messenger-prophet who simply speaks what he has been told. Revelation begins in a searching mind, the mind of a culturally conditioned human being. To my way of thinking the question is not whether Moses actually heard God's words but how to explain the fact that his message set Jewish life on an entirely new direction. Because of it Israel began to break through to a new level of understanding. Most of the other codes have one table of fines and damages for harm caused a noble and a set of lesser fines for damage done a peasant.

Biblical law makes no class or caste distinction in such matters. In the other codes a master has the right to feed a slave as little or as much as he wishes and is not guilty of murder if the slave dies. A slave is simply part of his physical property. In Torah law if a slave loses an eye or a tooth because of a beating, he must be freed. He cannot be worked on the Sabbath and must be decently cared for. He has rights as a human being, created in God's own image. The Torah's informing spirit, the sense of a controlling unity, the humanness of its laws, its concern for social justice, and its acceptance of a classless society represents a revolutionary advance over its times.

- Your Bible is no longer the Bible; it's simply a record of a particular stage in the development of civilization.

The Bible's a beginning, the spring from which the river flows. It's the beginning of wisdom and a catalyst to wisdom, not the sum of wisdom.

- The Torah is both a human creation, yet divine, unique. I never cease to marvel at the continuing ability of the written Torah, Moses's report of that message, to summon ideas of transforming power and to affect our lives and the lives of millions. Think of it, since at least the fourth century B.C.E. Jews have read portions of the Torah every week in their services and whenever the Torah has been read, whatever be the situation in which that congregation finds itself, wisdom and insight have been found in the prescribed reading.

- The Torah's a book, ink on parchment. Someone or someone conceived and wrote down the text. The writing was done by a scribe's pen. The text may be wise or compelling, but one thing it isn't is divine. God doesn't speak to man, and if He did He wouldn't give us a text so clearly marked by the ideas of its age.

Any exceptional piece of art is both a human and a divine achievement.

- You're playing with words.

Not really. Eighteenth-century rationalists like Voltaire dismissed revelation as the invention of priests or the delusion of fanatics, but our generation has rediscovered the value of those sources of perception and insight which are lodged in the imagination rather than in the intellect. An artist paints with his imagination, his soul, as much as with his heart and hand. I'm saying that the Torah's "special and surprising words," emerged from the unexpected connection of ideas which occurred in the minds of those whom the ancients called prophets rather than from conscious thought. I think of the capacity of the mind to make original connections, divine. God meant us to have it, and I'm convinced that a book like the Torah which contains so many imaginative triumphs somehow participates in God's creative spirit.

- How so?

Our powers of imagination as a reflex of God's creative spirit.

- You've defined Torah, Judaism's special and surprising message, as a special and sensitive perspective but as something less than the truth, the whole truth, and nothing but the truth. If that's so why should I gamble my life on a message that may not be true.

I've never found truth to be as useful as it's generally made out to be. The Gospel of John promised, "You shall know the truth and the truth shall make you free," but I may know the truth about my phobias and neuroses and still not be able to free myself of them.

- You mean I still smoke even though I know the truth about medical dangers involved?

That's part of it. The idea of "truth" comes from a vocabulary of fixed terms which I've suggested are now denied to us by modern analysis. Actually, the only truths we can fully comprehend and of whose accuracy we can be absolutely certain are those which apply to systems like mathematics which are our own invention. When we deal with nature and human nature, which are God's creations, we can

with nothing to do but listen to our prayers. I assume you would dismiss their



describe process, 'how,' but not that part of truth which would explain purpose, 'why.' I find the Torah tradition sensitive, suggestive, and wise. I ask no more.

- Doesn't your prayer book, like mine, include the sentence: "True and enduring is the word which You have spoken through Your prophet. . ."

Such lines are mood setters - poetry. This particular one was written nearly two thousand years ago and I suspect that even then it was not meant to be taken literally. One of the purposes of worship is to help us feel that Torah ideas are solid and worth making our own.

