

Hekhsher Tzedek – Pride for Conservative Jews

By Rabbi Randall Mark with material from
Rabbis Morris Allen, Jack Moline & Jack Reimer

I am a Jew and I can say it with pride! I hope that you can too! I am a Conservative Jew and I can say that with pride as well – can you? I realize that it is a harder statement to make. CJ has not fared so well the last few years, we were a movement divided on the issue of gays and lesbians, the press has carried many an article about the aging and shrinking of our membership; everyone knows that we are not Reform and we are not Orthodox, but many are not so sure what it is that we are. Today I'm going to try to define that for you and hopefully in a way that will make you proud!

When we look to our right in the religious spectrum, we see a strong commitment to ritual observance – Shabbat, kashrut and tefila just to mention a few. When we look to our left, we see a strong commitment to ethics and social justice – workers rights, the environment and Darfur to mention only a few. 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.

CJ stands in the middle affirming the value of both ritual and ethics, not willing to compromise either. For us ritual and ethics are inextricably linked in a bond that should not be severed. Our rituals are an expression of our ethical concerns and ground our ethics squarely in Jewish tradition. We are not just good people, we are good Jews. Three issues exemplify for me this blending of ritual ethics – kashrut, health care & the environment.

There are many environmentalists out there. Some care about the issues because of a concern for the earth, some because of a concern for humanity and our role in the

ecosystem, some care for economic reasons. But why should we care? We could care for any or all of those reasons, but more than that as Jews we should care because it is a value from our religious tradition. There is a midrash which says,

“When God created the first human beings, God led them around the Garden of Eden and said: “Look at my works! See how beautiful they are—how excellent! For your sake I created them all. See to it that you do not spoil and destroy My world; for if you do, there will be no one else to repair it.” (*Midrash Kohelet Rabbah*, 1 on Ecclesiastes 7:13).

We call repairing the world *Tikun Olam*. It is an important Jewish value; one that helps guide us as we live our lives; reminding us that we are partners with God. All you have to do is to follow the news to know that we live in an imperfect world. Our tradition teaches us that it is our responsibility to help perfect it. Some of the things we do are symbolic, while others can make a difference. We are not alone in this endeavor. Here in NJ we have the benefit of GreenFaith, an interfaith coalition for the environment. Who can help us measure and reduce our carbon footprint. There are resources from the Coalition on the Environment and Jewish Life (COEJL) and the top rabbi in the field, Larry Troster, lives here in NJ and has taught Melton here at our shul.

The Federation of Jewish Men’s Clubs (FJMC) is the arm of our movement that has been in the forefront of the Jewish environmental movement; our own Eric Weis is currently the NJ regional president. FJMC has a solar powered Ner Tamid project that I hope we will do here, so that our beautiful Ner Tamid will also be a symbol for us of what we can accomplish if we put forth some effort. FJMC has set up a joint purchasing agreement for biodegradable foodware, so that we can stop using and throwing away so much plastic and Styrofoam. They also have eco-candles for sale; they are soy Shabbat candles made from 100% renewable resources. There is a Green Covenant that I hope our Board will endorse in the form of a resolution, so that we can go on the record as a congregation that cares about environmental issues from a religious point of view and that we will behave accordingly.

Another ethical concern with its basis in religious texts and practices is health care. There is a health care crisis in this country. We are one of only a few industrialized nations that have not found a way to provide health care for all its citizens. We know that uninsured and underinsured individuals rarely seek preventative health care or even timely medical care because of economic concerns leading to unnecessary pain and suffering. The Torah teaches that human life is of infinite value and rabbinic tradition allows the suspension of Jewish laws for the sake of *pikuach nefesh*, preserving life. Maimonides, revered rabbi, scholar and physician taught that health care is a primary communal responsibility. Wherever Jewish communities have gone one of the first acts is to establish a hospital. Many American cities have a Mt. Sinai Hospital established by the Jewish community.

