Renewing the Old and Sanctifying the New: Models for Rabbinic Leadership in the Twenty-First Century

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1

American Judaism is at a crisis point. Then again, Judaism is always at a crisis point. In the tenth century R. Sherira Gaon explained that the Mishnah and then the Talmud were written down for exactly that reason: the Jewish people were at a point of crisis. Everything was being forgotten. Maimonides, three centuries later, explained why he was writing the Mishneh Torah by saying that in prior generations everybody knew everything, but in his lackluster generation everything was being forgotten and therefore as a stop-gap he was creating one of the most revolutionary—and at the same time most reactionary—documents in the history of Jewish law.

When R. Yosef Karo sat down to compose his code of Jewish law—after arguing vociferously in his youth against the whole process of codification—he justified his audacity on the basis of the current crisis affecting the Jewish people. So Judaism is currently in crisis in the same way that every generation of Jews before us was in crisis. On the whole, the American Jewish community is the most affluent, most educated—both Jewishly and in general—most politically powerful Jewish community that ever lived. Sure, there is a high level of assimilation—there has always been. The American Jewish community is, in the words of the great scholar, Shimon Ravidovicz, the "ever dying people."

The challenge that faces us is not only how to assure the continuity of the Jewish people, but how to fulfill our responsibility to Judaism.

The demographers tell us that within perhaps a decade, most Jews in the world will live in Israel. Almost all the Jews who don't live in Israel will live in the United States. The Jewish world will be bi-polar. What else is new?

The tension between Bavel and Yerushalayim is a live and important one. It is important for the Jewish people that that tension be defined as clearly as possible. We in the Diaspora stand in the line of a long Diasporic Jewish tradition. Sura and Pumbeditha, Troise and Dampierre, Sarragosa and Toledo, Kairouan and Fes, Warsaw and Vilna and Berlin. The books, the traditions, the learning produced in these places are not an episode of Jewish history. They are Judaism itself. Our lifetime will hopefully see the American Jewish Diaspora of Los Angeles and New York and Boston and places in between take up their place in this tradition. For rabbis and Jewish educators, this is a large responsibility.

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The story is told about the famous Vilna apikorus and the young enlightened maskil who went to learn from him. This young maskil had heard about the famous apikorus and thought that he had finally found a mentor, a teacher, a rebbe-someone who could school him in the ways of modernity. The maskil took the train to Vilna with great anticipation. When he arrived, he began asking after the Vilna apikorus. He first went to seek him out in the cafes. Where else do the intellectuals gather? No one, it seems, had heard of him. Finally, someone suggested that he look in the Jewish Quarter. Somewhat surprised, the young man went to the Jewish quarter in search of the Vilna apikorus. He stopped a number of people in the street and asked them for help in finding the famous apikorus. Finally he found someone who knew him. "Oh sure," the man said, "you will find him in the bais medrash." The young maskil was even more surprised at this bit of news, yet he continued on his quest. He proceeded to the study hall and asked a man standing at the door, somewhat timidly it must be admitted, "Do you know the Vilna apikorus?" The man immediately replied: "Why sure. Do you see that table in the back with the large pile of books on it? The man learning there is the one you ask for, the Vilna apikorus."

The young *maskil*, completely baffled, walked to the back of the study and stood at the table of a man with a beard studying a volume of Talmud. The *maskil* summoned up his courage (which was mixed with a certain amount of disappointment and even a twinge of anger) and asked: "Are you the famous Vilna *apikorus*?" The *apikorus* looked up and answered that indeed he was. The *maskil* lost it and blurted out: "I came all the way to Vilna to learn *apikorsus* from you, and here I find you sitting and poring over these dusty old tomes? I seem to have wasted my time!!"

The apikorus looked up and somewhat sadly replied: "The difference between me and you is that I am an apikorus and you—you are an amhaaretz, an ignoramus."

There is another version to this story. The *maskil* finds the *apikorus* in his house on Friday night making kiddush and is confounded by the fact that the *apikorus* still practices outdated rituals and the *apikorus* replies that the difference between them is that he is an *apikorus* while the *maskil* is a goy.