- Doesn't it bother you that you're not sure?

I believe God meant it to be this way. The fact that every major decision involves judgment and risk adds excitement to life.

- People who believe they possess the truth scare me. There's only one way, their way, and they trample on anyone who disagrees with them.

As I suggested earlier, I know the direction of the river's flow; I know that its waters sustain and permit life. When I look at Judaism I see the thrust of a living faith flowing toward the future and I know that I feel refreshed whenever I go swimming. What else do I need to know?

- What about the charge the orthodox would level at you that your Torah is inauthentic? You say you're swimming in the river. They say you may be swimming but not in the Torah river. How do you know that you aren't using the label Judaism for something that isn't the genuine article?

In the first place, I'm not off someplace by myself. The vast majority of American Jews who are affiliated belong to non-orthodox congregations.

- Popularity may not be your best proof. A majority can be completely off base. A majority of Europe's Jews in the seventeenth century accepted Sabbetai Zvi as the messiah. There is a synagogue in my town which celebrates Rosh Hashanah and Yom Kippur, but their prayer book never addresses God. They consider God an archaic concept. Everyone knows, they say, that no one is seated in Heaven with nothing to do but listen to our prayers. I assume you would dismiss their

ideas as un-Jewish, but how is your judgment different from that which the orthodox makes about you?

There's no way to prove that one set of changes is appropriate and another unacceptable, but clearly, some changes develop out of the tradition more naturally than others, and seem more consistent with the historic direction of the current. I can't imagine Judaism without the Shema's affirmation of unity and the existence of a unifying power underlying reality. Our tradition affirms that we live in a unified and harmonious cosmos, not in a chaotic and unmanaged universe. God describes the presence, the will which established that harmony. I would liken pulling the Shema out of the service to throwing a high dam across the Nile. The river, once a natural force, is put under the control of a particular engineering plan and becomes something quite different than it has ever been.

- High dams have their value. Just because the river has until now followed its natural course doesn't mean it might not be more useful if it were controlled.

I'm not doubting that engineering has its value, only that the kind of disruption such a dam makes really disrupts the river's natural flow. The new river is really a different entity.

- We're arguing in circles. Everyone's entitled to his opinion.

Of course, but some opinions are better than others. My opinion about your health isn't worth much, I'm not a doctor. The opinions of someone who hasn't given Judaism a thought since his bar mitzvah is not as informed as mine. Changes which command the approval of a sizeable number of those who take Judaism seriously can claim a certain standing.

- Medicine is a science. Theories can be tested. Religion involves private experience. Everybody's his own expert. No one can tell another what's Jewishly right or wrong.

Everybody's entitled to his opinion, but some opinions should be taken more seriously than others. You may like or dislike a painting. Someone with a trained eye will see more in the painting than you do, and because of his training and

knowledge will be able to tell you whether the painting is of museum quality, whether it's original or a copy, and whether it is in any way significant. Art is not an exact science; he may be wrong; but a twice-a-year museum-goer is more likely to be fooled or mistaken than he is.

- Your pay-attention-to-the-trained-mind argument doesn't prove your case.

Many, well-trained and serious about Judaism as you are, disagree with you up and down the line, your orthodox colleagues for starters.

Experts disagree in almost every field. One doctor will advise an operation; another will advise against it.

- That argument's not germane. Your differences with the orthodox are more like the differences between a faith healer and a physician. You accept modern science, he does not.

That's not fair. Orthodox rabbis are not obscurantists or uneducated literalists. Quite the contrary, many, perhaps most, are well-read and widely informed. The problem is that we fit our learning into different categories. They accept revelation as a fact and the Torah as a record of God's word and speak with confidence of the existence since Sinai of a well-defined, God-determined, religious discipline. I believe in historic process. When I discuss revelation I use terms like perception, insight, and heightened consciousness which allow me to deal with the uncertainties and contradictions which I believe to be implicit in all formulations, even those which call themselves scripture. I'm more prepared to see Judaism take on new forms than they are.

