

# Haredi Construction of Rabbinic Authority: A Case Study

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## **Introduction**

Haredi Jews are becoming increasingly powerful culture brokers. In many ways, they maintain “a *hegemonic* position, insofar as they are figured as the ‘competent,’ ‘authentic,’ ‘legitimate,’ and ‘loyal’ bearers of tradition.”<sup>1</sup> These concepts are being further pressed since Haredi Jews have become confident enough with the strength of their society that they have placed an increasing emphasis on outreach efforts.<sup>2</sup> As Haredi influence increases, so too will their narratives of history and thus their constructions of the boundaries of rabbinic authority become more widespread and important factors in the way Jews define and understand the word “Judaism.”

In order for Haredi Orthodoxy to maintain as much hegemony as possible, it is necessary for it to maintain its position as *the* respected heir to Jewish tradition. In order to do so, Haredi Orthodoxy must cope with the fact that so many respected traditional Jewish figures historically subscribed to worldviews which are at odds with any modern Haredi ideology. I hope in this essay is to show how a rabbinic controversy was utilized for decades in order to destroy one such figure’s authority as a legitimate bearer of tradition, how his illegitimacy due specifically to this controversy was emphasized when he died, and how after his death his legacy was modified in order to ensure that it comported with an imaginary but devaluing narrative which had been formulated for him during his lifetime. It was through the invention of this wounding narrative for said figure that the rabbinical organization which he was so influential on was itself devalued. Haredi Orthodoxy’s process of establishing others who claim fidelity to Jewish tradition to not possess *Da’as Torah* was historically not always a simple task of simply denouncing all those outside of Haredi Orthodoxy, but was calculated and complicated. This essay

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<sup>1</sup> Jeremy Stolow, “Nation of Torah: Proselytism and the Politics of Historiography in a Religious Social Movement” (Doctoral dissertation, York University, September 2000), 46

<sup>2</sup> See M. Herbert Danziger, *Returning to Tradition* (New Haven: Yale University Press, 1989) and Adam S. Ferziger, “Between Outreach and ‘Inreach’: Redrawing the Lines of the American Orthodox Rabbinate” *Modern Judaism* 25.3 (October 2005): 237-263.

should assist the academy in understanding how rabbinic authority has been formulated throughout modern history.

### **Background: Haredi Jews and the RCA**

In Charles Liebman's groundbreaking 1965 essay on Orthodoxy, he points to "four possible bases of authority within the Jewish community today: numbers, money, tradition, and person or charisma." Orthodoxy is significantly advantaged in regards to the spheres of tradition and charisma, as it is presented as the sole legitimate unbroken continuation of traditional Judaism with a charismatic leadership which supports that narrative.<sup>3</sup> In discussing the Rabbinical Council of America (RCA), "the largest and most influential Orthodox rabbinical body in the United States," Liebman writes of this generally Modern Orthodox organization:

RCA's claim to leadership in the general Jewish community and its belief that it ought really to exercise this leadership rest almost entirely on the fact that Rabbi [Joseph B.] Soloveitchik is its leader. RCA members consider it enormously significant that the non-Orthodox Jewish community has accorded his opinions an increasing respect. Rabbi Soloveitchik, acknowledged by most Orthodox Jews as one of the world's leading talmudic authorities, has become increasingly active in social and political life and is quite conscious of his role as a communal leader.<sup>4</sup>

Soloveitchik's prestige as a rabbinic leader lent legitimacy to the rabbis of the RCA throughout the Jewish community. As representatives of traditional Judaism, this made the organization a threat to those who represented the interests of Haredi Orthodoxy and whose priorities were based on a more traditionalist worldview. Yet, as noted by Louis Bernstein, they were stuck with the issue that "the name Soloveitchik added luster and gave the Rabbinical Council standing...his presence gave the organization a stiffer backbone."<sup>5</sup>

Bernstein describes the need for the RCA to develop a "stiffer backbone" in the context of their Halacha Commission, the purpose of which was to advise rabbis affiliated with the council as to how to proceed with regards to various issues in light of Jewish law; said Commission was subject to outside rabbinic pressure. For example, in 1951 Rabbi Simcha Levy, the leading figure on the Commission at the time, announced that said body was sanctioning the usage of microphones on the Sabbath. Subsequently, another Orthodox rabbinical organization banned the usage of microphones and the RCA was criticized in various forums for having made the decision without consulting more

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<sup>3</sup> Charles Liebman, "Orthodoxy in American Jewish Life," *American Jewish Yearbook* 66 (1965): 49

<sup>4</sup> idem, 50

<sup>5</sup> Louis Bernstein, *Challenge and Mission: The Emergence of the English Speaking Orthodox Rabbinate* (New York: Sheingold, 1982), 71

prestigious rabbinic authorities than Levy and his cohorts. Soloveitchik was appointed as the Chairman of the Commission in January of 1953. With Soloveitchik as Chairman, it was “unlikely that the Rabbinical Council would be subject to the kind of attacks experienced during the microphone controversy.”<sup>6</sup> The Haredi Orthodox could no longer delegitimize the RCA and its Halacha Commission by simply demanding that they defer to great rabbinic sages of the day since the Commission was now deferring to their own acknowledged charismatic rabbinic sage. Precisely because such attacks were now so difficult, Haredi culture-brokers had to adopt a new and more complicated strategy in order to delegitimize Soloveitchik’s charismatic authority and through that, the RCA and the lay organization for which the RCA was the rabbinic arm – the Union of Orthodox Jewish Congregations of America (UOJCA). This paper will examine the role of the Haredi usage of the Synagogue Council of America controversy in an attempt to maintain dominance within the Orthodox Jewish community.

### **A Summary of the Synagogue Council of America Controversy**

On March 1, 1956 a group of eleven yeshiva deans signed a ban on participating in either rabbinic or communal interdenominational organizations:

We have been asked by a number of rabbis in the country and by alumni and rabbinical graduates of the yeshivot, if it is permissible to participate with and be a member of the New York Board of Rabbis and similar groups in other communities, which are composed of Reform and Conservative “rabbis.” Having gathered together to clarify this matter, it has been ruled by the undersigned that it is forbidden by the law of our sacred Torah to be a member of and to participate in such an organization.

We have also been asked if it is permissible to participate with and to be a member of the Synagogue Council of America, which is also composed of Reform and Conservative organizations. We have ruled that it is forbidden by

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<sup>6</sup> idem, 51. Yeshiva University President Samuel Belkin and rabbinic scholar Chaim Heller were appointed as co-chairmen of the Commission later in 1953 and it is in reference to all three new prestigious appointments that Bernstein makes this statement, but it was Soloveitchik who would take the leading role and be largely deferred to by the RCA. For a study of the decisions made by the Halacha Commission (alternatively known as the Halacha Committee) and a discussion of various pressures applied during the first 25 years of its existence, see idem., 25-71; specifically regarding the microphone controversy, see 37-41. Levy had already issued a responsum permitting the usage of microphones in 1948, but it was in 1951 that he discussed it at an RCA Convention. The decision was revoked by Soloveitchik in 1954. For further analysis of halakhic literature surrounding microphone usage, see the following essays by Rabbi Shlomo Brody and the sources cited therein: "Ask the Rabbi: Speak Up!" *Jerusalem Post* May 11, 2009. <http://www.jpost.com/JewishWorld/Article.aspx?id=159624> (accessed May 6, 2010); "From Our Archives: May One Use a Microphone on Shabbat?" *Text & Texture*, entry posted November 20, 2009, <http://text.rcarabbis.org/?p=506>; "Polemics and the Orthodox Prohibition Against Microphones on Shabbat by Shlomo Brody," *Text & Texture*, entry posted January 31, 2010, <http://text.rcarabbis.org/?p=724>; and "The Legacy of Polemics: Microphones on Shabbat, Metzitzah, and Rabbah Ordination by Shlomo Brody," *Text & Texture*, entry posted March 7, 2010, <http://text.rcarabbis.org/?p=780>.

the law of our sacred Torah to participate with them either as an individual or as an organized communal body.