As with all significant textual variants, the two versions of this joke represent two different understandings. Both versions of this story are about identity, that is: what is it that creates and/or maintains Jewish identity. The underlying claim is that it is not faith but... but what? And here is the rub. The two conflicting versions point to the fact that the answer to what maintains Jewish identity is in dispute. One story claims that practice, no matter what the underlying belief is, identifies the practitioner as one of us. One leaves the circle when one stops practicing, when one no longer lights candles or says the kiddush on Friday nights.

The other version of the story makes the claim that the defining mode of Jewishness is study. Once you have left the realm of the bet midrash, you are part of the great unwashed—the *amei-ha'aretz*.

The two versions are, of course, not parallel. For the Vilna apikorus in the house on Friday night, the question is what keeps one from falling out of the community? What is the final barrier for one who no longer believes? His answer is ritual practice. As long as you keep doing what everybody else does, you are part of the community.

For the apikorus in the study hall, the question is not the outer boundary. The concern that underlies his answer is not the final boundary of member-

ship. The concern is, rather, what defines the inner realm of membership. An am ha'aretz, an ignoramus, is not a non-Jew. An am ha'aretz is a Jew who does not know Jewish texts, a Jew who is not part of any Jewish conversation. The apikorus, the heretic, is one who knows and still does not believe. There is a certain respect for that stature in the study hall, the inner sanctum of rabbinic Judaism. The am ha'aretz is the one who doesn't know what they don't know. There is no respect for ignorance in rabbinic culture. The Vilna apikorus rebukes the young man from Warsaw by telling him that he doesn't even know enough to know whether or not he is rebelling.

When I graduated high school, lo these many years ago, I went to Israel to study in a yeshivah. I had gone to an Orthodox (actually an ultra-Orthodox) high school, and going to Israel for a year was almost *de rigeur*. It was 1976 and most of American Orthodoxy—and most of the rest of American Jews—believed that, as the Psalmist says: Torah will come from Zion—ki mitziyon tetzei torah. Many of my friends were going for a year, some for two years, before continuing on their paths—college, law school, medical school. Some would return to the States and continue studying in a yeshivah for many years. Some would remain in Israel in yeshivah or go to college and then become citizens and continue their lives as olim. My going to Israel was approved by my parents on one condition: I would have to return to the States after one year. I would love it, I would hate it—I had one year.

This was not out of a lack of Zionist fervor. My mother had been to Israel for the first time in 1952. My parents had both been members of Zionist youth movements—a great aunt of mine, Bessie Gottsfeld, had actually founded the Mizrachi Women's movement (Kfar Batya Youth Village is named after her). My parents had even contemplated aliyah shortly after they married. They just wanted to make sure that I continued on the appropriate path. That I had a good job. Then if I wanted to, I could make aliyah on my own time. So even a second year in yeshivah in Israel was out of the question.

I stayed for twelve years. Admittedly, my grandmother constantly told my parents that it was just a passing phase. And in a sense she was perhaps right. But I continued in yeshivah, became an Israeli citizen, and served in the Israeli Army in the *Hesder* (combined yeshivah and Army) program.

In yeshivah I learned that there was one true way of being Jewish, of worshipping God. That was the way of punctilious observance of mitzvot and unending Torah study. For the person I was then, it was difficult, if not impossible, to understand how someone could consider themselves religious and not really know how to learn Talmud. It was equally difficult to understand how someone could consider themselves religious and recite the prayers by rote, without being swept up daily in a spiritual wave or a spiritual struggle.

It was equally difficult for the person I was then to understand how a person could consider themselves religious (or, perhaps, even Jewish) and prize peace over the Land of Israel.

I could have learned with the Vilna Apikorus (though I would not have counted him in a minyan), but I could not understand, I had no language to speak to the *am-ha'aretz*. Still today, though I have traveled many miles physically and religiously and politically, my understanding of the Jewish world is still framed by a basic predisposition for the study hall—a study hall that, admittedly, is radically different than the one I entered at seventeen and left at twenty-two.

And though I live in the bet midrash, metaphorically and sometimes literally, I have also come to realize that the way I was taught to use the word am-ba'aretz also reproduces a certain type of power relationship that, it seems, existed between the Rabbis and some non-Rabbinic Jewish groups in the centuries during which talmudic Judaism was being constructed. Am-ba'aretz, in its original biblical context of Abraham buying a plot for Sarah from Efron who was called an am ha-aretz, probably meant "native." "The people of the land." It is not clear when the usage of the term switched and had the sole connotation of "ignorant person." Its biblical usage is more or less neutral. Sometimes the am-ha'aretz is good, sometimes wicked.

