

Conservative Judaism's Unique Opportunity
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Perhaps there are those amongst us who have heard the pun that compares the holiest day of this holy season to the silliest day on our calendar. *Yom Kippurim*, “Day of Atonements,” is one of the variations on the more common *Yom Kippur*. And by a slight shift in emphasis, commentators have been able to speak of *yom ki-purim*, meaning “a day like Purim.”

What makes *Yom Kippurim yom ki-purim*? What makes the Day of Atonements a day like Purim? Of the many answers from our tradition, today I offer only one. Today I ask you to consider that the pinnacle of piety to which we aspire on *Yom Kippur* is contained in a single, empowering, commanding moment at the very heart of the story of *Purim*. Thousands of years ago such a moment presented itself to an unlikely champion. And maybe, just maybe, such a moment presents itself to each of us today.

As we discussed at our Men's Club Brunch Program of a few weeks ago, all too often, we are frustrated in trying to explain to others what we understand instinctively about Conservative Judaism. The “middle ground,” that vast landscape between the two horizons, is often accused of standing for nothing and everything at the same time.

We look in one direction and we see those who hold fast to the ritual observances that make Judaism unique. Sometimes we smirk at their bickering over who can be most restrictive in matters of Shabbat or marriage or conversion. Yet we protest that we, too, care about *t'fillin*, *brit milah*, *mikveh*, and when three stars appear on Saturday night.

We look in the other direction and we see the accomplishments of those who pursue with zeal the ethics that emerge from our tradition. Sometimes we roll our eyes when they join in public activism on Shabbat afternoon or take positions only vaguely attached to Jewish teachings. Yet we point to public positions and local programs that illustrate our commitment to the general welfare and the alleviation of others' distress.

On one side of us are those who insist that ritual is the essence of Judaism, with ethical behavior, especially toward non-Jews, expendable in pursuit of ritual diligence. On the other side are those who insist that ethics form the essence of Judaism, with ritual behavior, especially that which is inconvenient, expendable in pursuit of moral integrity. We stand between them affirming their devotion to Judaism, while at the same time trying hard to articulate what appears to be a complex balance between the two extremes to dismissive ears.

But every now and then, amidst frustration, an opportunity comes along that gives us the chance to articulate the value of the middle. Such an opportunity has

arrived. Today I offer you a lesson from a different time in the Jewish year as to why we must join our Movement in seizing this moment not just for the sake of the specific issue involved, but as an illustration of what it means to be faithful to the wholeness of Jewish life. Hopefully you are aware of the controversy surrounding the kosher meat producers in Postville, Iowa. A little background would be helpful, with thanks to my colleague Rabbi Jack Moline for his synopsis of the situation.

In 1987, a Brooklyn butcher and member of the Lubavitch community named Aaron Rubashkin bought a shuttered slaughterhouse in the northeastern Iowa town. He relocated dozens of Hassidic families to provide the infrastructure for kosher meat preparation, as well as Orthodox Jewish life. After a period of adjustment, which was uneasy for all parties, the longtime residents of Postville and the new arrivals began to enjoy cordial relations and unusual prosperity for a small Midwestern town. In order to maintain and increase the production of kosher meat, the Rubashkins hired local plant workers and recruited workers from outside Iowa. Among those willing to do the hard and unpleasant work were a large number of immigrants from Spanish-speaking countries in Central and South America. The plant was named Agriprocessors, and the meat was marketed under any number of different labels, all guaranteeing both quality and the strictest standards of kashrut – an extra level of supervision called “glatt.” The Rubashkin innovation was to

make packaged fresh kosher meat available to local supermarkets. For the first time, kosher meat was available widely outside of specialty stores.

In 2004, the animal rights group People for the Ethical Treatment of Animals (PETA) released a video that apparently showed some disturbing violations of ritual slaughter at the Agriprocessors plant. For a while, some Orthodox authorities withheld their approval of the meat, and our own Conservative Movement raised concerns. An internal investigation by the Rubashkins resulted in a tightening of supervision, and confidence in the ritual correctness of meat production was restored.

One Conservative rabbi, Morris Allen, of St. Paul, Minnesota, saw an opportunity to make kosher meat even more available and more affordable. It should be noted parenthetically that Rabbi Allen himself is a vegetarian, but he was troubled by the high price of keeping kosher for his congregants who ate meat. Through a local Orthodox colleague, he opened conversations with Agriprocessors about marketing a line of kosher meat that did not require the optional extra level of strictness in supervision. That is, he began to talk about making non-glatt meat available to those who would purchase it.

