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Pesikah and American Reform Responsa

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Pesikah and American Reform Responsa

The Early Years

Walter Jacob

The new Freehof Institute of Progressive *halakhah* will provide us with a forum for a better philosophical basis for the development of Liberal *halakhah*. Equally important is an analysis of what has been done thus far through responsa and various handbooks. Those efforts will continue to have a practical impact on Reform Jewish life and on our constituents in many lands. Even while we encourage philosophical and theological speculation we must similarly emphasize our practical efforts. There will be no *halakhah* without responsa. The very writing of the responsa indicates that we are continuing as a *halakhic* movement whether the philosophical basis is absolutely clear or not. This paper will review the early years of American Reform responsa.

Strange as it may sound to some the Reform movement virtually began with responsa. Just eight years after Israel Jacobson dedicated his Reform temple in Seesen,¹ and only a year after the establishment of the larger Temple in Hamburg,² a collection of Reform responsa entitled *Nogah Hatzedek* was published in Dessau (1818). The authors represented in this slim volume, Joseph Hayim, Ben Sasson, Jacob Recanati, Aaron Chorin and Eliezer Lieberman each defended the new movement in the traditional fashion. These responsa in Hebrew with their classic citations and traditional discursive style were not addressed to the new Liberal Jews who sought to establish the Reform movement but to their Orthodox opponents. They sought to convince the traditionalists that the new movement was tied to tradition and possessed standing in it. In keeping with the literary style of the early nineteenth century responsa literature these pieces are flowery, rhetorical and cited quotations that were helpful as well as other which were only minimally useful. Both the language of responsa and the style used

were strange to the proponents of Reform who sought a simpler more direct approach which emphasized the older sources both biblical and rabbinic and decried the needless complications brought by the scholars of the previous centuries. The volume as expected elicited an Orthodox response as well as some Reform reaction, but little more. In fact, even some of the traditionalists chose other weapons for their response and decided to write in German on such matters as the organ controversy and changes in the liturgy.³ In the next century and a half until Hitler put an end to Central European Reform Judaism, *halakhah* generally and *responsa* specifically were not used as a vehicle of Liberal Jewish expression. In part this was due to the more conservative character of Liberal Judaism on the continent. Its rabbi referred to the *Shulhan Arukh* and its commentaries when asked a question and if changes seemed in order like those in the liturgy, personal practices, etc., they were made and then defended as necessary in the various journals available to the exponents of Liberal Judaism. Among such periodicals were Geiger's *Zeitschrift*, and Frankel's *Monatsschrift*, in the nineteenth century, as well as various annuals and more popular weeklies and monthlies then and to the twentieth century. At times lengthy and involved discussions of historic sources were used while on other occasions the authors argued entirely on the grounds of modern philosophy and logic.

Perhaps another reason for the lack of liberal *responsa* in central Europe lay within the structure of the communities. All were recognized by the government, state supported and governed by a council which included all factions in the community. This meant that extremism was generally avoided; despite clashes, care was taken to prevent a major break. The Central European Jewish communities were overwhelmingly composed of Liberal Jews who comprised three-quarters of the Jewish population in the Western lands. We should also remember that by the middle of the nineteenth century there was little need to defend themselves against Orthodox opponents who now existed mainly outside

Germany, if they wished to witness the problems of living Orthodox practice they only had to cross a few kilometers into Eastern Europe and they would be clearly visible.

The reasons for lack of responsa then are (a) the conservatism of the central European Liberal Jewish communities; (b) the communal structure; (c) liberal dominance of these communities.

Precisely the opposite kind of conditions led to the rise of the responsa literature in North America. When the Responsa Committee was established under Kaufmann Kohler in 1907, Reform Judaism represented the best organized and most vigorous element of the American Jewish community. It, however, faced an ever increasing number of immigrants from Eastern Europe who became interested in Reform Judaism, and who had many questions about Reform practices and thought. Furthermore as the American Jewish community was isolated and young, it had no traditions and so the more extreme Reform position had taken a greater hold in the United States than in Europe. When the Executive Committee of the Central Conference of American Rabbis discussed the formation of a Responsa Committee some members expressed the need to help students graduating from the Hebrew Union College to defend their positions with reference to the traditional texts. The discussion followed an earlier debate about the purpose and format of a Minister's Hand Book in 1906,⁴ and other ways of assisting younger colleagues. The discussion which established the Committee limited its work and provided that they "shall publish their answers in the Yearbook under the revision of the Executive Committee."⁵ The members of the Executive Board did not wish the Committee to create a new *Shulhan Arukh*. It is difficult to understand why the Committee should not report directly to the Conference. This may have been part of an expressed desire to limit the work of the Committee or it may have reflected the feeling that responsa were individual opinions. They would not be binding, but