At some point the Rabbis began to identify those who did not accept their yoke as *amei ha'aretz*. This made them the internal other. Their practices were not approved of since they did not stem from the *bet midrash* of the Rabbis. Through the centuries there have been marginalized Jewish practices, usually those of women, which have also been characterized as "ignorant." Recently some of these have been recovered. I fully recognize, and would want to acknowledge, that there is Judaism going on which is not "sanctioned." So I want to clarify the dichotomy. Although this conver-

sation borders on a conversation about canon and authorized learning, that is not its thrust.

The story of the Vilna heretic does, however, touch on one of the central dilemmas facing the Jewish community in the North American Diaspora. What does continuity mean? Is it ultimately a question of Jewish bodies or Jewish minds? Or, more pointedly, are we solely interested in Jews or do we also have a commitment to Judaism? These are not just contemporary concerns. The Talmud tells an amazing story about Moshe, Rabbi Akiva, God and ultimate questions:

As the Jewish people waited at the foot of Sinai to receive the Torah, Moshe nudged God: "Your people, six hundred thousand men and their wives and children, all wait for your word. What's taking so long?"

God, unperturbed, answered that "In the future will be born a Sage by the name of Akiva ben Yoseph, who will extract mountains of meanings from these crowns that I am now affixing to the Torah." It should be noted that these crowns, flourishes on the letters of the Torah, are necessary for the kashrut of a Torah scroll, but do not add any meaning to the words. It is from these seemingly mute parts of the words that Akiva will extract Torah.

Moshe was intrigued. Who was this person? Moshe asked God to let him see Akiva. God agreed and said "Turn around." Moshe turned around and found himself seated in the last row of seats in Akiva's study hall, as Akiva expounded the law. Moshe didn't understand a thing, and because of this he grew faint. Finally, one of the students asked Akiva for the source of one of Akiva's teachings. Akiva said: "It is a law handed down to Moshe on Sinai." This revived Moshe.

Moshe returned to God and demanded: "You have a man like this and yet you want to give the Torah through me?" God said: "Be silent! Thus I have willed it."

Moshe then asked to see Akiva's reward. God showed Moshe the scene of Akiva's body being weighed out in the stalls in the marketplace after his martyrdom. Moshe once again demanded of God: "This is Torah and this its reward?"

And God again replied only: "Be silent! Thus I have willed it."

This intense and rich story presents Moshe and R. Akiva as two different types. As Ari Elon points out in his book *Alma Di*, Moshe, called by the

Rabbis Moshe Rabbenu, Moshe our teacher, had as his purpose giving Torah to the people. For him it was a system of commandments and obligations with a parallel system of rewards and punishments. For him the question of R. Akiva's reward was a natural question, and therefore the answer—Akiva's tragic murder—was incomprehensible. Akiva on the other hand, embodied Torah study for its own sake. In Akiva's world, the study of Torah, the intellectual pursuit of sacred meaning, was an end in itself. Reward would have been redundant. The study was its own reward. The study did not lead to action neccessarily, if at all. Akiva was interested in explicating the inexplicable, the crowns on the letters. While for Moshe, Akiva's tragic death was an unanswerable problem, for Akiva the question would not even have been articulated. Study of Torah was not, for Akiva, in need of reward. Its pleasure was its reward.

So, if it is the study of Jewish texts, of Talmud and the commentaries, or the Guide to the Perplexed or the Zohar and the mystical tradition, which is the defining characteristic of Jewishness, why do we keep Shabbos? Why do we subject our children to circumcision? Why do we agonize over whether women and gays and lesbians and transgendered people should be included in our community? Why don't we just sit and study?

There are people from all spectrums of the community who would be nodding in agreement at this point (though perhaps not publicly). I personally am very drawn to the idea that Judaism should just be a large, movable bet midrash. Judaism on a certain level could just be a discussion about what Judaism is. About what God is, what justice is, what holiness is, what kol de'alim gvar means, and whether or not the Rabbis actually thought that the logical conclusions they drew were logical or conclusive.