May the Almighty have mercy on His people and close the breaches [in Torah life] and may we be worthy of the elevation of the glory of our sacred Torah and our people Israel.<sup>7</sup>

The specific inclusion of the Synagogue Council of America (SCA) in the ban is extremely important. There were only two Orthodox groups which were part of the SCA: the UOJCA and its rabbinic arm, the RCA. Not one member of the RCA's Halacha Commission signed the ban, yet if there was any man who could have influenced the Orthodox organizations to leave the SCA, it would have been the eminent Chairman of the Commission.

Rabbi Joseph B. Soloveitchik was a scion of an old and prestigious rabbinic family. While he had earned a doctorate in philosophy at the University of Berlin, he had come to America and joined his traditionalist Haredi colleagues in founding America's Council of Torah Sages – a body of rabbinic elites that decides the policies for the Agudath Israel of America organization – in attempting to invigorate Orthodoxy in the United States.<sup>8</sup> Soloveitchik later left the Agudah and lent the weight of his name to a number of Modern Orthodox institutions including the Maimonides School (as founder), Religious Zionists of America (as honorary president), the RCA (as Chairman of its Halacha Commission), and Yeshiva University (as one of its deans). Soloveitchik's philosophical brilliance and Talmudic genius dazzled his students; he was and is a paradigmatic idol of Modern Orthodox Jews who consider their ideal to be a combination of the best the modern world has to offer with sophistication in rabbinic texts.<sup>9</sup> Even after Soloveitchik's exit from the Agudah and his accepting of the honorary position as leader of the Religious Zionists of America, his own mastery of rabbinic texts made it hard for his Haredi contemporaries to completely dismiss him. Thus, for example, Soloveitchik was a cosigner of a letter with a number of yeshiva deans – all of whom had banned interdenominational cooperation – protesting Christian missionary work in Israel in 1963.<sup>10</sup> One of the figures who continued to have respect for Soloveitchik was the Chair of the Council of Torah Sages, Rabbi Aaron Kotler. Thus, two months before the propagation of the ban, Soloveitchik was seated next to Kotler on the dais and gave a speech at a fundraising dinner for Haredi

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<sup>7</sup> Aaron Rakeffët-Rothkoff, *The Silver Era in American Jewish Orthodoxy: Rabbi Eliezer Silver and His Generation* (New York: Yeshiva University Press, 1981), 291-292

<sup>8</sup> *Hapardes* 15.6 (September 1941): 16

<sup>9</sup> For more general details about Soloveitchik's life, see Aaron Rakeffët-Rothkoff, *The Rav: The World of Rabbi Joseph B. Soloveitchik* (Hoboken: Ktav, 1999), 1: 21-78

<sup>10</sup> For some background to this letter as well as a translation of the text itself which appeared in the *Jewish Observer*, see Joseph B. Soloveitchik, *Community, Covenant and Commitment: Selected Letters and Communications*, ed. Nathaniel Helfgot (Jersey City: Ktav, 2005), 207-208.

schools in Israel.<sup>11</sup> Despite the respect that Kotler and other sages accorded to Soloveitchik, in context, their ban was an attack on his ability to act as an authority unilaterally without their approval.

The UOJCA and its rabbinic arm had officially been part of the SCA since its founding.<sup>12</sup> There had been criticism of said participation but still well-known charismatic RCA rabbis such as Rabbi David de Sola Pool personally involved themselves in perpetuating the SCA.<sup>13</sup> In February of 1956, however, RCA President Rabbi David Hollander raised the issue to a level of prominence it had never enjoyed. Hollander regarded himself as "a rebel against the established trend of the [RCA], which was modern orthodoxy"<sup>14</sup> and it was in that role in which he "proposed that the Rabbinical Council leave the SCA and its members the New York Board of Rabbis" out of fear that "membership in joint bodies with the non-Orthodox gave status and legitimacy to the non-orthodox bodies." Rabbi Emanuel Rackman, then a member of the RCA's Executive Committee, argued with Hollander's conclusions; the latter then proceeded to submit the question of whether an organization could halakhically participate in the interdenominational groups to the RCA's Halacha Commission.<sup>15</sup>

It cannot be seen as a coincidence then that in the following weeks, the leadership of a different Orthodox rabbinic organization, the Igud Harabbonim (Rabbinical Alliance of America), became increasingly interested in the question of involvement in the New York Board of Rabbis and the SCA. The Igud was a relatively small Haredi rabbinic

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<sup>11</sup> Amos Bunim, *A Fire in His Soul* (New York: Feldheim, 1989), 212. See also Bernard Rosensweig, "The Unique Phenomenon That Was The Rav" in *Mentor of Generations: Reflections on Rabbi Joseph B. Soloveitchik*, ed. Zev Eleff (Jersey City: Ktav, 2008), 48; Marvin Schick, "Rav Aharon Kotler and Rav Soloveitchik," Marvin Schick, entry posted March 21, 2005, <http://mschick.blogspot.com/2005/03/rav-aharon-kotler-and-rav-soloveitchik.html> (accessed May 3, 2010); and the essays by Haredi figures in a volume presented in honor of Soloveitchik, *Kavod HaRav*, ed. Moshe Sherman (New York: Student Organization of Yeshiva, 1984).

<sup>12</sup> When the SCA was founded in 1926, "The Rabbinical Council of the Union of Orthodox Jewish Congregations" was one of the organizations which participated; in 1935 said body merged with the Rabbinical Association of Yeshiva, the alumni organization of Yeshiva University's rabbinical seminary, to become the Rabbinical Council of America. See Bernstein 11-12 as well as eds. Edwin S. Gaustad and Mark A. Noll, *A Documentary History of Religion in America Since 1877*, 3<sup>rd</sup> ed. (Grand Rapids: Eerdmans, 2003), 181-183.

<sup>13</sup> See Jonathan J. Golden, "From Cooperation to Confrontation: The Rise and Fall of the Synagogue Council of America" (Doctoral dissertation, Brandeis University, May 2008), 48 and 67-68 as well as David de Sola Pool, "From the Shearith Israel Archives," comp. Susan Tobin, *Tradition* 30.1 (Fall 1995): 21.

<sup>14</sup> Chaim Dalfin, *Conversations with the Rebbe* (New York: JEC 1996), 73.

