

# A Common Sense Approach to Jewish Observance

**T**here are some great barriers to Jews becoming observant of Jewish law.

One of them is intellectual: why should a modern, rational Jew in the late twentieth century observe Jewish law? Aren't most Jewish laws merely religious rituals — most of which, in any event, are antiquated?

As the intellectual arguments for observing Jewish law are discussed at length in *The Nine Questions People Ask About Judaism* by Rabbi Joseph Telushkin and myself, in the special issue of ULTIMATE ISSUES, "Why I Am A Jew" (Vol. 2, Nos. 2-3), and in UI articles such as "Legislating Goodness: The Storekeeper Law" (Vol. 4, No. 4), I will not address this question here.

I will only repeat that Judaism without observance of Jewish laws is no longer Judaism. Judaism consists of three equal components — God, Torah, and Israel (faith, law, peoplehood), and dropping any one of them is tantamount to a Christian dropping any of the Christian trinity. While a Jew can be a good *person* without taking Jewish law seriously, such a Jew does not take Judaism seriously (see "Beyond Reform, Conservative and Orthodox: Aspiring to be a Serious Jew," UI, Vol. 4, No. 3).

But even many Jews who acknowledge the intellectual case for Jewish law and who are intellectually open to observance find two other barriers to observance insuperable.

These barriers are both psychological and practical. The thought of observing Jewish law terrifies most Jews. The sheer amount of Jewish law is daunting; many Jews fear that Jewish observance would take them away from the real world, that it is too self-denying, isolating, and just plain difficult; and always lurking in the background is the fear of becoming or appearing Orthodox. Many Jews equate observance of Jewish laws with being Orthodox, and Orthodoxy is fraught with negative images.

## OBSERVANT ISN'T ORTHODOX

Let us begin with the last problem first — identifying observance with Orthodoxy. To paraphrase the old commercial for Levy's Jewish Rye Bread, "You don't have to be Jewish to love Levy's Jewish Rye," you don't have to be Orthodox to observe Jewish law. You merely have to want to be deeper, lead a richer and holier life, and become a serious Jew.

It has always fascinated me how most Jews, upon learning that I keep kosher and do not work on the Shabbat, immediately infer that I am Orthodox. The assumption is that if you observe almost any Jewish law, you are Orthodox.

Unfortunately, this is not a baseless assumption. The Reform movement dropped Jewish law to such an extent that it was deemed *against* Reform Judaism to be observant. To a classical Reform Jew, it was as alien to observe Kashrut as it is alien to Orthodoxy not to observe Kashrut. Regarding Jewish law, for most Reform Jews, "Reform" is a misnomer, since most Reform Jews do not reform Jewish law, they drop it.

As for Conservative Judaism, which is Halakhic (based in Jewish law), there is an old critique which, although an exaggeration, is not far from true: there are no Conservative Jews, only Conservative rabbis — since so few Conservative lay Jews take Jewish law seriously.

Too many Conservative and Reform Jews have defined their movements in negative terms — we are not Orthodox — rather than in positive terms of what, in specifically Jewish terms, they stand *for*. Ask a Reform Jew, for example, if he keeps kosher (or the Shabbat, or observes Shavuot, or builds or even eats in a Succah, or regularly attends his Reform temple), and the chances are good that he will respond something to the effect, "I'm Reform, I don't have to."

There are hints of change in the Reform movement. I am told, for example, that at least half of the Reform rabbis ordained in the last 15 years keep kosher homes. Still,

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too few non-Orthodox Jews take Jewish observance seriously. And one reason is the fear of being — or being perceived as — Orthodox.

So, let us set the record straight. A serious Jew takes Jewish law — not just Jewish peoplehood and not just social justice — seriously; and to observe Jewish law is not the same as being Orthodox.

As for overcoming other barriers to observance of Jewish law, common sense is generally all that is needed.

#### **THE KEY: DROP ANY BELIEF IN ALL-OR-NOTHING**

The most important guideline is to relinquish forever the utterly destructive attitude toward Jewish law of all-or-nothing. None of us hold such an attitude about the laws of our country, or about any other laws.

