common, rather than to accentuate the differences. Let me comment on some of the specific observations of Rabbi Cohen.

The distinction between d'oraita and d'rabbanan, mentioned in the Report, is, as the statement itself avers, attended by a certain amount of “ambiguity.” The distinction is not dependent on historical provenance. It is rather a way of differentiating between traditional norms which can be changed only after much deliberation and those about which we can be more relaxed. The distinction between d'oraita and d'rabbanan is an important one for the guidance of Jewish lawmakers and interpreters. It is not a distinction based on assertions about historical origins.

A Combination of Influences Shape Change
When it is asserted that change in Jewish law should flow from inner forces, it does not mean that there are no outside influences. It does mean that the outside forces are evaluated by organic trends within the community. The community responding to its own inner character, rejects, accepts, or modifies intellectual and cultural trends coming from outside the Jewish community. This is what Solomon Schechter meant by “Catholic Israel.”

The issue as to the speed and rate of change in society is a venerable dilemma in political and religious as well as legal philosophy. There are those that believe that the social fabric is retained by slow and deliberate change. Others demand revolutionary changes when necessary. The issue divides Edmund Burke from the French Revolutionaries, Z. Frankel from A. Geiger, and conservatives from liberals. This has nothing to do with honesty or dishonesty. It does have to do with differing evaluations of social trends.

Judicial vs. Legislative Approach to Law
Reconstructionists and others can, if they wish, propose a legislative approach to Jewish law, relying on popular will. We, in general, opt for a judicial process which relies on interpretation of precedents. It should, however, be noted that the Report of the Commission was crafted by an inter-disciplinary group representing the laity and the rabbinate.

The Conservative Movement is trying to be loyal to the principles upon which it was founded — a dynamic, bold and creative approach to Jewish law. The success of this effort is vital for all Jews — whether they identify with the Movement or not.

When ethics and halacha collide
Harold Schulweis

I like Seymour Siegel because, truth be told, he paskens (decides halachic questions) to my liking. And that is part of the difficulty in his answer to my friend Jack J. Cohen whom I also like. A halachist responsive to the needs and moral sensibilities of a community raises the credibility in the halachic process. But what of those Conservative halachists, equally attached to Siegel's defense of the “structure and predictability” of halachah, who, on those very grounds, reject the moral motivations which led to such progressive Conservative legislation for its instability and unpredictability?

A distinguished teacher and colleague of Siegel's, Professor David Weiss Halivni, maintains that for the Rabbis of the Talmud, and assumedly for contemporary halachists, in a conflict between morality and halachic precedent, morality must recede. The Rabbis could offer no conscious consideration to morality in their alteration of the law, since such an argument would impugn the divine Lawgiver with a lack of moral sensitivity. Thus despite the consensus gentium, shared by the Rabbis, opposing the cruel legal treatment of a child born out of an illicit relationship, the Rabbis could not free themselves from their biblical and halachic bind on moral grounds alone. In fact, Halivni suggests, precisely because rabbinic criticism of the harsh penalties against the mamzer (illegitimate child) and his heirs were consciously moral, the law could not be altered. Whatever subconscious moral factors we may sense lying behind rabbinic changes, only exegetical and casuistic arguments were deemed acceptable. If predictability and structure are the strengths of a halachic position, then the strict constructionists seem to have the distinct advantage.

Is Law Separate Or Derived From Morality?
There is something deeper here between Cohen and Siegel than the question as to whether we call a position authoritarian or “democratic,” "post-halachic" or halachic; something more than belief claims in “Divine revelation” and legislation; something more than the distinctions between d'oraita and d'rabbanan. At the heart of the halachah issue lies the question of moral theology. Is
Divinity revealed through exegetical and hermeneutic skills or through the conscious moral sense of scholars who come to conclusions by rationally applying and evaluating the relevance and consequences of Jewish moral principles? Put another way, we are, all of us who reverence halachah, confronted with a Kantian alternative. Does the law, Biblical or Rabbinic, stand independent of moral reason; or is the law derivative of moral imperatives? Where the debates are over amoral issues, such questions may be ignored. But where the concerns pit law against morality, e.g., agunah (woman whose husband has disappeared), the limitations set upon the proselyte, women's rights, mamzerut, there the status assigned to moral considerations is paramount.

Not the sociology or the psychology but the morality of halachah is the hard question. Does halachah exemplify the moral imperatives of Judaism and in that sense is divine, or does halachah transcend and even demolish the mountains of morality before its judgments? Back to the Euthyphro: Is halachah good because it is the word of God or is it the word of God because it is good? And do we deny or affirm that we know what is good? If all laws in principle are subject to change on moral grounds, then in what sense does law provide structure and predictability? If the laws are impervious to moral argument, do we not risk the sanctification of immoral judgment?

Whether you answer “yes” or “no” to belief in halachah or divine revelation is not revealing. To paraphrase Feuerbach, even the devil believes in divine revelation. What is helpful is knowing what criteria you use for making halachic decisions and what criteria you use to determine which word comes from God.

Another side of the rabbi: the family

Sherry Levy-Reiner

No one expects a surgeon's spouse to scrub for every operation the surgeon performs or an attorney's spouse to witness every document the attorney executes. Yet some people expect a woman who is married to a congregational rabbi to participate fully in her husband's "practice." And even liberated Jews, themselves anxious to be regarded as individuals, introduce many a teacher, psychologist, or friend as simply "the rabbi's wife."

Many women married to rabbis are looking at their lives and feeling especially constrained. Society is unable and unwilling to regard married women as individuals; Jewish tradition describes the role of the rabbi's wife. What these women are feeling underscores unresolved issues which affect all of us: the relationship of women to the Jewish community and society at large, and the special expectations we have of our leaders.

(I recognize some rabbis have husbands; I recognize not all rabbis serve congregations; I recognize our Christian sisters have heavier burdens; I recognize many women married to rabbis do not feel constrained.)

Spouses' Involvement in CCAR Increases

Six years ago I married a rabbi; five years ago I began working with the Central Conference of American Rabbis (CCAR) on a convention program for rabbis' spouses which would parallel the rabbis' study sessions. About 400 spouses responded to a survey we took. From the respondents we selected women of various ages, attitudes, and experiences as panelists and group leaders.

The sessions met our highest expectations: they were well-attended, provocative, and satisfying; a diverse group of women got acquainted; we identified areas of greatest concern; and there was impetus for future programming. The one expressed disappointment was that more rabbis were not present to hear and respond.

The CCAR established a Task Force on Rabbinic Family Relationships which is now a standing committee of CCAR members and spouses who plan sessions for rabbis and spouses at conventions. Many rabbis attend and participate although others, significantly, perceive the issues raised as "ladies' problems." The committee encourages programming about the rabbi's family at Union of American Hebrew Congregation conventions, distributes reading materials, and works with the Hebrew Union College-Jewish Institute of Religion on student programming.

Rabbinic Family Needs Must be Discussed

Such activity is both cathartic and reassuring for those involved. For many rabbis and their spouses, especially those in isolated communities, such sessions provide the only opportunity to speak frankly with someone whom they believe can truly empathize. For some, the discussions provide practical sug-