<sup>15</sup> Bernstein, 144

organization which had been started in the early 1940's.<sup>16</sup> Its president at the time was Rabbi Ralph Pelcovitz; the fact that Pelcovitz's synagogue was the main alternative to Rackman's in the Orthodox community of Far Rockaway, New York<sup>17</sup> may have influenced the former's own interest in the RCA's internal controversy. It is difficult to avoid the conclusion that the inquiry itself was meant to inspire pressure on the UOJCA and the RCA. The issue of involvement in the SCA specifically was irrelevant to the Igud, which had never been invited to participate in said organization;<sup>18</sup> moreover, as Pelcovitz later pointed out, to him and those of like-minds it was obvious that

the presence of Orthodox Rabbis and organizations in mixed groups lends credence to the illusion that there are a number of legitimate expressions of Judaism...that should be sufficient reason for these men and organizations to reconsider their position...The reasons, the justifications and rationalizations are fitting subjects for intellectual discussions - they are not, unfortunately, of sufficient weight to dispel...the equation.<sup>19</sup>

Kotler – known for his stringency in both halakhic and communal matters as well as for the respect he commanded in the Orthodox world -- was among the rabbis asked the query by Pelcovitz and his cohorts;<sup>20</sup> it is difficult to believe that the Igud's leadership did not know what his answer would be and that the force of a “no” from him would be hard for anybody in the Orthodox world to openly contravene. Under the leadership of Kotler, a meeting of eleven yeshiva deans took place and they proceeded to sign the ban, which was written out by Hollander's brother-in-law, Agudath Israel Executive Vice-President (and soon to be President) Rabbi Moshe Sherer.<sup>21</sup> Most of the deans were part of the Agudah's Council of Torah Sages. Despite that, the ban was at least as much (and probably more) directed at pressuring the RCA and its Halacha Commission as making an internal statement to the Agudah's constituents. This can be seen not only from the

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<sup>16</sup> For general details regarding the history of the Igud, see Bernstein, 132-135; Liebman, 75-76; and Moshe D. Sherman, *Orthodox Judaism in America: A Biographical Dictionary and Sourcebook* (Westport: Greenwood Press, 1996), 245-246.

<sup>17</sup> Michael Kaufman, "Far Rockaway — Torah-Suburb by-the-Sea." *Jewish Life* 27, August 1960: 20-33

<sup>18</sup> Bernstein, 146-147

<sup>19</sup> Ralph Pelcovitz, "Communications: Relations to Non-Orthodox Groups" *Tradition* 9.3 (Fall 1967): 159

<sup>20</sup> Phone conversation with Rabbi Ralph Pelcovitz, August 24, 2009. For a scholarly analysis of some aspects of Kotler's ideology, see Yoel Finkelman, "An Ideology For American Yeshiva Students: The Sermons of R. Aharon Kotler, 1942-1962" *Journal of Jewish Studies* 58.2 (2007): 314-332

<sup>21</sup> Yonoson Rosenblum, *Rabbi Sherer: The Paramount Torah Spokesman of Our Era* (Brooklyn: Mesorah, 2009), 134

timing of the ban,<sup>22</sup> but also from the fact that two of the rabbis who were summoned to sign it were colleagues of Soloveitchik's at Yeshiva University.<sup>23</sup>

At a specially arranged RCA Executive Committee meeting on March 29, then Secretary Rabbi Gilbert Klaperman read out a letter from Soloveitchik and Yeshiva University President Samuel Belkin, in their roles as Halacha Commission leaders, in response to the request from Hollander earlier in the month:

...[This] question...was temporarily taken off the agenda of the Halacha Commission. Our decision not to take action at the present time is motivated by the fact that under the circumstances that now prevail and for which we bear no responsibility it is humanly impossible to discuss impartially this most serious matter...<sup>24</sup>

The letter's implication that no change in RCA policy could be implemented at the time empowered those who did not wish to leave interdenominational groups; the distinguished Rabbi Joseph Lookstein asserted that the *status quo* of the RCA remaining in the Synagogue Council should prevail. Hollander then attempted to argue that the status quo was "untenable in face of [sic] an halachic ban which was not at least balanced by a contrary decision," but was promptly overruled. The UOJCA, for its part, voted overwhelmingly to stay in the SCA.<sup>25</sup> Soloveitchik himself subtly encouraged SCA involvement, even while Hollander claimed that the former actually supported separation

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<sup>22</sup> It was signed "five days before [the Halacha Commission's] scheduled meeting." See Bernstein, 146.

<sup>23</sup> The two were Rabbi Dovid Lifshutz and Rabbi Menachem Zacks. Amos Bunim in "Torah Emes and Modernity," *5 Towns Jewish Times*, September 13, 2006, <https://www.5tjt.com/component/content/article/-30-torah/933-toras-emes-and-modernity.html> (accessed May 3, 2010) writes that Kotler had meant to discuss the matter with Soloveitchik beforehand, but that a certain unnamed zealot publicized the ban before Kotler had a chance; Bunim asserts that Kotler was *very* upset about not having been able to meet with Soloveitchik. Contra Bunim, Rabbi Moshe Meiselman in his review of *Community, Covenant, and Commitment*, ed. Nathaniel Helfgot, *Jewish Action*, Fall 2005, 92 writes that Kotler and Soloveitchik *had* actually been in touch after the original ban was signed and had been working on a "compromise text" which the latter could be party to; it was during these negotiations that two unnamed figures publicized the ban. It is possible (per Bunim) that Kotler had originally meant to tell Soloveitchik about the ban or (per Meiselman) that Kotler and Soloveitchik were attempting to reach some sort of compromise. However, as indicated by the getting together of eleven rabbis – two of whom were from Yeshiva University – to sign a ban specifically indicting membership in the SCA (an issue which only applied to the UOJCA and the RCA) only days before the Halacha Commission was scheduled to meet (see above footnote) and discuss the problems which only weeks beforehand had been raised by Hollander within the RCA, it is clear that the intention of the meeting to gain signatures on the original ban was to pressure the Halacha Commission and the RCA. It is noteworthy in this regard that Kotler did not yield after the ban was publicized; at least as early as September of 1956, Kotler was requesting that Sherer *petition* the Commission to issue a decision; see Rosenblum, 135. Asides from Kotler, I do not necessarily believe that all the signatories were interested in pressuring the Halacha Commission; it is possible that some may have simply signed out of deference to Kotler.

<sup>24</sup> Bernstein, 149

<sup>25</sup> *idem*, 150

from it.<sup>26</sup> In 1974, in response to Reform and Conservative efforts to ensure that Israel's Law of Return includes those who converted under their auspices, the rightward-shifting UOJCA suspended its participation in the Synagogue Council. Hollander – who had become estranged from the RCA to become president of the Igud – and his supporters again proposed the UOJCA stay out of the SCA permanently.<sup>27</sup> The UOJCA did end up returning to the SCA in 1975, but the vote of the organization's leadership had been a very close 68-56 and they were sure to issue a statement that their participation “does not constitute a ‘religious recognition’ of the ‘legitimacy’ of other branches of Judaism – Reform and Conservative – or their spokesmen.”<sup>28</sup>

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<sup>26</sup> In a phone conversation with the late Fay Hollander on September 24, 2009 she made clear to me that her husband consistently maintained until his death that Soloveitchik quietly supported his position. As of my writing of this paper, it is my understanding that Hollander's memoir – entitled *Truth is Stronger Than Friction* – is being posthumously edited and prepared for publication; I was not granted access by the late widow Hollander to the memoir, nor was I told who is editing it.