would provide considerable material from the tradition. The choice of Kaufmann Kohler as chairman did, however, provide the Committee with status. As President of the Hebrew Union College and Honorary President of the Central Conference of American Rabbis, no person of greater standing could have been appointed. Kohler was active in the Central Conference and served on six other committees. His appointment as chairman may also have reflected the controversial nature of this committee whose path remained undefined; his chairmanship removed it from politics. The appointment of Kaufmann Kohler provided a link between the college and its graduates in the day to day conduct of their rabbinate which could in theory have had a major influence on the American rabbinate though that was not destined to occur. The committee could and eventually did serve as a brake on extremism, as a bulwark for those who sought a more traditional position, and as a way of helping to bring uniformity into ritual practice. Those possibilities existed when the committee was established although they were not Kohler's concern.

The real development of the responsa literature in the American Reform movement did not occur until the period immediately following World War II. A number of factors influenced this course. The growing traditionalism of Reform Judaism which has been influenced in part on the nostalgia of the more recent and second generation Eastern European Jews, and in part on a recognition that the earlier path of Reform Judaism had been too radical. This produced a new interest in the tradition and its literature. A second factor was the appointment of Solomon B. Freehof, a congregational rabbi with a real interest in responsa, as chairman of the Responsa Committee. For the last four decades under the guidance of Solomon B. Freehof, myself, and now Gunther Plaut, the Responsa Committee has been led by congregational rabbis. These developments will be discussed in a subsequent paper.

When we look at the development of Reform Jewish responsa literature and its models of *pesikah* we are really investigating almost a century of Reform responsa in America as virtually nothing has been written in other lands.

Let us look at each of the American writers of responsa as they follow each other through the course of this century. We will begin with some early American Reform efforts which antedated the establishment of a Responsa Committee.

Two short pieces published in the collection *American Reform Responsa* represent early statements akin to responsa and served the same purpose. They are Schlessinger's "Cremation from a Jewish Standpoint" (1891), and Isaac Mayer Wise's "Circumcision for Adult Proselytes" (1893). The statement on cremation marshalled considerable evidence from the textual sources with primary emphasis on Biblical material. Only the last section brought citations from the Talmud, Maimonides, *Tur*, *Shulhan Arukh*, *Sefer Hahinukh Semag* and *Halakhot Gedolot*. The statement is long and discursive in nature. A resolution on this subject was passed by the Conference the following year so this was in the nature of a background paper rather than a responsum.

Isaac Mayer Wise in his discussion of "Circumcision for Adult Proselytes" summarized earlier papers. He made an effort to present the arguments for and against circumcision historically with citations from the standard rabbinic literature. However, a large part of the essay argued with earlier pieces on the subject. This paper also concluded with a resolution which dealt with the general matters concerning the reception of converts and did not limit itself to circumcision. Both papers came to liberal conclusions.

Kaufmann Kohler (1907-1921)

Kaufman Kohler (1843-1926) came to the United States in 1869 two years after he had completed his doctoral dissertation. He began his American career by combining an active congregational rabbinate with scholarship and intellectual leadership of the American Reform movement, which was demonstrated clearly through his composition of the text for the Pittsburgh Platform in 1885. He was president of the Hebrew Union College from 1903-1923, and became Honorary President of the Central Conference of American Rabbis in 1901 after the death of Isaac Mayer Wise. His principal interests were theological and historical studies of religion which covered all periods from ancient Mesopotamia to modern times. *Responsa* and *halakhah* stood at the periphery of his concerns.

As we look at the *responsa* produced by Kaufmann Kohler, as chairman, we find him often uniting with David Neumark and with Jacob Lauterbach; he permitted others of his committee, which fluctuated in size to write *responsa*. It generally consisted of professors from the Hebrew Union College with a few others. No report was offered to the Central Conference until 1911, and that was oral. The chairman in his report of 1914 mentioned submitting questions to other members of the committee, but indicated that due to the late arrival he had only consulted Professor Neumark.