- I can appreciate your effort to rethink Judaism in a dynamic way, but I guess I'm not sure why you bother. Traditional Jews don't thank you for your efforts and most Jews, traditional or not, don't really want to think about the intellectual underpinning of their religious practice. They're no argument with the religion. They simply don't think about it. Being Jewish for them is a family



Seder where the Haggadah is raced through, lox and bagel for Sunday brunch, a search in the morning paper for articles about Israel, helping raise money for the annual United Jewish Appeal campaign and worrying about anti-semitism.

Perhaps that's why many groups have begun to organize retreats and institutes like this one. After a time "Fiddler on the Roof" and UJA campaigns aren't enough. We need to know why and that's the issue of ultimate commitment, the religious issue. Jewish culture can provide us many pleasurable experiences; community work can give us a sense of accomplishment, but neither can provide us with direction. Only religion can.

- And if I don't like the direction?

You find a few friends and organize your own shul.

I've always imagined Judaism as an antique store stuffed with a jumble of dusty and discarded things. It's fun to browse in such a place and you sometimes stumble on a treasure, but there's no organizing principle to what's there. I can't find Judaism's message in the jumble. There's too much to sort out. I've often felt we ought to clean house and start fresh.

How would you do that?

- I'd write a new Bible and prayer book. I'd have researchers ransack our literature for the best thoughts and publish them as Bible II and find a way to rephrase them for worship.

You'd end up with a grab bag of noble thoughts, not a holy book. It wouldn't be Torah.

- I'd translate Bible II into Hebrew, write it out on parchment, and put it in the Ark.

It still wouldn't make it. It would lack the power of so many historical associations. The Torah carries with it the lives of several hundred generations.

- The Torah was once new.

But it isn't any longer. It has spun out from itself a whole civilization.

- At least let's make the Bible more easily acceptable. It's not only that it's full of begats and archaic laws, but that almost every line requires explanation.

That's been done. "Readers Digest Magazine" has just published another "all you need of the Bible" Bible. But all these condensed versions are unsatisfactory. They emphasize the story line and practical wisdom, what's on the surface of the text, and not its depths and subtleties. The Bible's wisdom transcends common sense, that's what has made it possible for so many different people in so many different eras and situations to find guidance in it.

- I grant you that the Bible is an interesting collection of ancient laws, myths, and legends with a bit of tribal history and some hymns thrown in for good measure. It's one of the better classics, but it's not the word of God.

Where do great ideas come from?

- Investigation, research, reflection.

Add imagination and inspiration and what we've said of the Torah's ability to speak directly to us across time. There's something of the divine in the Torah's informing spirit.

When people talk of something as ethereal as an "informing spirit" my mind registers the term mush. You're talking the vaguest kind of abstraction.

The direction the Torah points out is neither vapid nor vague. I've cited a number of specific rules, sometimes unlike other codes of the time. The Torah includes a justifying, explanatory note. A judge must not accept gifts "because gifts blind the eye of the clear-sighted." A resident non-citizen is to be granted the full protection of the law "because you were strangers in the land of Egypt." Jews did have to guess what their message's informing spirit might be.

Jews have not been particularly given to theoretical ethical speculation and continued this emphasis on specifics. The first text by a Jew on ethical theory is a chapter on moral theory Saadya added to his book, Beliefs and Opinions, which he wrote more than two thousand years after Moses had brought down covenant

law. One of the reasons for the rabbinic caution with ethical theory is the recognition that contradiction lies at the heart of the human enterprise and so though a tidy formula may satisfy our sense of order, it inevitably will fail to comprehend life. The rabbis insisted, and I believe wisely, that 'both this statement and another of different import can be the words of the living God.'

I want to go back to the question: how can I judge the message if you can't tell me what it says?

In life we have to take chances. Faith is, in the final analysis, a gamble. You have to decide on incomplete evidence whether this message or another is the one you are prepared to commit yourself to.