Rabbi Hollander's understanding of Soloveitchik's position is not supported by the evidence. Firstly, Soloveitchik had a taped conversation in which he explicated on his view that the RCA should maintain membership in the SCA. He elaborated that he felt membership was necessary in order to increase Orthodoxy's relevance. See David Holzer, *The Rav Thinking Aloud: Transcripts of Personal Conversations with Rabbi Joseph B. Soloveitchik*, ed. Aryeh Holzer (Jerusalem: David Holzer, 2009), 137. Secondly, as noted later in this essay, Soloveitchik personally involved himself with the SCA. Finally, Soloveitchik's students are remarkably consistent that he supported participation in the SCA: see for example Matis Greenblatt, “Faith and Intellect” in *Memories of a Giant*, ed. Michael A. Bierman (New York: Urim, 2005), 183; Moshe Meiselman, “Communications: The Rav, Feminism, and Public Policy,” *Tradition* 33.2 (Winter 1999): 103; Aaron Rakeffet-Rothkoff, “2007-10-08 Synagogue Council,” October 8, 2007, The Marcos and Adina Katz YUTorah Online, MP3, [http://www.yutorah.org/lectures/lecture.cfm/720413/-Rabbi\\_Aaron\\_Rakeffet-Rothkoff/2007-10-08\\_Synagogue\\_Council](http://www.yutorah.org/lectures/lecture.cfm/720413/-Rabbi_Aaron_Rakeffet-Rothkoff/2007-10-08_Synagogue_Council) (accessed May 3, 2010); Rosensweig 49; Mayer Twersky, “A Glimpse of the Rav” *Tradition* 30.4 (Summer 1996): 99-101; and Walter Wurzburger, “The Rav as *Posek* of Post-Modern Orthodoxy” *Tradition* 29.1 (Fall 1994): 13-14. Amos Bunim in “Toras Emes and Modernity” seems to imply otherwise; after writing of how certain liberal elements of Modern Orthodoxy should be wary of non-Orthodox denominations and their values, he writes about the ban and then proceeds to note that Soloveitchik's “family told me the depth of Rav Soloveitchik's hurt stemming from the fact that he was not included with the other rashei yeshiva.” However, in a phone conversation on September 24, 2009, Bunim strangely said that he only meant that Soloveitchik was saddened that he had not been consulted; the family member he had talked to had not made an assertion as to Soloveitchik's policy on SCA membership.

There may have been numerous reasons Soloveitchik did not announce his position publicly. One can probably be gleaned from his response to the issue being taken off an RCA convention's agenda. Soloveitchik wrote that:

...a public discussion of this problem...would have reflected untold harm on [the RCA] and would have reflected unfavorably upon the status of Orthodoxy throughout the country. It could have resulted in a wide open split within the ranks of the [RCA] and [that] would have in turn affected the entire course of Orthodoxy.

Soloveitchik was afraid that public discussion of the issue would result in the splintering of the RCA and the weakening of Orthodoxy. See Bernstein, 153.

<sup>27</sup> Golden, 123-125; Dalfin, 76-77; and “National Jewish Organizations,” *American Jewish Yearbook* 75 (1974-1975): 49

<sup>28</sup> Golden, 126



Rabbi Eliezer Silver, the prominent Haredi rabbinic sage who had founded Agudath Israel of America and once served as co-chair of the Council of Torah Sages along with Rabbi Aharon Kotler, refused to support the ban; he saw the ban (correctly) as an attack on the autonomy of the RCA.<sup>29</sup> It was not only the banners who had utilized the ban as a weapon to wield against the UOJCA and the RCA. Hollander claimed that he had only found about the ban right before it was published and had attempted to prevent its publication while Pelcovitz maintains to this day that in inquiring to Kotler about interdenominational organizations, his organization was merely asking a question for their own purposes and they had not meant to force the RCA's hand with regards to taking a stance on interdenominational groups;<sup>30</sup> nevertheless, both Hollander and Pelcovitz expressed their belief that the latter organization should feel compelled to bend to their will. Hollander later recounted how he could not suitably respect Soloveitchik as an authority due to the latter's "inability or unwillingness to take a clear stand one way or the other"<sup>31</sup> and described himself elsewhere as an "eved ne'eman" to fulfilling Kotler's will vis-à-vis interdenominational organizations;<sup>32</sup> also -- as noted earlier -- Hollander had claimed in the face of the ban, without another counterbalancing decision, the RCA had to bend to the will of Kotler and his cohorts. Pelcovitz for his part expressed his regret that the ban had been ineffective.<sup>33</sup>

### **Background: The Founding of the Jewish Observer**

In 1963, almost eight years after the initial ban, *The Jewish Observer* periodical was founded; said magazine would serve as Agudath Israel of America's English-language periodical for over four and a half decades. Kotler had died the previous year and without an heir apparent who was comparable in stature to lead Haredi Orthodoxy, the rabbis of his organization were now using the printed word to invigorate their society.<sup>34</sup> *The Jewish*

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<sup>29</sup> See *The Silver Era*, 292 and Lawrence Kaplan, "Daas Torah: A Modern Conception of Rabbinic Authority" in *Rabbinic Authority and Personal Autonomy*, ed. Moshe Sokol (Northvale: Aronson 1992), 15. Silver was an important figure in the Agudas Harabonim (Union of Orthodox Rabbis), and I also confirmed Silver's position with Rabbi Hersh Ginsberg of that organization in a phone conversation on August 24, 2009.

<sup>30</sup> Phone conversation with Pelcovitz

<sup>31</sup> Dalfin, 73

<sup>32</sup> Yitzchok Dershowitz, *The Legacy of Maran Rav Aharon Kotler* (New York: Feldheim 1999), 372. Hollander also gathered support from other respected rabbinic sages in the United States and Israel, including Soloveitchik's uncle; see Bernstein, 151 and Dershowitz, 373-374.

<sup>33</sup> Pelcovitz, 159

<sup>34</sup> I am indebted to Menachem Butler for the observation that the *Observer* was founded in the aftermath of Kotler's death. The passing of Kotler represented a significant loss of leadership to the Agudah; see Liebman, 85-87. The Agudah's loss was partially filled in 1963 not only by the founding of the *Observer*, but also through the promotion of the indefatigable Sherer from Executive Vice President to Executive President. See Gustav Niebuhr, "Rabbi Moshe Sherer, 76, Who Contributed to Rise of Orthodoxy's Right

*Observer* sought to provide perspectives on the issues of the day which were rooted in mainstream Ashkenazic Haredi schools of thought – namely the neo-Orthodox, Lithuanian, and Hasidic schools as developed in postwar America. The initial editor of the magazine was Rabbi Nathan (later Nachman) Bulman. Bulman had temporarily left the active congregational rabbinate and was then serving as a troubleshooter for an Orthodox educational network. Bulman had studied under Soloveitchik, but rejected his teacher's philosophy in favor of a Haredi worldview.<sup>35</sup> Bulman served as the editor for less than six months<sup>36</sup> and was succeeded by Rabbi Yaakov Jacobs in March, 1964. Rabbi Nisson Wolpin would serve as editor from August of 1970 until the magazine's closing in May 2009.

