

An Important Message from Rabbi Watstein

July 28, 2020

Friends,

Survival. Since the second week of March, nearly every conversation we have had, and every decision we have made, has ultimately been influenced by that word. When we think about how the subject of survival has invaded our lives during these past months, we see that it does so in a layered way, like concentric circles of concern.

How will I, how will my family, how will my business, how will my hobbies and lifestyle ... survive the pandemic?

At the center of this psychological conundrum is our individual *survival*. What once was the simplest of tasks now requires logistical preparation and entails risk. Going to the gas station is for some now an elaborate ritual of figuring out how to access a credit card and manipulate a gas pump without actually touching either!

The next layer of concern includes our immediate family and those with whom we share a dwelling. Inquiries such as, "What's for dinner?" were once harmless, and motivated by hunger pangs alone. No longer. Now we may stretch our food supply to minimize how often we go to Publix. Then we wonder whether we should be going to Publix at all. "But, is curbside pickup or take-out safe? Do we need to remove the food from the containers or wipe down groceries? Should we be even spending money on take-out now that there is so much economic uncertainty in the world?" In this second layer of existential concern, *survival* underscores debates about visiting grandma and grandpa, hiring a babysitter or cleaning service, playdates, sending children to camp or school...

The concentric circles of concern continue, eventually including institutions, hobbies, and cultural staples...Will the public school system *survive*? Will sports *survive*? Concerts? Parades? What about the Hora? And as our concentric circles expand, magnifying our collective worry about the future, we come to the only certainty during these unprecedented times where the earth literally feels as if it is shifting beneath us.

My friends, our only certainty is that the Jewish People *will survive*. It is about this subject I reach out to you all today.

It was Mark Twain who famously wondered, "All things are mortal but the Jew; all other forces pass, but he remains. What is the secret of his immortality?" And while no single answer satisfies the question, the question itself is reassuring. The Jewish People have withstood, exile, inquisition, pogrom, genocide...And the Jewish People will survive Covid-19 just as the Jewish People survived the other great pandemics of history. But, this general guarantee about the immortality of the Jewish People does not promise that we, or our children, or our grandchildren will survive as Jews.

During our 3000 year history, entire Jewish communities have disappeared — beginning with the Ten Tribes, the majority of our people, who vanished forever in the 8th century BCE. This population reduction continued on throughout the various countries of the Diaspora until this moment in this place, where the majority of Jews vanishing from our midst are doing so through active assimilation or just plain apathy. As tolerance and acceptance of Jews has gone up, Jewish literacy has gone down. We have no guarantees that any specific family or community will remain Jewish forever, only that somewhere in this world, and for all time, there will be descendants of Avraham reading the Torah given to Moses on Mt. Sinai. It was Professor Salo Baron who calculated in the 1960's that had all Jewish communities of the past survived intact, there would be...in the 1960's...a world Jewish population of 200 million. That's instead of roughly the 14.6 million Jews of 2020. As the pandemic rages with no end in sight, I am not worried about the survival of the Jewish People. I am however, concerned about the survival of our B'nai Aviv community...not our synagogue, but our B'nai Aviv community.

Our physical structure on Indian Trace houses what makes us a B'nai Aviv family. Together, we have created something substantive, serious, spiritual, sentimental and unambiguously Jewish. At B'nai Aviv, Jewish Identity isn't a fashionable piece of clothing we keep tucked away in a drawer and pull out only when needed. At B'nai Aviv, the "main course" isn't schtick that we sprinkle with a little Jewish seasoning, so that a fragrance of Yiddishkeit masks an otherwise secular entree. At B'nai Aviv, we don't flaunt ritual objects or use Torah as a prop in order to convey an impression of authenticity and tradition. For our community, B'nai Aviv is the lynchpin between the Jewish past, the Jewish present, the Jewish future and Gd simultaneously, and each of us takes this very seriously. And because we take our Judaism seriously, our children will hopefully take their Judaism seriously, and for many, B'nai Aviv is the primary point of contact for all things Jewish. My friends, B'nai Aviv must *survive* and thrive in order to remain that primary Jewish point of contact, providing a healthy, lasting dose of serious Jewish content for the sake of preserving a Jewish future for our congregants. The Jewish People will undoubtedly be around in 2040. The question is whether we will have done everything possible to ensure that our children are sitting around a Shabbat table with their children in 2040, and if our B'nai Aviv community succumbs to these unprecedented times, we will have failed those congregants who rely on us in so many ways.

