

DILEMMAS IN THE JEWISH COMMUNAL FIELD FOR ORTHODOX AND TRADITIONAL PROFESSIONALS

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There are a growing number of Orthodox and traditional Jewish communal professionals in the federation field. At times, their personal religious beliefs come into conflict with their professional obligations. This article explores several such dilemmas, citing Jewish sources in support of possible professional responses.

In an article entitled "Ethical Dilemmas in the Jewish Community Center," David Dubin (1987) explores challenges faced by the ethically sensitive Jewish Community Center. These dilemmas include the participation of intermarried lay leadership, improperly documented donations, keeping a "kosher" kitchen, as well as several other policy questions. In each case, Dubin suggests how a communal center ought to respond.

Often, though, dilemmas of Jewish institutional policy are grappled with privately before being brought forth as an agenda item for discussion. For some Jewish communal professionals, ethical dilemmas arising in the workplace often challenge their personal beliefs, Jewish values, and Jewish practice. This is certainly true for Orthodox and traditional Jews working in the field. Today, within the federation field, there is a growing constituency of Orthodox and traditional Jewish volunteers and professionals. Where there once was concern about obtaining a kosher meal at the Council of Jewish Federations' annual General Assembly, today kosher food is assumed at its main functions. At major meetings, traditional Shabbat services now boast a sizeable Orthodox and traditional participation, and major plenaries are suspended on this day. It is also not unusual to see a yarmulke being worn around the convention by numerous leaders and speakers. With the growing Orthodox and traditional constituency in a historically and still predominantly nontra-

ditional field comes a fundamental religious dilemma: traditional values at odds with a frequently nontraditional communal agenda.

Working with the Young Leadership Division of UJA-Federation in New York evoked numerous dilemmas that pitted my religious beliefs and principles against my professional obligations. This article explores four such dilemmas. The responses offered below are strictly the opinion of this author and are not to be taken as those of all Orthodox or traditional Jews. Those facing personal challenges of this sort should consult their local rabbi for further discussion.

THE FUND-RAISING EVENT AND THE STUMBLING BLOCK

Background

Commonly referred to as the "Spring Gala," this fund-raising event generates sizeable funds for the operating budget of the division, thereby enabling us to sponsor over 50 programs throughout the year for young Jewish adults. These activities include Jewish educational programs ranging from basic Hebrew reading to text study discussions on Jewish laws and customs. Yet, the Spring Gala is, in essence, a party and a dance. Its main activity is mixed dancing between non-married men and women.

Dilemma

According to traditional Jewish law, men and women are not permitted physical con-

tact outside the context of marriage or family (*Shulchan Aruch, Evan HaEzer 22:1*). Further, mixed dancing, which often involves physical contact, is explicitly forbidden (*Shulchan Aruch, Orach Chayim 529:4* and *Mishnah Berurah* gloss 21). This prohibition places the staff involved in coordinating this dance in the position of violating the biblical prohibition of “enabling one to commit a sin,” or *Lifney Iver Lo Titen Michshol* (“before a blind person you shall not put a stumbling block”) found in Leviticus 19:14. Simply put, would I, the staff professional, violate the prohibition of “Lifney Iver” (enabling the “blind” to sin) by organizing a fund-raising dance?

Explanation of the Issue

The issue of acting as enabler for others to break traditional Jewish law is a complex one. Based on the biblical verse quoted above, Rashi, the great talmudic commentator, wrote that “blind” is not to be taken literally, but rather means that the individual is simply unaware of his transgression. This definition of “blind” is expanded by the Talmud (*Pesachim 22A*) as follows:

R. Natan said, “From where do we know that one may not extend a cup of wine to a Nazir [one who has vowed to abstain from wine] nor a limb from a live animal to a Noachide [which is prohibited]? The source is from the verse, “Thou shall not place a stumbling block before a blind person.”

The Talmud, as cited above, does not differentiate between an intentional and unintentional sinner. Therefore, one can infer that even if the sinner is aware of his actions, it is prohibited to assist him. Further, the Talmud teaches elsewhere (*Bava Metzia 75B*) that even when an individual *indirectly* assists the “blind” person, doing so would also violate the prohibition of *Lifney Iver*, enabling. For instance, the Talmud states that not only is it forbidden for one Jew to charge another Jew interest on a money loan but it is also prohibited to par-

ticipate in any activity of this transaction, such as acting as witnesses or writing the loan document, because of *Lifney Iver*. Thus, *Lifney Iver* encompasses supportive and ancillary participation as well.