Throughout the *Observer's* existence, it always aggressively promoted Haredi positions on various communal, halakhic, and political issues. Two-column debates or articles dedicated to focusing on how the Haredi community could best address some of these issues would be found in the pages as well. The major difference between the stewardships of Jacobs and Wolpin were not the content of the articles, but the character of the contributors. Uncontroversial sermonic essays explicating rabbinic lessons were published in every issue of the magazine, but under Jacobs, a sizable fraction of these were written by Modern Orthodox rabbis. Jacobs' editorial vision as implemented resulted in a periodical which promoted Agudah's views while still allowing for agreeable contributions from Orthodox rabbis who may not have shared the Haredi views espoused by the Agudah.<sup>37</sup> By contrast, Wolpin's *Observer* countenanced no such authors, solely relying on Haredi Jews for essays. Because the amount of Haredi Jews who could write well in English had increased since the *Observer* was founded, Wolpin saw no need to fill pages with writings of the sorts of rabbis Jacobs had allowed to contribute. Jacobs had run an Orthodox periodical with an Agudist point of view, while Wolpin's *Observer* was accurately described as "the main press organ of the Agudah."<sup>38</sup>

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Wing in U.S." *New York Times*, May 19, 1998, <http://www.nytimes.com/1998/05/19/nyregion/rabbi-moshe-sherer-76-who-contributed-to-rise-of-orthodoxy-s-right-wing-in-us.html> (accessed May 9, 2010).

<sup>35</sup> Toby Katz, "Who Will Comfort Us Now?" *Jewish Action* (Winter 2002), 28-32. Bulman served on the staff at Yeshiva University's rabbinical seminary from 1953-1954 and returned to this job in 1962; Bulman left Yeshiva University in 1963. See M. Samsonowitz, "Rabbi Nachman Bulman: The Man Who Belonged to Everyone," *Yated Ne'eman* (Bnei Brak), August 14, 2002 <http://chareidi.shemayisrael.com/-archives5762/kisetze/KSZ62features.htm> (accessed May 9, 2010).

<sup>36</sup> Nisson Wolpin, interview by author, Rabbi Nisson Wolpin's home, August 24, 2009

<sup>37</sup> See for example Fabian Schonfeld, "Sfas Emes on Pesach," *Jewish Observer*, March 1965, 16-18; Shubert Spero, "The Succah and the Way Back: A Holiday Study," *Jewish Observer*, October 1966, 15-17; and Rabbi Norman Lamm's May 1969 piece, reprinted as "Love and Law" in Norman Lamm, *Seventy Faces: Articles of Faith* (Hoboken: Ktav, 2001), 1: 175-183.

<sup>38</sup> Wolpin, interview by author and Toby Appleton Perl, "The Last Word," *The Forward*, March 23, 2007, <http://www.forward.com/articles/10374/> (accessed May 9, 2010). Wolpin's editorial philosophy and his contentions against Modern Orthodoxy are also elaborated on in a lecture he gave reflecting on his tenure at

## The Observer on the SCA Controversy

In the second issue of the *Observer*, one Rabbi Bernard Weinberger construed a view of the role of rabbinic authority in Jewish theology. To Weinberger, when it came to matters of national or international import, “the ‘Gedolim’ must be the final authority.” Many coreligionists, in Weinberger’s estimate, did not understand this:

There is a widespread tendency in American orthodox organizational life...to “acknowledge only our Gedolim,” who can then be “used” for the respective purposes of the particular group. But in truth it is only the intuitive collective conscience of the Talmidei Chachomim and Yereim of the age upon whose judgment reliance can be placed in the matter.<sup>39</sup>

To Weinberger, when a minority of rabbinic sages disagreed with a majority, the former’s views should practically be ignored. According to such a worldview, the proper practical response of the UOJCA and the RCA to the SCA controversy was clear: ignore Soloveitchik and instead defer completely to the yeshiva deans.

Bulman in the same issue wrote an article taking issue with the “compromising” approach American Orthodoxy had historically taken and “liberal” Orthodoxy was continuing. Bulman proposed an “alternative course” that Orthodoxy should have pursued: only men who were profoundly learned should have been granted ordination and only effective communicators should have been allowed to pursue an active career in the congregational rabbinate; also, rabbis should have demanded all synagogues adhere to halacha and if they did not, the rabbis would not serve at them and they could not be part of Orthodox synagogue organizations. According to Bulman, his approach would have been more successful for a number of reasons. For one thing:

Such a rabbinate and such synagogues would have fought with all their power against the blurring of distinction between Torah-true Judaism and Conservatism which resulted from the watering down of orthodox principle within the orthodox synagogue and the granting of legitimacy to conservatism in intra-communal and national relationships. And if that blurring of distinction had not been allowed to take place—we would have incurred some membership losses, but *countless thousands—who drifted into conservatism because a compromising orthodoxy caused them to believe that there wasn’t that much difference anyhow--would not have been lost to us.*

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the *Observer* and how Haredi Jews should approach journalism. See [sic] Nossin Wolpin, "Torah Journalism AT WAR" (lecture, October 27, 2008), Torahanytime.com, [http://www.torahanytime.com/scripts/media.php?file=media/Rabbi/Nossin\\_Wolpin/2008-10-27/Torah\\_Journalism\\_AT\\_WAR/Rabbi\\_Nossin\\_Wolpin\\_Torah\\_Journalism\\_AT\\_WAR\\_\\_2008-10-27.wmv](http://www.torahanytime.com/scripts/media.php?file=media/Rabbi/Nossin_Wolpin/2008-10-27/Torah_Journalism_AT_WAR/Rabbi_Nossin_Wolpin_Torah_Journalism_AT_WAR__2008-10-27.wmv) (accessed May 9, 2010). I am indebted to Boruch Rizel for this reference.

<sup>39</sup> Bernard Weinberger, “The Role of the Gedolim,” *Jewish Observer* October 1963, 12

To Bulman, Orthodoxy's historical approach towards Conservative Judaism was responsible for the loss of adherents. A more fortified Orthodoxy would not have suffered such losses. The rabbis in the RCA were following their misguided worldview by their involvement in the SCA and similar organizations. They were continuing the erroneous approach of their predecessors in the communal rabbinate in another way that Bulman felt his alternative would have avoided:

...most important, such an Orthodoxy would not have been alienated from the Gedolim of our age. It would have understood them and appreciated them. It would have communicated with them. It would have enabled them to function within the community rather than on the periphery. It would have enveloped them with *kavod malchus*...<sup>40</sup>

In Bulman's estimate, the American Orthodox had by and large not listened to rabbinic sages but had forced them into irrelevancy; quite besides from not having a proper appreciation for rabbinic sages, they did not even communicate with them. To understand how this criticism comports with the fact that Soloveitchik was considered such an important leader to the Orthodoxy Bulman was criticizing, David Singer's understanding of the *Observer* is particularly apt here:

When the *Jewish Observer* speaks of Orthodox authority reposing with the "great Torah scholars of the age," it has in mind a group of men in a specific institutional setting. These are the *gedolim*...who serve on the Agudah's supreme ruling body...The *Jewish Observer* does not claim that the council has an exclusive monopoly on gedolim, but it rightfully insists that the council members...constitute the single most distinguished group of recognized Torah sages in the world today. Given their eminence, it is hardly surprising that the *Jewish Observer* should demand acceptance of the council's decisions on all matters affecting Jewish life, not only ritual issues but also...social and political questions....