Parenthetically, the Committee on Jewish Law and Standards (CJLS) sets halakhic policy for the Conservative Movement as a whole. Its membership includes twenty-five rabbis who are voting-members. When a question is placed on the agenda, individual members of the Committee will write teshuvot which are discussed by the Committee. Papers are approved when a vote is taken with six or more members voting in favor of the paper. Approved teshuvot represent official halakhic positions of the Conservative movement. Rabbis of a particular community have the authority, though, as *marei d'atra*, or local religious decisor, to consider the Committee's positions but make their own decisions as conditions warrant. Teshuvot are an invaluable source of learning, but they are not meant to, nor can they, substitute for the opinions of a local rabbi.

As many of you know, the Committee recently passed a *teshuva* (responsa) to allow for livestreaming on Shabbat for the Conservative Movement (you can read it in its entirety [here](#)). The *teshuva* is ambitious, creative, scholarly, and written with good intent. While I commend the efforts of my colleagues at the CJLS and the Rabbinical Assembly, I have been, and remain opposed to the notion that streaming services on Shabbat or the High Holy Days is permissible according to Jewish Law. Our 4th Commandment requires that we **remember and guard the Shabbat and keep it holy and separate from the rest of the week.**

We use technology for every single other thing in 2020, but we do not - as of this moment at B'nai Aviv - use it on Shabbat.

However, beginning on the Shabbat of August 15th, that will change, and B'nai Aviv will begin live-streaming services from an automated, still camera that is currently used for security purposes on Shabbat and the holidays. This decision was not made lightly. As opposed to other approaches that try to explain how to legitimately use electronics in an alternative or non-routine way that would comport with upholding the sanctity of Shabbat, my approach is to call live-streaming on Shabbat what it is, a transgression of Jewish Law, and to permit it nonetheless because the survival of our B'nai Aviv community as we knew it, and as we hope it remains, depends on it. (For those interested in mitigating the use of electronics, please note the relevant sections of the aforementioned CJLS *teshuvah* or reach out to me personally).

There is a complicated principle developed in the Talmud called an *Aveira L'Shem Shamayim* – a transgression of the sake of heaven. The principle appears in Masechet Nazir 23b and is anchored in the biblical story of Yael (see Judges 5:24), who is surprisingly considered more blessed than our Matriarchs Sarah, Rebecca, Rachel and Leah. To summarize, the reason Yael's blessings are elevated is because she commits an *Aveira L'Shem Shemyaim* by engaging in the prohibited act of cohabitating with Sisera for the sole purpose of killing him, consequently saving the Jewish People. In our case, the preservation of life, or *Pikuah Nefesh*, is not imminently at stake. As noted, the only certainty of the Covid era is that the Jewish People will survive...But the Jewish Identities of so many in our community are at stake! I am advocating this specific transgression of Shabbat and holidays so that we may continue to strengthen and enrich the Jewish identities of those who call B'nai Aviv home...As Maimonides concluded in the source below "**Desecrate one Sabbath for a person's sake so that that person will keep many Sabbaths.**" As you can see from this section of the Mishne Torah, Maimonides' 12th century corpus of Jewish Law, there is precedent for advocating a transgression of halacha if it will eventually bring people closer to Torah and Jewish Life.

<p>Mishneh Torah, Rebels 2:4 <i>Similarly, if a Jewish Court saw that temporarily it was necessary to nullify a positive commandment or violate a negative commandment in order to bring people at large back to the Jewish faith or to prevent many Jews from transgressing in other matters, they may do what is necessary at that time. To explain by analogy: Just like a doctor may amputate a person's hand or foot so that the person as a whole will live; so, too, at times, the court may rule to temporarily violate some of the commandments so that they will later keep all of them. In this vein, the Sages of the previous generations said: "<u>Desecrate one Sabbath for a person's sake so that that person will keep many Sabbaths.</u>"</i></p>	<p>משנה תורה, הלכות ממרים ב:ד' וכן אם ראו לפי שעה לבטל מצוות עשה או לעבר על מצוות לא תעשה כדי להחזיר רבים לדת או להציל רבים מישראל מלהכשיל בדברים אחרים עושין לפי מה שצריכה השעה. כשם שהרופא חותך ידו או רגלו של זה כדי שיחיה כלו כך בית דין מורים בזמן מן הזמנים לעבר על קצת מצוות לפי שעה כדי שיתקיימו [כלם] בדרך שאמרו חכמים הראשונים חלל עליו שבת אחת כדי שישמר שבתות הרבה:</p>
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My friends, this is not a permanent solution to a temporary problem, but a temporary solution to a temporary problem. I pray for the day the pandemic is eradicated, our community can gather in safety and holiness, and we will no longer need to live-stream services, thus sanctifying the Shabbat and differentiating it from the other days of the week, as the Torah intends. ***Please note that further communication from the synagogue is forthcoming, and will detail our plans for upcoming Shabbatot and the High Holy Days.***

The staff and clergy will continue to be here for you for support as we venture together into these uncharted waters. May each of you remain healthy and safe.

Humbly,

Rabbi Adam Watstein