By 1913 six *responsa* were collected for a report to the Central Conference. During those early years there were either no questions or they were simply answered by the professors of the Hebrew Union College without much formality as they would have answered the inquiries of any former student. Perhaps eventually the correspondence of one of those early Hebrew Union College graduates will turn up such a *halakhic* exchange. During the years 1913, 1914 and 1916, the Chairman Kaufmann Kohler complained about the paucity of questions and urged that members of the

PESIKAH AND AMERICAN REFORM RESPONSA

Conference utilize the committee. In 1917 Kaufmann Kohler suggested that the entire function of the Committee be transferred to the faculty of Hebrew Union College which may indicate that they had been answering the questions anyhow. The suggestion was never seriously considered. The Committee from the beginning seemed to function with relatively few or perhaps no meetings, nor were the responsa which were to be published circulated to the committee as a complaint from David Phillipson in 1915 indicated. However, the involvement of various Hebrew Union College Professors would suggest that there may have been some informal discussion on the campus with David Phillipson who was also in Cincinnati, perhaps excluded for political reasons. However, despite Kohler's handling of responsa alone or letting one of his faculty members write them, he did not curb dissent and on a number of occasions other opinions were published, as for example, in 1914 and 1918. By 1914 James Heller already hoped for a collection of responsa for "ready use;" this was somewhat premature to say the least.

During Kohler's chairmanship thirty-one responsa which dealt with fourteen different subjects were written. Most of the responsa treated with the ritual questions: burial and mourning (8), *kaddish* and *yahrzeit* (4), marriage (3), circumcision (3), mixed marriage (2), and *bar and bat mitzvah*. Surprisingly enough there were also two responsa which dealt with *kashrut*; the subject was not treated by the committee again until the 1980's. We should note that five of the responsa dealt with Jewish Christian relations, either mixed marriage or funeral and cemetery arrangements. During this period Kohler wrote ten responsa alone, six with Neumark, five with Jacob Lauterbach, and one with Rappaport. He permitted Gotthard Deutsch to write six responsa, Julius Rappaport one, and Samuel Mendelsohn one. Kohler as chairman presided only loosely as the nature of the responsa suggest. He was content with short answers with minimal citations, but did not object to a

different style. His cooperation with others opened that path for the future.

We can see from this list of responsa that there was a need to deal with the parameters of Reform Judaism, both in its relationship to the tradition and to the non-Jewish world. Kaufmann Kohler understood the establishment of these boundaries as one of his tasks. This was made plain in one of the first responsa issued by the committee in 1913. It begins with the statement "I wish to touch upon a subject involving the very principle of Reform..." He continued by emphasizing an *evolutionary* rather than a *revolutionary* procedure as "we want to build up, not to destroy." Kohler then proceeded with a brief history of *bar mitzvah* which was the subject of this responsum, and of congregational reading of the *Torah* in general. This discussion moved rapidly to Confirmation and its effort to broaden Jewish education. He concluded by discouraging *bar mitzvah* in favor of confirmation especially as he saw that girls "remain attendants" at divine services and prove to be powerful influences for religion at home.⁶ There was little attention to sources in this responsum. Yet, in the next responsum which dealt with the *kaddish*, sources were cited, *halakhic*, *aggadic* and modern, but not earlier responsa.

There was a responsum by David Neumark (1866-1924) professor of philosophy at the Hebrew Union College, in the same year on *bat mitzvah*. As a professor, Neumark concentrated on philosophy and Talmud; as a student he had received the Mendelsohn Prize for *halakhah* at the Hochschule in Berlin. Although Neumark presented a strong case for young women and their education, he saw no point in *bat mitzvah*, even in congregations where *bar mitzvah* continued; girls should simply be confirmed. Interestingly enough he added the statement that a boy's Hebrew instruction might be valuable as he could be admitted to

PESIKAH AND AMERICAN REFORM RESPONSA

the Hebrew Union College at the age of fourteen while "this possibility is practically out of the question in the case of a girl." Neumark wrote six other responsa with Kohler and both signed them.