In other words, writers in the *Observer* like Bulman were not protesting that Orthodoxy should listen to any rabbinic sages in general, but to the rabbinic sages affiliated with the Agudah in particular. To heed only Soloveitchik -- however much one may have respected him -- amounted to nothing less than a theological compromise of proper orthodoxy. It was not Soloveitchik then who the rabbis of the RCA should have asked about participation in the SCA or for that matter any other issue of national or international scope, but rather the sages of the Agudah should have had the right to decide. Singer goes on to note:

The influence of the *gedolim* is particularly evident in the *Jewish Observer's* attitude toward secular culture and college education. Since these had no place in the Eastern European yeshiva ethos which the gedolim idealize and seek to

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<sup>40</sup> Nathan Bulman, "An Alternate Course for American Orthodoxy," *Jewish Observer*, October 1963, 12

perpetuate, they must, according to Agudah philosophy, be approached with the utmost wariness...[Modern Orthodox spokesmen] are recurrently excoriated for their positive evaluation of secular culture, their belief in the desirability of higher education, their Zionism, their general stress on making Judaism relevant to modernity, but, above all, for their sitting down together with Reform and Conservative rabbis in bodies like the Synagogue Council of America.<sup>41</sup>

The collective group of rabbinic sages in the Agudah was extremely wary of cultural openness, and was also afraid of compromising Orthodox Judaism's status as the sole legitimate heir to Jewish tradition by legitimizing other denominations. This guarded ethos was, to Bulman, the more viable approach for Orthodoxy's leaders; he felt that deference to the type of sages who graced the Council of Torah Sages was not only theologically important but also pragmatically beneficial for a viable Orthodoxy.

It is in this light that Bulman's inclusion of a translation of an essay by Rabbi Meir Shapiro of Lublin contrasting the communities of Prague and Pressburg in the second issue must be seen. Bulman wrote in an editor's note that "though the communities [Shapiro] alludes to have been destroyed, his remarks penetrate to the core of current American Jewish problematic." Shapiro wrote:

In Pressburg the offensive of the men of the Enlightenment struck upon a rock-like fortress of original Judaism; upon the great and unbending personality of the "Chasam Sofer" *ztz"l* With the slogan "*Chadash Assur min Hatorah*" (the new is prohibited by the Torah), he suppressed every attempt at reform. And when his son, the K'sav Sofer, succeeded him, he too did not deviate in the slightest degree from his father's program: "*Yikov Hadin Es Hahar*" (let the law bore through a mountain). It was different in Prague. There the Enlightenment movement found "moderate" leaders, whose slogan was: "Let the left hand repel while the right hand draws near." They calculated that their conciliatory and compromising attitude would elicit a sense of restraint in the reform movement. But the "appetites" of the maskilim became constantly strong the more they were fed. And the traditional leadership vainly compromised more and more, step after step. [Rabbi Shlomo Yehuda] Rappaport and his followers did their most to please everybody. And for every compromise they found an explanation: "*Horaas Sha'ah Sha'ani*" (a temporary permissive decision is different).<sup>42</sup>

In the above narrative, Sofer and his successors were the defenders of an unchanging traditional Judaism, while Rapoport and his followers did not have faith in an uncompromising Judaism and thus attempted to appease reformers. Shapiro then wrote

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<sup>41</sup> David Singer, "Voices of Orthodoxy," *Commentary*, July 1974, 58

<sup>42</sup> Meir Shapiro, "The Chasam Sofer Was Victorious," *Jewish Observer*, October 1963, 23-24. For a more nuanced portrait of Rapoport, see Chaim Landerer, "R' Shlomo Yehuda Rapoport (Shir), Champion of Jewish Unity in the Modern Era," *Hakirah* 8 (Summer 2009): 109-139 and particularly fn. 24.

about his own recent trip to both Prague and Pressburg. The former's religious population, his guide told him, was a mere fraction of the large Jewish population. In Pressburg on the other hand, Talmudic study is vibrant and the community “strives to pattern its life after the example of its Gedolim. Everywhere the pulse of a living Judaism beats.”<sup>43</sup>

The message Bulman was sending his readers was that the unremitting Agudah was following in the successful footsteps of Sofer while the RCA and the UOJCA walked on the failed path of compromise once tread by Rappaport.

Weinberger argued that the rabbinate needed to follow the commands of the biggest group of rabbinic sages (i.e. the Council), while Bulman argued that the other paths were pragmatically and theologically detrimental. Jacobs took the polemic a step further in his analysis of a 1964 UOJCA convention. Jacobs notes how weak the forces promoting American Orthodoxy had been as recently as twenty years previous and then declares that

It is small wonder that [such] an “American Orthodoxy”<sup>44</sup> should have entered into alliances with its stronger 'sisters,' Reform and Conservatism ...It is in the light of the Union's servile attitudes of the past that we must view current efforts to break them away from their [sic] liasons with groups that are dedicated to the elimination of Orthodoxy...<sup>45</sup>

To Jacobs, the Orthodox had been so weak in the past that they had succumbed to adopting "servile attitudes" towards the heterodox which had led them to the trap of joining the SCA and similar groups. He continues by placing the blame for the UOJCA's willingness to stay in its current position squarely on the members of the Halacha Commission:

(...[The *Roshai Yeshivoh*] ruled that Torah law forbids participation in agencies with non-Orthodox religious affiliates, since such participation gives tacit approval to deviation from Torah principles. Not a single Torah authority has disputed this ruling.) In spite of this clear-cut ruling of the Roshai Yeshivoh, the UOJCA continued its membership in the Synagogue Council following the lead of its rabbinic arm, the Rabbinical Council of America which, for close to ten years has been awaiting a ruling from its Halacha Commission.<sup>46</sup>

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<sup>43</sup> Shapiro 24

<sup>44</sup> The forces promoting American Orthodoxy were indeed so weak that many biblical and rabbinic dictates were regularly and openly ignored; it is because these Jews so flaunted halakha that Jacobs puts the phrase “American Orthodoxy” in quotation marks. For a history of American Orthodoxy and how these Jews specifically affected said history, see Jeffrey S. Gurock, *Orthodox Jews in America* (Bloomington: Indiana University Press, 2009).

<sup>45</sup> Yaakov Jacobs, “‘American Orthodoxy’ Yesterday and Today: Some Implications of the Recent UOJCA Conference,” *Jewish Observer*, December 1964, 3.

<sup>46</sup> *Idem*, 4

Since nobody had openly disputed the ruling of the deans, there was no right for Orthodox Jews to contravene the ruling. Yet one can sense Jacobs' frustration jumping off the page, as he wonders aloud why the Halacha Commission did not make a ruling on such an important matter. Indeed, on the page following Jacobs' article lies the Agudah's recommendations for a central Orthodox agency and the first six paragraphs address why all of Orthodoxy must withdraw from "its shackling alliance with the secular and Reformist groups."<sup>47</sup>

Despite his apparent frustration in the above mentioned essay with the Halacha Commission, Jacobs realized that to convince his readers that the UOJCA and RCA should leave the SCA, it was not enough to argue as Weinberger and Bulman had that a general consensus of important rabbis had ruled on the issue; like Hollander, he too had to convince that Soloveitchik himself supported their position. Jacobs attempted in a 1966 essay to prove that Soloveitchik sided with the other rabbinic sages:

We have had much to say about the participation of the...Rabbinical Council (and the Union...) in the Synagogue Council of America... Officials of RCA (and the Union) have argued that their Halachah Commission has not yet ruled on what they admit is a questionable position. Yet the distinguished Chairman of that Commission has consistently absented himself from such mixed-rabbinic groups<sup>48</sup> and has meticulously avoided association with the non-Orthodox on a religious level, even to the extent of urging the creation of an independent board of Orthodox rabbis in his own state. Even more: Each year a statement appears in the *Boston Jewish Advocate* urging Jews to purchase Israel Bonds...a gesture most members of [sic] RCA would consider *parve*. It is signed by members of the Orthodox, Reform and Conservative rabbinates, with one notable exception. The Chairman...has, in numerous ways, manifested his tacit support for the position of the eleven *Gedolim*, and [sic] the absurdity of an Orthodox rabbi sitting, *or even appearing in print*, alongside "rabbis" who are dedicated to the destruction of Torah.<sup>49</sup>

The above passage is very important. While Soloveitchik's students thought their policy of involvement in the SCA was legitimized by their teacher, Jacobs attempted to turn the tables by arguing that the "distinguished Chairman" himself is not involved with any mixed groups, nor does he sign a yearly letter which has signatories from all of the denominations. Jacobs was apparently assuming that Soloveitchik had "absented himself" from any interdenominational religious activities based on the fact that the latter was not on the RCA's delegation to the SCA. Rabbi Nathaniel Helfgot in his scholarly research

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<sup>47</sup> "A Position Paper on a Central Orthodox Agency Presented by Agudath Israel," *Jewish Observer*, December 1964, 9

<sup>48</sup> This phrase is misleading as it was not only rabbinic groups but also the national lay congregational organizations that had members in the SCA.