As the holy martyred master, the Piasczene Rebbe, Reb Kalonymous Kalmish, said, the point of Torah study is to find where your soul is in Torah. At a certain level it doesn't matter what it is you are studying, but only you can know if you have found your soul there. The study itself is necessary, it is the vessel, but the journey is unique and individual—it is your journey, your door, your destination.

Unfortunately, however, going down this path would miss the point of the story in the Talmud. The story in the Talmud is part of a discussion of writing Torah scrolls and parchments for *tefillin*. It comes on the heels of a

discussion of what makes a scroll kosher, and what invalidates it. What happens if a letter is missing? Can corrections be made? If so, how? Which letters need crowns? And on. The story is followed by a fascinating discussion of the meanings of some of the letters of the Hebrew alphabet. This discussion of the meaning of the letters is one form of practice of Rabbi Akiva's mastery: extracting Torah even from the crowns of letters. This practice is in tension, however, with the idea of Torah. Focusing on letters as units of significance makes it harder to see the words and understand the laws and obligations and beliefs written in the Torah.

The story of Moshe in the study hall of R. Akiva, then, is not about which type of Sage is preferred. The story is about the necessity of the tension between the two types. The Akivan Sage, left to his own devices, would live off in the clouds in a world devoid of the necessity of deciding what to eat and how to make a living. The people whom Moshe speaks to, if left by themselves, would never lift their eyes beyond the quotidian actions of praying and blessing and lighting the candles. They would never see the glory and the majesty of Torah. It is in the tension between the grounded world of ritual and the ethereal intellectual and spiritual world of the crowns of the letters that we must strive to live.

3

A Judaism which is centered on the *bet midrash* is also a Judaism that stands in the line of tradition from Herman Cohen to Franz Rosenzweig to Emmanuel Levinas; the *Lehrhaus* of Cohen and Rosenzweig in which everyone was welcome and in which all were hosts and dialogue demanded taking risks in one's ability to challenge one's self-fashioning. Levinas speaking through Classical Jewish texts responded to and engaged with the world beyond the *bet midrash*. In his words, translating into Greek, We stand at a privileged point in time where we can push this tradition further.

A bet midrash-centered Judaism is a Judaism in which "inside" is defined both by a certain fluency with the textual tradition and an ability to talk through the permeable walls of the bet midrash to all who are outside. This is a Judaism which is not defined by observance—since it can abide many varying types of observance—but by study which leads to dialogue

which leads to a discourse of justice in its deepest salvific sense. Isaiah says that tziyon be-mishpat tipadeh, Zion will be redeemed with justice. The Gemara in Berakhot says: What are sha'arei tziyon, the gates of Zion? They are the she'arim ha-metzuyanim be-halakhah, the quarters which are noted by halakhic discussion, by Jewish learning. Zion, that is the ongoing discussion of Torah in all its forms, will be redeemed by justice. By justly learning. By having justice as a category of analysis. By taking that justice through the walls of the bet midrash and into the world.

Social justice, that is, taking seriously the idea that citizenship is defined by responsibility and obligation towards the community, has to be one of the central dialects of the language of the bet midrash. It must infuse all aspects of the conversation which is Judaism. The Gemara says: "After thirty days of living in the town one must contribute to the tamhui, soup kitchen. After three months one must contribute to the kupah, the general welfare fund. After six months one must contribute to the clothing fund. After nine months to the burial society and after one year to the city's infrastructure." The continuation of that Gemara also relates that Rabbi Eliezer would give money to the poor and only then pray since he understood the verse in Psalms (17) ve-ani be-tzedek eḥezeh panekhah to mean: "In acts of justice I see Your face."

The language of justice should not be cordoned off as part of what we do. We go to a soup kitchen. We help out at the homeless shelter. We engage in inter-religious dialogue. The language of justice must be the language in which we learn and pray, in which we imagine God, in which we meditate, in which we create Judaism. be-tzedek eḥezeh panekhah.

A few years back, I was scholar-in-residence for a week at the Brandeis College Institute in California. BCI is an intense four-week summer program about Jewish identity for college students. Before I went up to BCI, I happened to speaking to my mother on the phone. She asked what I would be teaching. I told her that the theme would be Issues of Justice and that I was going to be talking about the death penalty, political dissent and worker justice issues. It turned out to be a great week; I taught Talmud and Rambam and contemporary responsa and provoked some very interesting conversations. My mother's reaction, however, was, "So, you're not teaching anything Jewish?"