If we look at these two responsa, which are representative of the early efforts, we find a good bit of rational argumentation, but little in the way of sources especially responsa. Neumark quoted no sources while Kohler provided Josephus, *Masekhet Soferim* and *Midrash Rabbah*. For Confirmation he cited a variety of nineteenth century German sources by Loew, Herxheimer, Geiger and Phillipson. These responsa were far removed from the pattern of tradition. This was also true of the third responsum issued in 1913, "Times When Weddings Should Not Take Place," which was signed by Kohler and Neumark together. In a brief statement they dealt with the *omer* period, the three weeks between the seventeenth of *Tamuz* and the ninth of *Av*, the Ten Days of Repentance and *hol hamoed*. There were brief citations from the Talmud, *Shulhan Arukh*, and nineteenth century Reform proceedings, an essay by Landsberg and a statement from the Augsburg synod. The conclusion, clearly and decisively permitted weddings during each of these periods. The two additional responsa of this *Yearbook* dealt with blowing of the *shofar* on the Sabbath and reading Torah portion in the vernacular. Both were also signed jointly by Kohler and Neumark and contained only minimal citations of standard rabbinic literature. The responsum on the Torah portion in the vernacular lacked all formal citations. I do not know which of the signatures actually wrote these responsum; my guess would be Neumark as Kohler was busy with administrative duties. A search in the archives might provide a definite answer to this question.

There was a responsum in 1918 on a "Rabbi Officiating at a Christian Scientist's Funeral" by Kohler which prohibited the burial through three rational arguments with no citations. Jacob Rappaport, a member of the committee, took an opposing stand

with a responsum filled with rabbinic citations and used them to show that Kohler was not abiding by the spirit of Reform Judaism. Kohler subsequently (1919) wrote a single paragraph appeal to the members of the Conference that his decision be followed.

This brief exchange marks one of the few occasions in which different positions were publicly debated. Another occurred between Kohler and Deutsch (1918 and 1919) over *nolad mahul*. Kohler had provided a single line answer from the hospital bed; Deutsch objected and the next year Kohler responded with a brief well argued piece which he hoped "will be ratified by the members of the committee and endorsed by the Conference."⁷ The possibility for such a path was established through their encounters.

In three responsa that dealt with "The Burial on Non-Jewish Wives in Jewish Cemeteries" (1914, 1916, 1919), Kaufmann Kohler provided no rabbinic references and simply stated his reason guided by the traditional sources and his own Reform point of view which was permissive despite some hesitation. The only references were a footnote which provided some basic Talmudic citations. One of these responsa was signed by Lauterbach as well. Deutsch in a much longer responsum (1919) filled with citations disagreed and left the matter to local authorities.

Gotthard Deutsch (1859-1921), Professor of History at the Hebrew Union College, who served as acting president of the college during an interim in the year 1903, wrote six responsa. As a historian his approach was anecdotal, and he felt that theoretical principles were less important than personalities and personal involvement. For him the forces of work in history remained very much the same throughout all periods or combination of physical and spiritual. Deutsch's historic concepts were not reflected in his responsa except in a fundamental historic view shared by all Reform writers of responsa. He provided a thorough review of the entire range of tradition with many sources, Biblical, Talmudic,

rabbinic as well as modern. The argument in the responsum on "Divorce of an Insane Husband" was thorough and clearly summarized at the end of the responsum. More than sixty citations were listed in these few pages. Here we see a difference in methodology of Deutsch and Neumark-Kohler. Even when Kohler dealt with the subject of a "Rabbi Officiating at Mixed Marriages" (1919), a matter on which he felt quite strongly, he cited only Mielziner's *Jewish Law of Marriage and Divorce* and his own *Jewish Theology*.

The six responsa of Deutsch provided plentiful citations. He was obviously far more interested in tradition and its sources as was also evident from the two responsa which he wrote on *kashrut*. One of them dealt with a new material, pyrex.⁸ This trend of Deutsch was already evident in his responsum on the "Sale of a Synagogue" (1919). These responsa of Deutsch provided citations from the traditional rabbinic literature, commentaries, earlier responsa alongside Reform Jewish material from the nineteenth century.

Interestingly enough the next chairman of the Responsa Committee, Lauterbach, who signed a number of pieces along with Kaufmann Kohler did not cite traditional sources while working with Kohler, and seemed simply to have signed the responsa alongside Kohler. In fact Lauterbach complained once in 1915 that Kaufmann Kohler did not cite tradition sufficiently.

The responsum "How Should a Loan in Foreign Currency Exchanged in another Country be Repaid?" (1920) was written by Samuel Mendelsohn. It was the only responsum of this period which dealt with economic matters. The arguments were based on the talmud, the codes and responsa. The pattern of the argumentation, the style and the conclusion were traditional; they followed closely the form employed in nineteenth and early

twentieth century Orthodox responsa. It would be interesting to know how and why this question was directed to the committee.