Does running a fund-raising dance then violate the prohibition of *Lifney Iver*? Further, even if one is not in charge of it, but simply helps out at the event — collects money at the door, checks coats, serves the food etc. — is this person violating this law?

The answer might lie in an important distinction that is made in discussing *Lifney Iver*; namely, the issue of accessibility. The Talmud (*Avodah Zarah 6B*) quotes Rabbi Natan’s statement and limits its application to a case of *trei ibrah d’nahara* (literally, “two sides of the river”). If the potential sinner (in the above case, the Nazir) is on one side of the river, and the prohibition (the wine) is on the other side of the river, and the person extends his hand over “the river” to enable the prohibition to take place, this violates *Lifney Iver*. Conversely, if the Nazir had wine next to him, on “the same side of the river” — meaning that it was easily accessible at all times — then even if one extends the wine to him, one does not violate *Lifney Iver* since he could have attained the wine on his own.

Moreover, a later commentator, Rabbi Akiva Eiger, states (*Yoreh Deah 181:6*) that, if enabling another to sin (who is going to sin anyway) will reduce the total gravity of sins committed, it is permitted. For example, if one says to another person, “I am going to eat pork (a biblical and more severe prohibition) unless you serve me chicken and milk (less rabbinic prohibition),” it would be permissible to serve the person chicken and milk since it reduces the total gravity of the sin.

Response

One might argue that staffing a fund-raising dance would not be in violation of *Lifney Iver* since (a) *trei ibrah d’nahara* (“two sides of the river”) is not in effect

since there are dances all over New York City, and those in attendance could simply find another dance if they did not come to our Spring Gala and (b) the Spring Gala lends the opportunity for Jews to intermingle, thereby reducing the possibility of interacting with the predominantly non-Jewish crowds found at dance clubs open to the public. The Spring Gala, one could say, is only attracting people who would be going out dancing anyway and moreover diminishes the possibilities of interaction with non-Jews predominant in public clubs or dance halls. However, there are many halachic *poskim* (Jewish legal decisors) who disagree with this interpretation of *Lifney Iver* and would forbid any participation in an activity that included mixed dancing. (Ex. R. Moshe Feinstein, O.H. 4:35).

SUMMER SINGLES MISSION: TO TALK OR NOT TO TALK

Background

Every summer, National UJA organizes a national singles mission to Israel. In recent years, the mission has attracted several hundred young, single adults from throughout the country. Typically, as it takes place during the summer, individuals go on the trip as their summer vacation and look to have a good time as much as learning and seeing the country. This, of course, is reflected in the itinerary, which includes several parties, music, dancing, and the like. However, most important to this discussion is the timing of the mission in recent years — during a period of time on the Jewish calendar known as the “three weeks.”

The “three weeks” is a period of time culminating on T’sha B’av, which marks the anniversary of the destruction of both the First and Second Temples. It is a time of semi-mourning that is intended to limit one’s enjoyment. During this time attending live music concerts, saying the blessing of *shehechyanu*, and, during the final nine days of this period, shaving, swimming, and eating meat are prohibited. Certainly, any type of festivities is not permitted.

Dilemma

It states in Leviticus 19:17: “Do not hate your brother in your heart. You must admonish your neighbor and not bear sin because of him.” This verse obligates all Jews to be concerned with the behavior of and to admonish when necessary their co-religionists. This Jewish principle rejects the secular notion of “live and let live.”

On this Singles Mission, what obligation do I have to admonish or point out the violation of the “three weeks” to a fellow Jew who violates traditional Jewish law?

Explanation of the Issue

Maimonides, in commenting on the commandment of admonishing, writes the following (*Hilchot Deot* 6:6-9):

If one has observed his friend sinning or following an improper path, it is a mitzvah to restore him to the correct way and to inform him that he is sinning against himself, as it is written. “You must admonish your neighbor”....One must continue to reprove him until the sinner actually strikes [the reprover] and says, “I refuse to comply.” Whoever is able to protest [the behavior of the sinner] and does not, will ultimately suffer the consequences of that sin, since he could have possibly prevented it from occurring.