Yet, this all-or-nothing approach to Jewish law permeates Jewish life. Two types of Jews believe in it: those who observe Jewish law and those who don't. For example, both Jews who do and Jews who do not keep kosher believe that a Jew either does or doesn't keep kosher — that keeping somewhat kosher is as absurd as being somewhat pregnant or somewhat dead.

This attitude is foolish and highly destructive to Judaism.

Its foolishness can be demonstrated by considering such an approach in any other area of life. Take, for example, someone driving a car 62 mile per hour in a 55 mile per hour zone. Is this driver violating the law? Of course. Nevertheless, assuming good driving conditions and otherwise safe driving, few of us would care. But let us imagine our reaction if a passenger in the car argued to the driver, "Look, since you're already violating the law, you might as well drive 90 miles per hour."

We would undoubtedly regard that passenger as a fool and pray that the driver did not follow that person's logic. For while the driver is certainly violating the law, there is all the difference in the world between a 7 mile per hour violation and a 45 mile per hour violation. This is so much the case, that any of us would feel far safer on highways where everyone violated the speed limit by up to 10 miles per hour than on highways where half the drivers fully

observed the law and the other half disregarded it. Our very lives depend on people violating laws a little bit rather than believing that there is no difference between small and great violations.

Why then abandon this common sense approach when it comes to Judaism?

It is both possible and laudable to keep kosher somewhat, or a great deal, or nearly all the time. We always hold this to be true with respect to Judaism's laws between man and man, so why not with respect to the laws between man and God? If someone gives eight percent of his income to Tzedakah (charity) rather than the 10 percent that the Torah requires, do we say that the man does not give Tzedakah? On the contrary, we praise this Jew for his generosity.

Tzedakah is a positive law, and the same holds true of prohibitions. For example, if a Jew rarely gossips, he still violates a *Torah* law, "You shall not go around tale bearing among your people." But do we dismiss him as a tale bearer or do we praise him for how little he sins in that area?

Yet when it comes to observance of the laws between man and God, the attitude immediately shifts to all-or-nothing. A *shomer* Shabbat (Sabbath observer) is defined as one who does not violate a single one of the 39 Shabbat prohibitions. Violate one of those 39 and you are labeled a *mekhalel* Shabbat (a violator of the Shabbat). If a Jew carries a handkerchief to synagogue on the Sabbath (carrying in public areas is one of the 39 prohibitions), or uses electricity only to turn on lights on the Shabbat, he is declared a *mekhalel* Shabbat. But is a Jew who gives only eight percent of his income a *mekhalel* Tzedakah? Is a charitable Jew only one who gives at least ten per cent of his income to charity?

This all-or-nothing approach to Jewish laws between man and God — there is nothing remotely like this in the laws between people — leads to dismissing partial observance as worthless. One of its horrible consequences has been that a small number of Jews observe every detail of the laws between man and God while the vast majority of Jews completely ignore these laws.

*It is time to value partial observance of the laws between man and God just as we*

**If driving a car violates the Shabbat, and that is the end of the issue, why should a Jew who drives bother observing any of the other Shabbat laws?**

One who drives on the Shabbat should continue to observe the Shabbat in the car

value partial observance of the laws between man and man (and just as we value partial observance of traffic laws).

Every mitzvah fulfilled is a mitzvah. Period. A Jew who only refrains from eating pork products and shellfish does not keep kosher fully but he does keep kosher — *partially*. He is as worthy of the label “keeps kosher” as the Jew who gives five per cent of his income to Tzedakah is worthy of the label “charitable.”

Just as we would like to see the Jew who gives five percent of his income to Tzedakah give a full 10 percent, the ideal is that a Jew keep kosher more fully (I say “more fully” rather than “fully” because the definition of “full” Kashrut is constantly changing). But this is hardly the prevailing attitude. In the area of laws between man and God, to be considered observant one must now observe everything — not just much or even nearly everything. And what about those Jews who are strictly observant but who reach different Halakhic conclusions — for example, that eating off non-kosher restaurant dishes is permissible since modern dishes washed in boiling water in modern restaurants are all the Halakha demands? Do they not keep kosher?

In contrast to the all-or-nothing approach, there is a far more constructive approach that would lead to many more Jews observing mitzvot: the more the better, but everything counts.