Jacob Z. Lauterbach (1922-1933)

Jacob Z. Lauterbach (1873-1942) taught at the Hebrew Union College for thirty-one years as professor of talmud from 1911 to 1934. He combined traditional Galicean learning with the modern critical approach to the text. When he came to the United States in 1903 at the age of 30 he brought rabbinic ordination from the Orthodox Hildesheimer Seminar and a doctorate from the University of Berlin. He began by writing hundreds of articles for the *Jewish Encyclopedia* and *Otzar Yisrael*, a Hebrew Encyclopedia. Subsequently he edited and translated the *Mekhilta* in a fine critical edition and wrote on the history of Jewish customs and practices. Lauterbach's approach to all his studies combined a thorough review of the text and a close analysis of the material often laboriously assembled. This was followed by casting the tradition into a new and critical framework. His interest in customs and folklore became stronger with the passing years and was sometimes expressed in the form of responsa. As chairman of the Responsa Committee for a decade he moved the committee into a new direction. Kaufmann Kohler who retired in 1922 and became honorary chairman seems to have taken no further part in the work of the committee. Lauterbach had served on the committee from 1914 onward and so had some experience with it. Twenty-two responsa were written during the next decade including one by Samuel Cohon (*Marriage with a Brother's Widow*, 1925) and one in which Lauterbach endorsed the decision of Henry Berkowitz (*Burial from the Temple with Reference to Suicide*, 1923). During this period Lauterbach wrote the responsa himself and referred to the committee only six times in the signatures. The largest number of responsa continued to deal with burial (6), followed by (5) with the synagogue, (3) with marriage, (2) with the rabbinate, (2) with the Torah, and on all other subjects there was only a single

responsum (*Shabbat*, *shofar*, the Jubilee, naming, birth control, and autopsy).

Three responsa were written by Lauterbach during his first year. The question on "Marriages Between New Year and the Day of Atonement" (1922) was answered in a short paragraph as was the inquiry about "The Removal of a Dead Body to Another Grave" (1922). In these responsa he followed the style of his predecessor and provided only the simplest rabbinic sources. Lauterbach changed his approach, however, as he turned to the question of the "Ordination of Women" (1922) which led him to a lengthy essay with many citations from the Talmud, Midrash, codes, as well as responsa. After providing the traditional conclusion along with the reasoning from the sources, he provided a negative conclusion on two grounds, (a) this would undermine the authority of the Reform rabbi and remove him from the "chain of tradition", and (b) *klal yisrael*. He brushed aside practical considerations such as the dearth of rabbis as that could be solved in other ways. He could not see women in a position other than mother and homemaker; he felt that these roles would interfere with the rabbinate, as women rabbis should be married just as male rabbis, and they would not readily find a mate who would place himself into a subordinate position. We can see then that in this instance the principle of equality of men and women, which was an early hallmark of Reform Judaism, was pushed aside by the principle of *klal yisrael*, the authority of the rabbi as well as a generous dose of personal prejudice. The latter undoubtedly was a major factor as more space was devoted to it than the other issues. Here Lauterbach in contrast to his other decisions was not liberal.

This was one of the very few responsa which was subjected to a lengthy debate by the Conference despite the original decision of the Conference to accept responsa as non-binding and without debate. Among those who spoke only David Neumark provided arguments with citations from the traditional literature in favor of

the ordination of women. Lauterbach faced opposition from the general membership of the Conference as well as from his own committee. The committee members made no reference to any prior discussion of the responsum which seems to have been the work of Lauterbach alone.

Eventually a resolution of a special committee of the Central Conference of American Rabbis stated "we declare that women cannot justly be denied the privilege of ordination." This lukewarm endorsement kept the matter alive theoretically but did not lead to women entering the rabbinate for several decades until 1972. No vote was taken by the Conference and the Hebrew Union College decided against the ordination of women at that time.