On his visits to Postville, Rabbi Allen began to hear about the conditions of the workers in the plant, especially those from outside of the United States. He discussed his observations with other Conservative rabbis and with professionals in

the field of labor, and he led a fact-finding mission to Postville with leaders of our Movement. Out of that visit grew his great idea: an extra level of certification for kosher food that would indicate that its production was consonant with ethical standards of our tradition, just as the kosher certification indicates that the food meets ritual standards of the tradition.

I pause in the story for a moment to make two important points. The first is that Rabbi Allen insisted that our conversations with the Rubashkins about such a certification be private and respectful. There was to be no leaking of the story to the press and no embarrassment of Agriprocessors. The goal was for them to share in the accomplishment. The second is this: it was only a Conservative rabbi, only the Conservative Movement that saw the inherent connection between the ritual and ethical values in producing kosher food and the obligatory nature of both. It was Conservative Judaism that said it is important to meet the expectations of Torah to be both ritually correct and morally upright, not to choose between them. Both the Rabbinical Assembly and United Synagogue of Conservative Judaism embraced this project whole-heartedly and named it *Hekhsher Tzedek*, meaning “justice certification.”

A commission was established, with both rabbinic and lay leadership, to create aspirational benchmarks for treatment of workers and production of consumer goods that would reflect a gold standard of righteousness by

manufacturers and purveyors. Specifically, the criteria address wages and benefits, employee health and safety, product development, corporate transparency and integrity, and environmental impact. Companies that elect to meet the established benchmarks will qualify for the certification, and may display it alongside of their kashrut certification if they so choose. Their commission's concerns were not grounded only in vague pronouncements about Jewish values. The standards of *Hekhsher Tzedek* flow from a study of the teachings of our tradition as they have evolved from Torah to Talmud to codes and responsa and contemporary teachings. Rabbi Avram Reisner developed a document examining the halakhic teachings regarding each of the standards. Let me share part of just one with you.

In discussing employee health and safety, Rabbi Reisner begins by noting the Torah's requirement that owners take responsibility for an open pit (Ex 21:23) and for building a restraining parapet on a roof (Deut 22:8). The former is in a public domain and latter in a private domain. But he traces the sources that say that an employer has a greater responsibility for the well-being of his workers than does a land-owner or a host. He reports a conversation from the Talmud (BM 80b) that might have happened today.

The matter at hand is a porter who is required to carry a load too heavy for him. The Mishnah holds the employer responsible for any damages incurred in the circumstance. The objection is raised that a person can take responsibility for his

own safety. The discussion says: If he cannot handle it, he is sensible; let him drop it! After much back and forth, Rav Ashi offers the explanation: [The porter] is convinced that he is just suffering weakness. That is to say, a worker is reasonable to assume that his or her employer would not assign a task that cannot be performed by a competent person.

This notion arises again in the Shulchan Arukh and in commentaries and responsa across the past five centuries—including a discussion about not overloading a domestic worker. The conclusion that an employer must maintain proper working conditions is also shared by former Chief Rabbi of Israel Ben Zion Chai Uzziel.

What I have summarized in a few words Rabbi Reisner documents and elaborates for this standard and four others. *On Yom Kippur afternoon, during the break, perhaps you will join me in studying and reflecting upon this important document that will confirm what you intuit about our tradition: it has always concerned itself with justice in every aspect of human life.*

The remarkable work of the *Hekhsher Tzedek* Commission had barely reached draft stages when the federal government launched a surprise immigration raid on Agriprocessors. Warrants were issued for almost two-thirds of the work force on charges of illegal presence in the country, identity theft and a variety of other charges. Indeed, it seemed evident that Agriprocessors had been employing

and perhaps exploiting people who had entered the United States illegally.

Allegations of abuse of the workers and unsafe conditions, both in and out of the processing plant, were suddenly all over the press. Postville, the Rubashkin family business and the kosher world were thrown into an uproar. Some of the stories that circulated were tragic. Others were comical.