The rationale behind this obligation is provided by the Talmud (*Sanhedrin* 27B), which explains that “all Jews are sureties for one another.” The rabbis posit that all Jews are responsible for and rely upon one another. This universal responsibility for one another will, according to the rabbis, enable us to serve G-d properly. Moreover, one rabbi (Minchat Chinuch) even derives the rationale for this obligation from another verse that states, “You shall not stand idly by while your neighbor’s life is in danger.” He explains that just as we are responsible to save the physical life of another, so too are we for their spiritual life.

An initial look at the obligation seems to imply that we must admonish others when

their behavior is at odds with Jewish tradition. Yet, there are limits. Consider the following two texts, which seemingly contradict one another:

The Talmud teaches (*Shabbat* 54B-55A): "Rabbi Elazar b. Shimon said, 'Just as it is a mitzvah to say that which will be heard [that which is taken seriously], so it is a mitzvah not to say that which will not be heard.'" Further in this text, Rabbi Abba concludes that one must sometimes remain silent, as it is written, "Do not admonish a scoffer lest he despise you."

Yet, there seems to be a contradicting quotation in the talmudic text (*Arachin* 16B), which states: "To what extent is one obligated to continue admonishing another?" Rav said, 'Until the recipient [of the admonishment] is prepared to strike the admonisher' [see Maimonides above]. Shmuel said, 'Until the point where he is ready to curse the admonisher.'" In another talmudic text (*Bava Metziah* 31B), we are told to rebuke a fellow "even one hundred times."

In response to this dilemma, the talmudic commentator Nimukai Yosef makes an important distinction. He explains that where the text speaks of continuous admonishment, it is in the context of private, individual warnings. However, in a case that involves many people, silence is the method used, out of concern for being scorned. Further, the early rabbinic commentator Ritva explains that even when admonishing another privately, "one must admonish an *acquaintance* (a *chaver*)" as this is where a person's words will have the most influence.

A further restriction of the obligation to admonish can be found in a statement of Rashi (*Beizah* 30A): "Do not interfere with a matter that they have become accustomed to and will not reject." This sentiment is echoed by other rabbis who see the futility and even danger in warning those who will scoff at the mere suggestion of wrongdoing.

The final issue in this discussion is one of intent. According to the talmudic text that Rashi comments upon, "it is preferable

for a Jew to sin unintentionally than to do so as a willful sinner." In other words, it is better for the sinner to do what he is doing without being aware of the prohibition than to inform him and watch him continue "in the know." What makes this concept tricky are the sentiments of several modern rabbis who are concerned that contemporary society has gone so far astray from Judaism that the "it is preferable" concept is only going to aid in the further alienation of Jews, and we therefore must speak up and warn our fellows about their behavior. After all, one of the Temples was destroyed, the Talmud tells us, because we lost our ability to warn one another properly when our behavior was inappropriate.

Response

It would seem that, because of the many individuals involved and the public nature of a trip through Israel, group admonitions would not be appropriate. Further, even on an individual basis, private talks might be dangerous without having established a comfortable relationship and would only defeat my cause.

Still, keeping in mind the biblical obligation of responsibility for one another, I should have, and did, get to know some Mission participants to the point where discussions about religious beliefs and principles would not feel awkward. Then, and only then, was I able to make a judgment if I could influence another. When I decided that such influence was possible, I did point out the customs of traditional Judaism, keeping in mind this statement of Maimonides (*Hilchot Deot* 6:7-8): "Whether one admonishes another for sins committed against him personally or against G-d, he must do so in complete privacy, and he must speak in a pleasant and gentle manner."

SHABBAT DINNERS AND PROVOCATION

Background

Many young adults are experiencing a

reawakened interest in their Judaism, which has manifested itself in several ways, including a resurgence of attendance in Jewish educational classes and study groups. When the Young Leadership Division offered a Shabbat Dinner series at several synagogues in New York City, there was a groundswell of interest, and on some Friday nights, over 100 people participated. Although, at first glance, the introduction of Shabbat to the nonobservant seems like one of the best forms of education, the program poses an inherent dilemma: the invitation.

Dilemma

The invitation was sent to several thousand people on the mailing list, including those from all five boroughs in New York. Clearly all those outside a 10- to 15-block radius would take some form of transportation to and from dinner. Since the rabbis have forbidden the use of driving or train service on Shabbat, were we provoking those people to break the rules of Shabbat? (The term "provoking" one to sin in halacha is termed *meizit* and is a much more serious prohibition than possibly causing another to sin, as in the case of *Lifney Iver*.)