Subsequent responsa of Lauterbach were often also brief; they dealt with practical questions like "The Position of the Synagogue Entrance and Art" (1927), "The Blowing of the *Shofar*" (1923), and "The Direction of Graves in the Cemetery" (1923), and were provided in a limited fashion with appropriate citations. He used other questions to write lengthy essays as for example, "Autopsy" (1925), "Birth Control" (1927), "Worshipping with Covered Heads" (1928), "The Naming of Children" (1932). In these essays as well as in some of the other medium length responsa, "Blowing of the *Shofar*" (1923), "Work on a New Synagogue on the Sabbath by Non-Jews" (1927), quotations from the Talmud and codes as well as responsa were generously used. In all of these responsa Lauterbach frequently provided an ingenious interpretation of traditional texts. Sometimes his responsa were misunderstood by readers, as for example the responsum which deals with "Worshipping with Covered Heads" (1928) was not intended as an endorsement for either covering or uncovering one's head but was written to demonstrate that this is a matter of custom not principle, and so should not be elevated to a position of extraordinary importance.

PESIKAH AND AMERICAN REFORM RESPONSA

With the statements on autopsy and birth control the responsa committee moved into the area of medical ethics which was to occupy it often during the coming decades. The responsum on autopsy was thoroughly argued from a Liberal point of view. The issue of birth control was subjected to a more rigorous examination and Lauterbach demonstrated the restrictive nature of traditional Judaism during the last two centuries. It was a classical example of a full, thoroughly researched Reform responsum. In it he permitted the Tradition to unfold as he drew his own conclusions from the material. This was different from several other responsa in which he began with a definite Reform point of view and placed the material into that context.

We must ask why Lauterbach wrote at great length on some questions and only briefly on others. This seems to have been entirely due to personal interest. Those subjects which intrigued him led to long essays while others were disposed of with the simplest of statements. It would, for example, have been possible to write at great length on the status of non-Jews in the responsum "Work on New Synagogues on the Sabbath by non-Jews" (1927), after all, Jacob Katz was later to write a book on this subject, but Lauterbach chose not to follow that path. If he had been more interested in synagogue architecture the responsum "Position of Synagogue Entrance and Art" (1927) would have led him in that direction, but that was not his concern.

Two responsa written by others during his chairmanship followed very different paths. The responsum by Henry Berkowitz (1857-1924) "Burial from the Temple" with reference to "Suicides" (1923) was in the earlier tradition of Kaufmann Kohler. Berkowitz was a member of the first graduating class from the Hebrew Union College in 1883. He is chiefly remembered for founding the Jewish Chautauqua Society. It was written in the transition between Kohler and Lauterbach and it provided an answer with absolutely no citations from the Tradition. The answer was in keeping with the

traditional material, but that was never demonstrated. There was a responsum by Samuel Cohon's on "Marriage with a Brother's Widow (1925). Samuel Cohon (1888-1976) was professor of theology at the Hebrew Union College with a major interest in liturgy which he demonstrated through editing the *Union Haggadah* and being involved in the various additions of the *Union Prayerbook*. Cohon wrote in many fields including philosophy, rabbinics and theology. The responsum was thoroughly researched along traditional lines and presented material from the Bible, Talmud and codes as well as modern studies. Nothing from the responsa literature was cited and a great deal of the analysis dealt with modern critical studies.

This responsa was subjected to debate at the Conference; the Chairman of the committee, Jacob Lauterbach, disagreed with Cohon and his position that the rabbinic prohibition should be maintained. Cohon's position was accepted by the Conference.

Although Samuel Cohon published no further responsa he did write answers akin to responsa to inquiries by former students; I have seen some of them. They make references to the classical sources and codes with little or nothing from the later responsa literature. The questions with which he dealt were addressed to him by rabbis in a private fashion.

Jacob Lauterbach through his emphasis on rabbinics and Talmud moved the Responsa Committee in a new direction and gave it an impetus to review the rabbinic material in a scholarly manner. His efforts placed Reform responsa on an entirely different footing. It meant that Orthodox objections would have to be well grounded in the literature as these lengthy pieces could not simply be shrugged off. The number of responsa during this period remained small. Without doubt there were additional exchanges of letters between Lauterbach and his students and other members of the Central Conference on simple questions which he answered

PESIKAH AND AMERICAN REFORM RESPONSA

briefly in a personal way. To the best of my knowledge copies of those letters have not been preserved or collected.