The intrigue, inconsistencies and absurdities seemed like something straight out of the story of Purim. During these sacred days our minds and hearts are focused on penitence and self-reflection and, most importantly, the immanence of God. Perhaps the farthest thing from our minds is the tale of a secular Jew who becomes Queen of Persia amidst a cast of characters and caricatures. Yet a moment comes in the middle of the story which is at the heart of what it means to be a Jew. When Esther is told by Mordecai that injustice and disaster are about to afflict her people, she is reluctant to speak truth to power. She fears for herself and does not feel worthy of the task at hand. Mordecai rebukes her and then encourages her and finally says the words that have inspired Jews throughout the centuries to stand up for what is right and to stand up against what is wrong: “*U-Mi Yodea Im La’-Yet Kazot Higa’at LaMalkhut*”—Who knows if for this very reason you have come to your royal position?

And so we return to where we began – *Yom Kippurim* is *yom ki-purim*. Each of us as individuals, we as a congregation, and Conservative Jews all over North

America have arrived at that empowering, commanding moment that can be defining for our Judaism and for our Movement.

The community that lives closer to one horizon in our landscape insists that kosher meat is only about ritual integrity. Is the animal slaughtered properly, is it inspected thoroughly, is it soaked and salted according to the requirements of Jewish law? If so, then it is fit and proper to eat, and if not, then one must not allow it to pass his or her lips. That, they claim, is what God demands of us.

The community that lives closer to the other horizon on our landscape insists that the just treatment of workers and ethical business practices are the only real obligations of Jews. Kosher meat, they say, is an option for those who choose, but social justice is the determining factor in a righteous Jewish life. That, they claim, is what God demands of us.

Only those of us who live in the vast middle take seriously, individually and collectively, the Godliness in both positions. No matter how sharp the blade, no matter how smooth the lung, no matter how coarse the salt, no matter how compassionate the slaughter, when our food is obtained through exploitation and abuse it is not fit before God.

No matter how generous the wages, no matter how comprehensive the benefits, no matter how safe the working conditions, no matter how socially responsible the corporation, when our food is produced without adherence to

kashrut, it is not fit before God. Only those of us who live the lives of Conservative Jews say, “there is no ritual integrity without moral integrity; there is no moral integrity without ritual integrity.” Only those of us who live the lives of Conservative Jews say, “to be a whole Jew means to practice a whole Judaism.”

I will be asking our Board of Directors to resolve on behalf of the congregation that we will support those companies that meet the voluntary standards of *Hekhsher Tzedek* just as they meet the voluntary standards of kosher certification. And I ask you to do the same. With the support of congregations like ours and individuals like us, kosher purveyors will make a statement to the Jewish community in all its expressions that ritual integrity and ethical integrity are part and parcel of the same religious integrity. And imagine what a light to the nation *Hekhsher Tzedek* can be, illustrating the ability of companies to meet the particular needs of a community and serve the universal aspirations of society.

Are you concerned that you are not up to the task? Do you think you are unable to speak this truth to power? Do you believe yourself to be too secular, too uneducated, too busy to raise your voice on behalf of this righteous initiative?

Do not underestimate your position. You are not just a consumer, you are not just a shopper, you are not just a demographic. You are a Conservative Jew. And who knows if for this very reason you have arrived at this position; who knows if for this very reason you have come to show our society what is possible.

There are no products that yet bear the *Hekhsher Tzedek*. But we expect that long after the problems of Agriprocessors have disappeared from the news, we and our children and our children's children will be reminded every time they shop, every time they eat that what is pleasing to God is how we behave toward ourselves and how we behave toward others. Your commitment, our commitment, will bring that opportunity to fruition.

Rabbi Abraham Joshua Heschel, of blessed memory, wrote these words during the years he taught a generation of Conservative rabbis: The teaching of Judaism is the *theology of the common deed*. The Bible insists that God is *concerned with everydayness, with the trivialities of life...* in how we manage the commonplace. The prophet's field of concern is not the mysteries of heaven...but the blights of society, the affairs of the marketplace. He addresses himself to those who trample upon the needy, who increase the price of grain, use dishonest scales and sell the refuse of corn (Amos 8:4-6). The predominant feature of the biblical pattern of life is unassuming, unheroic, inconspicuous piety..."The wages of the hired servant shall not abide with thee..." (Lev 19:13)...When you build a new house, you shall make a parapet for your roof" (Deut 22:8)...The challenge we face is a test of our integrity. (Insecurity of Freedom 102-104)

The message of this sacred season is at the heart of the holiest day of the year and at the heart of the silliest day of the year. Can we, WILL we, stand up for

the preservation of both ritual and ethical values found in our tradition and do our part to ensure that those values continue to impact the world around us?

“The challenge we face is a test of our integrity.” Who knows if for this very reason have you arrived at this moment?