<sup>49</sup> Yaakov Jacobs, "Orthodoxy and Synagogue Council," *Jewish Observer*, November 1966, 1

has found that Soloveitchik was directly involved in arranging and attending meetings with the Synagogue Council of America.<sup>50</sup>

Jacobs' imaginary narrative manages to circumvent the fact that Soloveitchik was involved with the SCA while still placing him in a less respectable light than the other deans. In this tale, Soloveitchik "manifested his tacit support" for the policies of the other rabbinic sages. Still, Soloveitchik has questionably been unable to advance his position to the RCA. Readers were lead to the conclusion that Soloveitchik was not leading properly because of his inability to articulate positions considered controversial within his organization. The rabbinic sages the Agudah followed were thus placed in a more favorable light than the misguided "Chairman," but (according to Jacobs) even he believed their policy decision was correct. To behave against their will by being in the SCA or similar organizations was simply an "absurdity."

In January of 1967, there was an article in the *Observer* which had a favorably quoted passage from a letter of Rabbi Menachem Mendel Schneersohn, the Lubavitcher Rebbe:

Above everything else...the very association of the "three trends" as equals in the SCA "cannot escape the logical inference that Conservative and Reform movements are recognized by the Orthodox members of the [sic] SAC as belonging within the fold of true Judaism, differing only in degree or in minor details..."<sup>51</sup>

The *Observer's* narrative maintained that for the three denominations to be in the SCA together would inescapably legitimize them as equals or near equals and quoted the Rebbe to that effect. In an article directly following in the same issue, Rabbi Mordechai Gifter elaborated on this point when he wrote that the SCA "is an organization composed of religious groupings of American Jewish life. Participation...is recognition of non-Torah views as being *within* Judaism..." and implied that to say otherwise is simply "absurd."<sup>52</sup> Rabbi Joseph Elias, the *Observer's* book reviewer since its founding, reviewed a volume of sermons by Modern Orthodox Rabbi Shubert Spero and quotes one such speech on Sukkos as teaching the lesson that:

"...we have a responsibility toward the Jewish people as a whole...to work out a realistic policy of 'integration' which, while saving us from the pitfalls of separatism, will enable us to uphold...Torah truth"...For the reader interested to know what such a policy should be, Rabbi Spero provides a footnote at this point, referring him to an article of his in *Tradition* in which he takes issue with

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<sup>50</sup> *Community*, 61 and Nathaniel Helfgot, "Re: Synagogue Council of America," e-mail message to the author, May 11, 2010.

<sup>51</sup> "In Retrospect: The Synagogue Council," *Jewish Observer*, January 1967, 5

<sup>52</sup> Mordechai Gifter, "A Dissident Speaks Out: A Statement by Harav Mordechai Gifter," *Jewish Observer*, January 1967, 8



the *Psak Din* on Synagogue Council of America membership issued a dozen years ago by the Brisker Rav, Reb Aaron Kotler, and the other *Gedolei Hador!* In other words, the "realistic policy of [sic] integration" which the author considers the lesson of Sukkos, does not agree with what the *Gedolim* have taught on the subject.<sup>53</sup>

Elias invalidates Spero's sermon by noting that the latter has dared to express an opinion contrary to that of the rabbinic sages and, to make matters worse, even read said opinion into the Torah itself. In doing so, Spero has displayed tremendous audacity. By setting up the dichotomy as rabbis like Spero against "the Brisker Rav, Reb Aaron Kotler, and other Gedolei Hador," Elias manages to cast aspersions on Spero's interpretive powers; the possibility that a more respected rabbinic personality like Soloveitchik agrees with Spero is, in consistency with Jacobs' analysis that Soloveitchik agreed with his contemporaries on this issue, not here considered.

If anything, when Wolpin took the helm of the *Observer*, he was more assertive than his precursors. Wolpin distinguished between a "Torah Jewry" which was "often criticized" for not participating in interdenominational organizations and "Orthodox leaders" who wished for a "boost in prestige."<sup>54</sup> Elias's assertion was here taken to its logical conclusion: if the "*Gedolim*" were considered the arbiters of what constituted legitimate interpretation of the Torah and if rabbis made assertions and participated in actions contrary to "what the *Gedolim* have taught on the subject," they could not be considered legitimate interpreters of the Torah and not counted among "Torah Jewry."

In a 1975 piece, Wolpin attacked the UOJCA for "pretending that the Synagogue Council of America...is not an organization based on religious *cooperation*, as its very name implies..." Ingenuous and intelligent rabbis could not pretend, and indeed never could have pretended, that involvement in the SCA did not imply the forbidden belief that "Reform and Conservative Judaism are just alternate strains..."<sup>55</sup> Wolpin could feel fully justified in this view as -- like Jacobs before him -- he maintained that the ban on SCA participation had "not been challenged by any other leading Torah authority, notwithstanding whisper campaigns to the contrary."<sup>56</sup> It is noteworthy in this regard that

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<sup>53</sup> Joseph Elias's review of *G-d in All Seasons*, ed. Shubert Spero, *Jewish Observer*, February 1968, 20. The *Observer* book reviews were not accredited, but Elias wrote them; Wolpin, interview by author.

<sup>54</sup> Nisson Wolpin, "Under the Umbrella – A Deluge of Deception," *Jewish Observer*, June 1972, 25

<sup>55</sup> Nisson Wolpin, "The UOJCA, the Synagogue Council of America, and the Wave of the Future," *Jewish Observer*, April 1975, 10

<sup>56</sup> *idem*. It is of interest that while the *Observer* engaged in polemics regarding the Synagogue Council of America controversy for over two decades, and assertions were made by the editors that Soloveitchik did not believe in participating in the SCA when they knew there were those who said that Soloveitchik actually approved involvement in the SCA, there is no record in the journal of any discussions with Soloveitchik about this matter; however, with regards to another famous case which took up far less space in the *Observer*, Soloveitchik's opinion was reportedly solicited by the eminent Rabbi Moshe Feinstein and

when the *Observer* ran a piece discussing the achievements of a rabbi who had served Orthodoxy at the turn of the century, Rabbi Hillel Klein, it did not discuss his own early support for the SCA.<sup>57</sup> In order to create an illusion that great rabbis had since the SCA's creation unanimously thought that involvement was not only forbidden but ridiculous, the true positions of those who had not thought as such were not discussed.