This means using common sense. It is better — i.e., more of a mitzvah — to fast on Yom Kippur from sunset until noon than not to fast at all. It is better yet to fast until 4:00 PM; and best of all to fast all day. But imperfect fulfillment of a mitzvah is still a mitzvah.

It is better to observe the Shabbat all Friday evening than merely to light candles and then go out after dinner. It is better yet to observe the Shabbat until lunchtime on Saturday; and the ideal is to observe it until it ends Saturday night.

It is a bigger mitzvah to abstain from shellfish (for the sake of Kashrut) even while continuing to eat cheeseburgers than not to observe Kashrut at all. For one thing, *mitzvah goreret mitzvah*, one mitzvah brings another. For another, the effect on a Jew of doing but one mitzvah solely because of Judaism is life-transforming. A

Jew who observes no Kashrut whatsoever and then abstains from eating just one previously enjoyed food solely for the sake of doing something Jewish has made a monumental leap.

In addition to the amount and frequency of performing a mitzvah, the common sense approach to Jewish law applies in another way. Since each mitzvah is important in and of itself, a violation of one law in an area of Jewish law is no more and no less than that — a violation of one law. It does not mean that one should not observe the other laws of that area.

Thus, if a Jew feels that he cannot live without shrimp, let him continue eating shrimp, but that in no way absolves him from the prohibition against eating other shellfish. If a Jew cannot forgo non-kosher hamburgers, let him at least forgo cheeseburgers, thereby observing the law of not eating milk and meat at the same time.

To cite another example, though ideally a Jew will not drive a car on the Shabbat, even if he does, the Shabbat is not necessarily violated — *one of its laws has been violated*.

It is therefore wrong to regard driving on Shabbat as the violation — and therefore implicitly, the end — of Shabbat. For if driving violates the Sabbath, and that is the end of the issue, a Jew can logically ask, *why bother observing any of the other Shabbat laws?* It is precisely such thinking that is so destructive to Judaism. All the other Shabbat laws remain in effect and observable.

Thus, one who drives on the Shabbat should:

a) *Minimize the amount of Shabbat driving.* There is a great difference between driving for fifteen minutes and driving for two hours. The difference is one hour and forty-five minutes more of a fuller observance of Shabbat.

b) *Limit the driving to those activities that are Shabbat-related.* There is a great difference between driving to synagogue or to a Shabbat meal and driving to a shopping mall or a ball game. The first violates a Shabbat prohibition, the second violates Shabbat.

c) *Continue to observe the Shabbat in the car.* For example, there is no reason to compound the violation of driving by listening to the car radio.

Driving on Shabbat only to Shabbat-related events, without the radio or stereo on, violates the Halakhic prohibitions against making a fire (spark plugs) and against commencing travel. But it only minimally violates Shabbat itself — or the spirit of Shabbat, which is at least of equal importance.

To illustrate the importance of the spirit of Shabbat (*ruach Shabbat*), one need only realize that watching television all of Shabbat is Halakhically permitted — if a timer or a non-Jew (of his own will) had turned it on, or if it had been on from before Shabbat. Yet it is a gross violation of the spirit of Shabbat. Now, then, which act more desecrates the Shabbat — the Halakhically permitted one of watching hours of television, or the Halakhically forbidden act of driving to synagogue?

Both the observant and the non-observant have an interest in perpetuating the all-or-nothing attitude to Jewish observance. The fully observant can then declare themselves to be the only Jews who observe Jewish law (those who don't observe all the law being non-observant), and the non-observant can declare themselves off the hook — why bother keeping kosher at all if only full Kashrut is kosher?

#### ADVANTAGES OF THIS ATTITUDE

One of the beautiful consequences of the common sense attitude to Jewish law is that it equally challenges Jews of all denominations and all levels of observance.

First, it challenges the non-observant Jew. It is no longer enough for a Jew who claims to take being Jewish at all seriously to say, "I don't keep kosher." To such a Jew, we respond, "For the sake of Judaism, are you not even prepared to drop a single non-kosher food from your diet?" Are you not even prepared to observe the Shabbat for a few hours (it is, after all, in the Ten Commandments)?