Explanation of the Issue

It has long been the sentiment of the rabbis that the ends do not necessarily justify the means. As long ago as the Middle Ages, Rabbi Yitzchak Arama wrote, "A minor sin, if done with the consent of a rabbinic court, with public knowledge and acceptance, is transformed into a heinous sin for which the entire congregation is blamed and cannot be forgiven."

This sentiment has been echoed by many who have felt that it is forbidden to suspend the halacha (Jewish law) in order to try to attract non- or marginally affiliated Jews or even to prevent further sin of a fellow Jew. For instance, Rabbi J. David Bleich recently published a responsa forbidding the officiation of a marriage between a man who was a kohen (priest) and a divorced female (a biblically forbidden union), even though it

would prevent further premarital relations. Therefore, Rabbi Moshe Feinstein (*Iggras Moshe* O.H. 1:98 and 4:71) has forbidden on two different occasions inviting a guest to one's home on Shabbat if one knows that the guest will violate Shabbat by using a form of transportation.

However, a more liberal responsa written by Rabbi Shlomo Zalman Auerbach allows a Shabbat invitation to be extended if sleeping accommodations are also extended to the guest. He writes: "Even an individual living far from the synagogue may be invited to come for Shabbat, as long as he is informed that a room in the area has been reserved for him. Even if he openly denies any intention of taking up the offer, we are not obligated to retract the invitation, nor must we warn him not to drive."

Response

Admittedly, there are times when the rabbis will cautiously permit a Jew to assist another Jew to commit a minor infraction in order to prevent a greater infraction of halacha. For instance, Rabbi Yehuda Amital of Yeshiva Har Etzion of Israel wrote (*Orthodox Forum*, Yeshiva University, May 1990): "At times, in order to assist individual Jews to return to observance, and to spare individuals from stumbling, there is a need to rule permissively and even to abet the violator indirectly.... [But] persuasion as an alternative to rebuke is a dangerous route on which the righteous travel safely but the frivolous stumble."

Still, there seems to be little room for us to justify continuing to send out invitations for Friday night dinners to those who drive to reach the synagogue for two reasons.

First, unlike the first case cited of *Lifney Iver*, where there might be a *possibility* that we are causing the "blind" to break halacha in respect to the issue of mixed dancing, here we are directly causing those clearly outside of walking distance to desecrate Shabbat. Leniencies cited above, such as they would be driving anyway, are not applicable in respect to the issue of *meizit* —

provocation. Second, any leniencies for allowing, or certainly provoking, another Jew to drive must come with an understanding that the host, in this case, communicates in some manner that measures are being taken to address halachic concerns. For instance, as Rabbi Auerbach states above, an invitation must be accompanied by an offer for sleeping accommodations. Or, as Rabbi Auerbach writes in a later paragraph of the same responsa, “[In order for a yeshiva to run a Friday night outreach program] the parking lot of the synagogue in which services are to be held must be closed for the entire Shabbat or Yom Tov.”

Without some component of the invitation acknowledging (either directly or indirectly) that traditional laws of Shabbat are being addressed in order to serve a seemingly greater spiritual good, there does not seem to be room to permit inviting nonobservant Jews, outside of walking distance, to come for a Friday night program.

HOMOSEXUALITY AND PARTNERSHIP

Background

At staff meetings, many ideas are raised about increasing fund-raising efforts for the upcoming campaign. Among the ideas bandied about was the need to target specific populations through increased involvement, both monetarily and through activity. The homosexual population was suggested as one such target. After all, they represent an untapped community that is very vocal, active, and financially successful. No other major Jewish organization has overtly reached out to this population, yet they seem to have an interest in Jewish activities. Could I spearhead a campaign to reach out and involve this community in the organized Jewish community?

Dilemma

Although from a fund-raising perspective, there might be much value in targeting the homosexual community, doing so would present a dilemma for the Orthodox Jewish communal professional. As we read in Leviticus 20:13, “If a man lies with a man,

as one does with a woman, it is an abhorrent thing (To’e vah); they shall be put to death.” Therefore, according to Orthodox and traditional Jews, homosexuality as a lifestyle is not permitted.