Rabbi Elkanah Schwartz once wrote a letter to the *Observer* noting that while he had read many an article which was critical of various Israeli organizations and leaders, he wondered "whether anything has ever appeared that is critical of Agudah and/or its political representatives...If...so, please send me copies of those comments." Wolpin replied that the Agudah representatives' "activities in the political arena generally are based on the *hashkofos* of [sic] the Agudath Israel as pronounced by its *Gedolim*, who are far above the petty hum-drum of partisan politics."<sup>58</sup> The sages were viewed with so much admiration and respect that their decisions in the political realm as instituted by their emissaries were essentially beyond criticism as they stemmed from a Torah-based worldview.

While an article in the *Observer* had once included Soloveitchik as one "of the greatest *Roshei Yeshivos* of our time,"<sup>59</sup> it was clear by his death in 1993 that the magazine felt obliged to make it perfectly clear to readers that *he* was certainly not beyond open criticism. The obituary for him made that point in a number of ways, including a mention of "how he was alone in the path he took...with regard to synthesizing Torah, classic literature and modern philosophy in admitted departure from the Torah world from which he came" and the omission of the usual appellation of *tzaddik* in the honorary suffix of *zichrono l'vrachah*. In case such implications were not sufficiently clear enough to the reader, the *Observer* omitted the obituary from the table of contents and buried the one page piece in the middle of the magazine. When I asked Wolpin in an interview as to why the obituary had been written the way it had, he pointed to this paragraph:

Rabbi Soloveitchik rarely spoke out publicly on major issues, and was frequently quoted in conflicting manner by different people (*for example, in*

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recorded in the *Observer*. The case under discussion was Rabbi Shlomo Goren's famous and controversial reversal of previous rabbinic rulings that a pair of twins were bastards. In response to rumors that Goren was backed by Soloveitchik, the latter reportedly "denied supporting Rabbi Goren in any way." See Ezriel Tshavi, "Rabbi Goren Takes Over: the Tragedy of Irresponsible Leadership," *Jewish Observer*, December 1972, 18 For a discussion of the halakhic issues surrounding the case, see J. David Bleich, *Contemporary Halakhic Problems* (New York: Ktav, 1977), 1: 167-176

<sup>57</sup> See Shmuel Singer, "His Name Was 'Hillel Hakohen,'" *Jewish Observer*, May 1975, 13. For more on Klein, see *Orthodox Judaism in America*, 117-119

<sup>58</sup> Elkanah Schwartz and Nisson Wolpin, "Letters to the Editor: JO Criticism: Is Agudath Israel Exempt," *Jewish Observer*, May 1974, 28-29

<sup>59</sup> "The Lines are Drawn: the Historic Implications of the Split in American Jewry," *Jewish Observer*, March 1964, 3

*such matters as membership in religious organizations with Reform and Conservative groups*) [emphasis mine]. He has been cited as explaining himself: "I have many pupils. I have many disciples, but I never impose my views on anyone." Thus, "he allowed his students to issue highly divergent rulings with both camps able to claim...[him] as their legal source and mentor." (*Jewish Week*. April 16. 1993)<sup>60</sup>

Soloveitchik's allowance of various students to quote him on positions which he did not maintain disqualified him as a rabbinic sage on the level of respectability of his traditionalist colleagues or their successors. Particularly, with regards to the SCA ban -- which, as seen above, Jacobs and Wolpin maintained Soloveitchik did not himself oppose -- the latter had refused to make his position clear to his students on an issue which had irked the *Observer's* various writers consistently for over two decades. Leaving the SCA, an organization which had legitimized the heterodox, had been the obvious and only choice for an Orthodoxy which wished to maintain its integrity as the sole valid Jewish movement. Soloveitchik had instead allowed his students to deviate from the path of what Wolpin called "Torah Judaism." In this manner, while omitting the views of those respected Haredi rabbis who had once either encouraged participation in the SCA or encouraged an ignoring of the ban (e.g. Klein and Silver respectively), the *Observer* proved that both Soloveitchik and his sinning students were unfit for rabbinic leadership.

### **Continuing the *Observer's* Legacy**

As I was writing this essay, Haredi hagiographer and pundit Jonathan Rosenblum produced his newest volume, *Rabbi Sherer: the Paramount Torah Spokesman of Our Era*. In the chapter entitled "The Ideology of Daas Torah," Rosenblum notes for the reader unaware of the history that "the...Union was one of the Orthodox organizations that did not heed the 1956 *psak din* of 11 leading roshei yeshiva against participation in the Synagogue Council." Rosenblum then proceeds to quote a letter Sherer once wrote which, in the former's opinion, "captures well Rabbi Sherer's philosophy of *daas Torah*."<sup>61</sup> Sherer had received an inquiry from a UOJCA leader regarding the halachic reasoning behind the ban and had objected on the grounds that those opposed to the ban

..."would pounce upon the sources and attempt to tear them down, while offering contradictory 'sources' to negate the *psak din*." The issue, Rabbi Sherer insisted, ultimately boils down to one basic point: "Does one have faith and recognize the authority and dependability of the *gedolei Torah* who [sic] issue the *psak din* or not?...Instead of opening a debate between Lilliputians and giants on halachic issues, the issue must be faced squarely...Does anyone have

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<sup>60</sup> "Rabbi Joseph B. Soloveitchik z"l," *Jewish Observer*, May 1993, 43. Rabbi Wolpin informed me that the obituary was written as a "group effort."

<sup>61</sup> Rosenblum, 199

the right to refuse to accept a *psak din* in which all the *gedolei Torah* in the world concurred?"<sup>62</sup>

Rosenblum, in repeating this story, perpetuates the *Observer's* imaginary narrative that it was arrogant figures who wanted to stay in the SCA, unsupported by anybody even they could regard as a great authority, such as Silver or Soloveitchik.

## Conclusion

It has been seen that Rabbi David Hollander, who himself did not respect Rabbi Soloveitchik as a rabbinic leader, brought the issue of membership in the Synagogue Council of America to the fore in 1956. He attempted to claim that Soloveitchik sided with him, but to little pragmatic avail. Rabbi Ralph Pelcovits and the Igud subsequently took the same query – irrelevant to them – to a number of rabbinic sages, including Rabbi Aaron Kotler. Kotler then arranged a meeting of eleven yeshiva deans in which they signed a ban – written by Hollander's brother-in-law – in order to attempt to pressure the UOJCA and the RCA to submit to their will. The *Jewish Observer* then consistently attacked those organizations for not following their sages and utilized Hollander's narrative that Soloveitchik in actuality agreed with them. By utilizing this narrative, the *Observer* subtly delegitimized Soloveitchik as a rabbinic leader for not making his position clearer to the organizations he was the figurehead of. They in turn were castigated for not submitting to a recognized rabbinic sage. When Soloveitchik passed away, he was more directly delegitimized in his obituary for not having spoken out against membership in SCA and similar groups. Finally, Jonathan Rosenblum perpetuated the *Observer's* imaginary narrative that Soloveitchik agreed with the other sages in a hagiography, thus further delegitimizing the organizations he represented. Sages who counseled that the UOJCA and the RCA should continue their involvement in the Synagogue Council had these positions starkly ignored; thus, they have not been delegitimized, but their positions were in an effort to devaluate Soloveitchik and the organizations he to some extent represented. The devaluation of Soloveitchik and his organizations was complex, thorough, and meticulous.

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<sup>62</sup> Idem, 199-200