A second consequence is that it invites far more Jews to consider themselves observant. The Jew who observes Kashrut at home but not outside of it, the Jew who eats non-kosher hamburgers but not pork products or shellfish, the Jew who only occasionally eats non-kosher — are Jews who do not keep kosher fully, but they can now count themselves among the observant.

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A third positive consequence concerns the observant Jewish community. With the adoption of this common sense attitude observant Jews will have to acknowledge that just as some violations of the laws between man and man do not necessarily mean that a Jew is not religious or observant, so, too, some violations of the laws between man and God do not necessarily mean that one is not religious or observant.

For some Jews it will be difficult to acknowledge, but occasional violations of Kashrut or Shabbat on the part of a Jew no more invalidate such a Jew's claim to religiosity than occasional gossip, or petty theft (e.g., copying software, not reporting all income, taking home some office supplies) invalidate the claims to religiosity of a Jew who observes full Kashrut and Shabbat.

#### PICK AND CHOOSE

One of the most frequently made arguments against the common sense approach offered here is that it justifies picking and choosing. And it is taken for granted by the objector that picking and choosing among Jewish laws is by definition a bad thing.

To me, having all Jews pick and choose is one of the most beautiful visions a Jew can have. For one thing, all Jews do pick and choose — though admittedly some pick and choose far more than others.

Even the most observant Jew picks and chooses among Jewish laws. For example, the Talmud states that *yishuv Ha'aretz*, living in the Land of Israel, is a mitzvah equal in importance to all the other mitzvot combined. Any observant Jew who could live in Israel and does not, has *chosen* not to observe one of the most important laws in Judaism (I am one of them, so this is not meant to criticize, but only to state a fact).

There is another way in which every Jew — including the most observant — picks and chooses. It is not possible *not* to pick and choose. For example, it is a mitzvah to visit the sick, and it is also a mitzvah to study Torah. Has not a yeshiva student who has chosen to study every day, all day (e.g., a *kollel* student), chosen the mitzvah of Torah study over the mitzvah of visiting the sick, or comforting the be-

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reaved, or a whole host of the other mitzvot that he could be performing at that time?

The mitzvah system does not provide a schedule — at such and such an hour one performs this mitzvah, and at such and such an hour one performs another mitzvah. At the very least, therefore, even the most observant Jew *chooses* which mitzvot he will perform more frequently than others.

All Jews who take Judaism seriously are guided by some vision of Jews' observance. Many Orthodox Jews, for example, dream of a Jewish people, all of whose members observe the same way. I do not share that dream. Mine is that all Jews observe. My dream is of a Jewish people all of whose

members strive to be serious Jews (as defined in my essay defining that term), which includes observance of Jewish law. My dream is that some will observe more, and some less, some consistently, and some inconsistently, some will specialize in the laws of ethics, and some in the laws of holiness, some in study, and some in outreach, some in touching the world through Judaism, and some in guarding the home. The Jewish people is an organism whose many parts cannot and should not be doing the exact same things — so long as all their differences are within the parameters of God, Torah, and Israel, and done for God's sake.

But you must begin.

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### SPECIAL ANNOUNCEMENT

In early 1989 Dennis Prager was invited by the University of Judaism, the West coast branch of the Jewish Theological Seminary of America, to offer a course on happiness.

It turned out to be the most widely attended course in the University's history. Hundreds of people, of all religions, backgrounds and ages, came to eight 90-minute lectures. Many said the course had deeply affected their lives. As a result, the course will be given this fall and winter in 16 sessions.

Dennis's views on happiness are apparently touching a sensitive chord. In November, 1988 *Redbook* published his article on happiness, *Reader's Digest* has printed a condensed version in its June issues here and abroad, and Random House has just purchased the rights to publish a book on happiness that Dennis is currently writing.

The eight sessions at the University of Judaism were taped on professional equipment, and are now available. UI subscribers can purchase these eight tapes — over ten hours — for only \$6.50 a tape, plus \$5.00 postage and handling, for a total of \$57.00 (California residents, please add 6.5% sales tax).

If you do not laugh, cry, and feel deeply affected, please feel free to return the tapes for an immediate refund.