The dilemma pertinent to this article is whether I could work with a fellow Jew who openly violates traditional Jewish law. For example, at a recent Israeli Day Parade in New York, certain rabbis of Yeshiva University forbade Orthodox day schools to participate when it was learned that an openly homosexual synagogue would be walking under its own banner. Would my working with an open homosexual be viewed in the same manner?

Explanation of the Issue

The decision of the rabbis of Yeshiva University, at first glance, seems a bit harsh. What harm could there be in walking alongside a fellow Jew who just happens to be homosexual? Yet, the tradition is very clear in its concern about exposure to the improper influences of another. For example, it states in *Ethics of the Fathers* (1:7), “Keep far away from a ‘bad’ neighbor, and do not attach yourself to a ‘wicked’ person.”

Clearly, the rabbis felt that the environment influences one’s thoughts and actions. Therefore, Jews must be careful where they live and with whom they associate. As Maimonides write (*Hilchot Deot*):

It is natural to be influenced, in sentiments and conduct, by one’s neighbors and associates, and observe the customs of one’s fellow citizens. Hence, a person ought to constantly associate with the righteous and frequent the company of the wise, so as to learn from their practices, and shun the wicked who are benighted, so as not to be corrupted by their example.

Even if one’s intentions are for the good, the *Mechilta* on the *Ethics* passage cited above, writes, “Do not become attached to a ‘wicked’ person even for the purpose of drawing him near to Torah.” In fact, *Sefer*

Hasidim (#644) makes this point quite cogently in the following excerpt:

A father asked his son, "Why have you gone and consorted with those rebellious young men?" The son answered, "I was following the words of the rabbis, and brought them under the influence of G-d's presence. I saw that these men wanted to play dice, so I suggested a different game utilizing biblical verses, thereby following the rabbi's advice to bring them closer to Torah." The father answered, "While you were trying to influence them, they influenced you in the ways of their sins. You have taught them to take the words of Torah lightly."

We are therefore left with strong warnings from the rabbis to avoid association with those who will compromise our religious beliefs and principles. In this case, the issue is whether working alongside homosexuals will convince one to change one's belief as to the legitimacy of this lifestyle.

On the other hand, many have pointed out that there is no such person, in the eyes of Jewish law, who is legally deemed a homosexual. According to traditional halacha, what is not permitted is homosexuality, the act thereof; nothing is said to condemn the person. Therefore, any equation of homosexuals and those deemed "wicked" or "rebellious" is erroneous.

Moreover, homophobia, especially among the traditionalists, must be placed in the total context of Jewish law. The *Toevah*, or abomination, by which the Bible deems homosexual activity (Leviticus 18:22; 20:13) is also applied to those who eat non-kosher food (Deuteronomy 14:3), those who worship idols (Deuteronomy 7:25), those who are unethical in their business practices (Deuteronomy 25:16), and those who remarry an ex-wife. In all of these examples, the Bible calls these acts an abomination and forbids its practice. Hence, if I was fearful in working with someone who is homosexual, I should have equal fear in working with anyone who has ever been unethical in business dealings or

has eaten non-kosher food, or the like.

Response

The above general warning acknowledges that most people do interact with all types of individuals — both observant and nonobservant, heterosexual and homosexual — but cautions that we not become "too attached" or become the "next door neighbor" to those who can compromise our beliefs by their influence. Hence, the Kormana Rebbe writes, "Do not exhibit love or extend intimate friendship.... Nevertheless, be careful not to reject him, and perhaps he will eventually repent. It is therefore advisable to try to attract him to Torah while not becoming close friends with him."

Orthodoxy and traditional Judaism may not recognize the legitimacy of homosexuality, but, as Rabbi Barry Freundel (1993) writes in a recent article about how traditionalists should behave toward homosexuals, "Nothing precludes, and everything supports outreach to those involved in homosexual activity."

CONCLUSION

Orthodox and traditional professionals in the organized Jewish community are faced with religious dilemmas in the work they perform. This article examined a few of these dilemmas and offered some understandings to how traditionalists may deal with these situations. It is hoped that the growing number of Orthodox and traditional Jews in the Jewish communal profession will evoke future discussions about these and other such dilemmas. In turn, resolutions found will be to the benefit of all those involved in working to strengthen the vibrancy of the whole Jewish community.

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