Jacob Mann (1934-1939)

When Jacob Mann (1888-1940) became Chairman of the Responsa Committee in 1934, it was without any prior experience on the committee or for that matter much direct contact with the Central Conference of American Rabbis. Mann joined the faculty of the Hebrew Union College after receiving a doctorate in England as well as Orthodox *semikha*. During five of his six years as chairman, no reports were given to the Central Conference and in that single year (1936) only four responsa were written, always signed with the committee. When Jacob Mann again dealt with the question of the burial of a non Jewish wife with her husband in a Jewish cemetery, he rejected Kaufmann Kohler's earlier permissive stance. He did not discuss Kohler's responsum and seems to have felt no obligation to do so and always signed "Jacob Mann and the majority of the committee."

Jacob Mann's interest lay elsewhere and so he neglected his chairmanship. The committee hardly functioned during these years when major changes in the Reform Movement were taking place. Nothing of the debate surrounding the acceptance of the Columbus Platform is reflected in the work of the Responsa Committee.

The work of the first three chairmen of the Responsa Committee allows us to draw some preliminary conclusions about responsa in North America until 1940. The author has prepared another essay which discusses the later history of the committee. The Committee seems to have functioned primarily as a resource for Reform decisions. The need for this seems to have been felt more keenly by some leaders of the Conference than by its members, and so the number of actual questions remained small. There may have been an intent to use the Committee as a way of

strengthening the influence of the Hebrew Union College Faculty within the Central Conference. That path may have been also indicated by the fact the first three chairmen were members of the Hebrew Union College faculty and that virtually all the responsa were written by the members of the faculty. However, this was not the road of the future.

The whole notion of issuing responsa through a committee represented an interesting American innovation yet this proved to be a mechanism rarely used. If we look at the committee under Kohler, we will see that the committee began with a full complement of eight members in 1908, but from 1909 to 1912 it consisted of only the chairman and Deutsch or the chairman and Neumark. From 1913 onward the composition varies from four to nine members. In that year Jacob Lauterbach joined the committee, in 1916 Jacob Rappaport and in 1922 Israel Bettan as well as Solomon B Freehof for a two year period. When there was a full committee it did not function as a committee, although there may have been some informal discussion.

The responsa themselves demonstrate a balance between Reform and Tradition. When no change in the Tradition was necessary, it was followed. During the chairmanship of Kohler and Lauterbach there was no effort to move toward Tradition. Even citations were few and the decisions were sometimes made without any traditional sources at all. The chairmen exercised only loose control over the committee and there seems to have been no formal meetings. We can point to no clear patterns for Kohler or Lauterbach's decisions; they were overwhelmingly permissive and liberal. Neither chairman was sufficiently interested in responsa to make them central or to write about *halakhic* theory. Both were willing to open this forum to others who wished to write for the committee; the style may have been different, but the spirit of the decisions remained the same.

The appointment of a third chairman, Jacob Mann, may have represented an effort on the part of the appointing president to limit the scope of the Responsa Committee or to remove it from the intense debates of the thirties. Intentionally or accidentally this certainly succeeded.

If we look at the committee in 1940 we find it moribund with an uncertain future. However, the nature of Reform Judaism had changed and the quiet half decade belied the more vigorous future which lay ahead. It will be discussed in a subsequent essay.

1. July 17, 1810
2. December 11, 1817
3. Alexander Guttman, *The Struggle of Over Reform in Rabbinic Literature*, p. 3 ff.
4. *Central Conference of American Rabbis Yearbook*, New York, 1906 pp. 61 ff.
5. *Central Conference of American Rabbis Yearbook*, New York, 1907 pp. 122
6. W. Jacob, (ed.) *American Reform Responsa*, New York, pp. 81
7. *Central Conference of American Rabbis Yearbook*, New York, 1919, pp. 75
8. W. Jacob, (ed.) *American Reform Responsa*, New York, pp. 131 ff.

The first annual report of the American Rabbit Yearbook was published in 1912. It was a small volume of 100 pages, containing a list of members and a report on the progress of the work during the year. The yearbook has since grown in size and scope, and now contains a wealth of information on the rabbit industry in America.

It was at the convention in 1912 that we had a meeting. The announcement that the yearbook was to be published was made at this time. The yearbook was published in 1912, and since that time it has been published annually. The yearbook is a valuable source of information on the rabbit industry in America, and is a must for every rabbit raiser.

Central Conference of American Rabbit Yearbook

The Central Conference of American Rabbit Yearbook was organized in 1912. It was a meeting of the members of the American Rabbit Yearbook, and was held in New York City. The conference was a success, and resulted in the publication of the yearbook for 1913. The yearbook has since been published annually, and is a valuable source of information on the rabbit industry in America.