This is a serious issue, though a good laugh line. I struggled for many

years about how to introduce issues of justice into the curriculum at the University of Judaism. My struggle was that there were so many basics to teach—language, text skills—that it was not obvious what I could or would give up for curricular work on issues of justice. All the while, I was personally very involved in social justice work. I finally realized that I was making a mistake similar to my mother's. The rich textual tradition that informs our perspectives on justice issues can also be used to teach text skills. So now the culminating Talmud exam is on ha-sokher et ha-umanim, the chapter in Baba Metzia which deals with labor issues, and I teach a senior year seminar called Issues of Justice based around sugyot on poverty, the city as a locus of justice and political dissent.

We err mightily when we let go of hoshen mishpat. The challenges of rabbis working in communities in the next decade will be to have a grounded and nuanced vocabulary with which to discuss issues of justice and to give the phrase tikkun olam a rest.

4

As we think about what a bet midrash-centered Judaism might look like, we tread on sacred ground. We must breach the gate around the mountain and dare the wrath of the gods of the status quo. Everything in Judaism has in one way or another been renewed, reclaimed, reinvented, it seems, but the rabbi has always remained "the Rebbe." What would it look like to rethink the very notion of rabbi? What would it look like to take the bet midrash concept seriously to the point that we think of organizing a community horizontally? What would it truly mean to have an egalitarian community? What would it mean to have a community in which the rabbi was not the Rebbe?

I was once scholar-in-residence in a very large Conservative congregation. There was a large bar mitzvah of an important congregant and many non-Jewish guests. The rabbi was doing his introduction to the congregation and the service. One of the things he kept stressing was that he was not the spiritual leader since Judaism was not based on a model of spiritual leaders but rather everyone had their own relationship with God. At that moment I looked down at the brochure for the congregation which was in

the seatback of each of the pews. There in bold letters was the rabbi's name, and beneath it the title "Spiritual Leader."

What would it look like if rabbis were demystified facilitators of learning? If they were simply teachers and Judaic resources? The ones who made entry into the tradition accessible or pointed the way towards the books but then sat down on the side and didn't occupy the center stage? Is it too late to try pick up Korakh's challenge "ki kol ha'am kedoshim uvetokham adonai," "for all the nation are Holy and in their midst is God" in light of Exodus 19's "ve-atem tihyu li mamlekhet kohanim ve-goy kadosh," "and you shall be for Me a nation of priests and a Holy nation." The rabbinic movement successfully deflected the seduction of the last verses of the Torah and did not deify Moshe. Rather, they made Moshe into one of their own—Moshe Rabbenu. What is the next step of this process? Can we invite everybody into the bet midrash, set out the ground rules for playing, and then step back?

For several years in the 1980s, when I was still living in Israel, I worked for an organization called Gesher, which worked to promote dialogue between religious and secular eleventh graders. We had a great building in Canaan, a suburb of Tzfat, where we brought the students for three and a half days of talking and learning together—from Wednesday evening to motzei shabbat. At the time I was involved in Gesher there was a serious push to have Gesher become a true dati-hiloni partnership. There were to be secular madrikhim along with religious madrikhim.

My personal goal as an educator on these weekend seminars with religious and secular kids, was to show the *dati* kids, the kids that had been in yeshivah high shools that they really were still *amei-haaretz*, that there was still a lot to learn. At the same time, my goal was to show the *hiloni* kids that they could become *apikorsim* and not remain out of the game, having left the board to the *dati* community.

If we dream the Jewish community as a bet midrash it is in this way—the job of the rabbi is to point the way to the books, explain the rules of engagement (this book is in Hebrew, this book is in Aramaic) and step back, then come back to the table as an equal participant. Rabbis have to learn how to practice tzimtzum. The Piasczene Rebbe uses the model of Sinai as a model for education, saying that if God could constrict Godself

to the point that Israel could understand the Torah that God spoke, so could we all learn how to constrict ourselves to teach so that others can understand. I would add that just as God was able to admit to Moshe when Moshe was right and God changed God's mind, so too could we constrict ourselves in order to allow those with whom we congregate to bring their Torah into the *bet midrash*.