- But I need to know the message's basic outline.

I wish I could help, but in all honesty I can't give you a brief and sufficient statement of basic Judaism which would win general agreement. No one can. When the Torah sits for its portrait each artist paints a picture of what he sees. A little over a hundred years ago Samson Raphael Hirsch and Samuel Hirsch, both German Jews and fine scholars, each wrote a book defining the essence of Judaism. Despite their scholarship, an outsider reading their works would have wondered if they were describing the same religion. Samson Raphael Hirsch was a defender of a modern orthodox approach. Samuel Hirsch championed radical reform. Each saw what he was prepared to see, and neither succeeded in defining any objective criteria which would enable another researcher to arrive at his conclusions. When the most famous of nineteenth-century Jewish historians, Henrich Graetz, reviewed these books he made the point that each had read into the Torah tradition exactly what he was prepared to find there. Samuel Hirsch, the great liberal, described Judaism as open-minded, non-dogmatic, this-worldly, committed to civic reform. Samson Raphael Hirsch, the orthodox defender, described Judaism as an all-embracing and ennobling rule which delineated God's will and so allowed man to lead a good and responsible life. Graetz categorized both works as impressionistic studies, essentially the work of connois-



seurs who possessed good eyes and special tastes. Their descriptions were provocative, contradictory, and personal. How could it be otherwise? When you swim in the river you see only your stretch of water and the near bank. In religious matters beware the generalization which begins: 'Judaism believes that. .'

- I get your point. Recently I heard a rabbi who ridiculed Kubler Ross's 'life beyond life' as a revival of medieval superstitions dressed up as science and made much of the fact that Judaism takes a purely this-worldly approach to the question of an afterlife. I don't know that much about Jewish doctrine, but I did know that the prayer book praises God as "reviver of the dead." When I pressed him on this he said that was a rabbinic rather than a Biblical point of view and one which he rejected.

-Speaking of rabbis and speeches, we had recently a guest, a with-it rabbi, who pictured Judaism as up-to-date in every way. He was particularly insistent that the Torah is quite open and flexible on sexual matters.

Marriage was treated as kiddushin, a sanctification. The Torah does not glorify celibacy and the rabbis generally looked on physical intimacy as one of life's permitted joys, but that's not the whole story. During Greco-Roman times the Essenes and the Yabad conventicle of Aumran, the famous Dead Sea Scrolls community, built wilderness monasteries where they practiced celibacy and strict austerities. There were Hasidic rebbes in Eastern Europe who would not look directly at a woman. Preoccupation with sexual denial was not the Torah tradition's major theme, but clearly, it was not an inconsequential or heretical one.

- Aren't you sometimes confused by all these twists and turns?

It rather pleases me to have Judaism flow through history like a great river. Anything alive is constantly and necessarily in flux. Judaism's various expressions are a tribute to its continuing vitality. I love the Biblical phrase, "a fountain of living waters," because it suggests infinite depths, an ever present but changing present, and a lively future.

- Your river image legitmatizes change, but change and progress are not

necessarily synonyms. As you yourself said, the rabbis' male chauvinism was more pronounced than earlier attitudes. What allows me to believe that our Judaism is better than that of our ancestors?

It's neither better nor worse. It's simply ours. Theirs was not better or worse, but simply theirs. Downstream the river tends to be more navigable but also more polluted than in its early stretches. How many of us would claim that our sensual and materialist generation treats family relationships with more sensitivity and concern than some earlier generations? Certainly, our treatment of the aged is not characterized by the respect and deference which rabbinic Judaism encouraged. One of the reasons we must shape the new Judaism out of the stuff of what has been before is that an old and rich tradition like ours can remind us of values our age has carelessly abandoned.

- T'ain't easy.

Whoever said life was. We only get one shot at it, and there's no harder or more important task than that of deciding what values we believe in and then making them part of our lives.