When R. Yoḥanan ben Zakkai became the patriarch after Rabban Gamliel was deposed, the first thing he did was rid the study hall of the *shomer hapetaḥ*, the door guard, and let everyone in who wanted to come in.

Rabbinic Judaism was a radical step forward into the void that is Exile. The will of God and the voice of God is found in the interaction of two people studying Torah. The kingdom of God, perhaps, in those two going out and bringing the Torah to the concerns of the streets.

It seems as though we have stagnated. We are all excited about the possibilities of the *bet midrash*, but we are enamored of the figure of the Rebbe, the charismatic leader who is a channel of the One. If this is the model, what does this say to the people thinking about how to own Judaism? Can they ever own it? Is there a way to sit at the table respectably and not be the Rebbe?

The power of the bet midrash is that it is in potente a radically egalitarian place. The person who is teaching teaches because she knows more about whatever it is that is being taught. It is not because of any mystified connection to the One. The bet midrash does not abide gurus. I don't want to give the impression that the bet midrash is some magic salve. It is not. However, we can view it as a model, as something in need of reconstruction, and begin to re-fashion our bet midrash 'in our image' the way the sages fashioned their bet midrash in theirs. Perhaps this is our creative challenge. We can, and perhaps this is our calling, push the bet midrash one step further.

Rabban Gamliel was deposed because he acted tyrannically toward R. Yehoshua. He had an aristocratic understanding of privilege: there was a large element of entitlement. Not that he wasn't also brilliant and pious. He apparently was, though perhaps not the most brilliant or most pious. He had an aristocratic view of the world. The guard he placed outside the bet midrash was to judge whether those who came into the *bet midrash* were of

the proper class—they were to check if their outsides, their dress, was fitting for their insides, their scholarship. If they were not fitting, apparently they didn't get in. Later on in the *sugya*, this class blindness becomes clearer when Rabban Gamliel finally comes to R. Yehoshua's house and finds out he is a poor smith. R. Yehoshua's response to Rabban Gamliel's amazement is "Woe to the generation whose leader does not recognize the suffering of the Sages."

There is a different kind of aristocratic rabbinate today, one in which the rabbi is the one who owns the answers. The rabbi is the path. This is used both to elevate the rabbi and make her powerless to effect change: "Sure, that's good for the rabbi, but I'm not a rabbi."

What would happen if we let loose the power of our textual tradition on the Jewish community in general? It's yours, the door is open, come learn. First, we would have to learn how to build communities like that. How to use *tzimtzum*. How to get people to expand themselves, to grow so that they feel confident sitting at the table as equals.

We destroy real conversations with our congregants every time we say to ourselves, "Oh, that's too complicated for them to understand."

Every time we open up the doors of the bet midrash as R. Yohanan ben Zakkai did, we are haunted by the dreams of Rabban Gamliel-we are haunted by the thought that the people who come in won't have the depth and the breadth, or that we won't be taken seriously. Now that we have gotten rid of at least one type of shomer hapetah (and there are still others, forcing gays and lesbians, like Sarah, to stand right outside the tent) and men and women learn together in our batei-midrash, we have to open the stacks also—we have to expand the canon. The bet midrash is the place from whence the next generation of Jewish cul-tural production, the next stage of Jewish creativity and the next expression of Judaism will come. People should therefore be learning (and not only studying) ANE texts and Sassanian law along with Tanakh and Talmud; medieval legal theory and hermeneutics alongside Tosafot and Abelard and Zohar and Bahya ibn Paguda; the Baal Shem Tov and the Maggid and the Toldos and the Ben Ish Chai alongside Yosef Chaim Brenner and Rav Kook and Rav Chaim Hirshenson and Philip Roth and Amos Oz; The Kalir and Moshe ibn Ezra and Yona Wallach and Chagall and R. B. Kitaj.

The thirst of Jews for Torah and the thirst of Torah for Jews requires us

to swing the doors wide open and declare with Rav Kook: ha-yashan yithadesh vehahadash yitkadesh, the old will become new and the new will be sanctified. This is a Torah which will honor its learners. This is a Torah which we can take with us wherever we go, and whenever we are called back to the yeshivah shel ma'alah as well.

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