The *Shulchan Aruch*, a classic rabbinic text of Jewish law states, “Doctors are required to reduce their fees for the poor. Where that is still not sufficient the community should subsidize the patient.”(Yoreh Deah 249) Our own Committee on Jewish Law and Standards produced a *teshuvah* that affirms Jewish law requires people be provided with a decent minimum of health benefits that preserves life and includes preventive care. To this end our movement calls upon us to work together in coalition with others seeking to change health care in NJ working through our state government in Trenton to provide affordable health care to all citizens and it calls upon us as an institution to provide health care for all our employees, sadly, something that we don’t do here at Shomrei Torah. It is our responsibility to call upon our Board of Trustees to find ways to provide health insurance for all our full-time employees.

The employer most in the news this summer was Agriprocessors, the largest kosher slaughterhouse and distributor of *glatt* meat in the country. As you may recall last May the INS raided them and arrested almost 400 employees as illegal aliens. Kangaroo courts were set up to process them and rather than deport them as has been our practice, we convicted them of felonies and sent them to prison. As the situation was being investigated reports began to surface of widespread abuses of power by the administration, violations of child labor laws and safety laws. Jewish values would argue

that our government targeted the victims in their sting rather than the perpetrators, but I digress. This was not the first time that Agriprocessors has been in the news. In 2004 PETA released an undercover video they had taken showing unethical treatment of the animals at the time of slaughter in violation of Jewish law. Some in the Orthodox world stopped eating their meat; our movement issued a warning against eating their products. The rabbis supervising their kashrut quit, but the OU stepped in and they cleaned up their act or so it seemed.

As troubling as this round of accusations were the response of the Orthodox rabbinate was more troubling. The OU said two things; first, they said that so far these are only accusations. No one has been tried, and no one has been convicted, and in America you are presumed innocent until you are found guilty in a court of law. That's true. But still I think there should have been some expression of shock that a company which they supervise could have even been accused of such immoral actions.

You know the story about the Rosh Yeshivah who calls a student into his office, and says: "they say that you are doing such and such." The student says: "but Rebbe, it's not true!" To which the Rebbe replies: "it should be true, yet? It's bad enough that they're saying it!"

And so it is in this case. It is bad enough that they are saying that these crimes have taken place. Not all Orthodox organizations or individuals have reacted to the scandal this way. One group called "Uri Tsedek" was formed, which threatened a boycott of the meat from Agriprocessors until and unless changes were made. And one Orthodox rabbi, Shmuel Hertzfeld of Washington, issued a public call for a real investigating committee, not one subsidized and beholden to the company, but one that would be truly free and independent, to make a survey of what is going on there.

The second statement made by the OU was that even if the allegations were true that kashrut and ethics were two separate things and meat would still be kosher. That is where I as a Conservative rabbi stand up and say they are WRONG! The laws of kosher

slaughter are about *tzar ba'aly chaim*, proper treatment of animals. We are forbidden to harm an animal or cause it distress; all the more so are we to treat other human beings properly. So if they mistreated their workers then there is no way to consider their product kosher. Ultimately, the State of Iowa charged Agriprocessors with more than 9,000 violations of the child labor laws. Recently, a dozen Jewish Congressmen sent a letter to Aaron Rubashkin, the owner of Agriprocessors, saying they were “stunned” and “disgusted” by the allegations. The letter noted the company's hiring of hundreds of illegal immigrants, opposition to a unionization effort at its New York distributorship, and its numerous citations by federal regulators. It also expressed concern over allegations that it had knowingly employed child laborers, housed a methamphetamine laboratory at its slaughterhouse, and participated in a Social Security card-forgery ring.

What the Rubashkins have done at Agriprocessors in Postville, Iowa, is a *Chilul Hashem*, a desecration of God's name. In consultation with our ritual committee, I have informed our Board that I am banning all Rubashkin products from the synagogue until such time as they are cleared of all charges. I will be informing all the caterers with whom we do business that if they want to serve meat, then it has to be from another distributor. The meats to avoid are labeled Aaron's Best, Shor Habor, Rubashkins & David's, Hebrew National, which is just fine, got it right with their ad many years ago that said, “We answer to a higher authority.”

But there was some good news that came out of Postville, Iowa, this summer. While I was in MN visiting my parents, I was able to speak with some of the rabbis who have been on the forefront of the Jewish community's response to this whole catastrophic event. They held a rally in Postville, to protest our outrage at what transpired and to show our solidarity with the migrant workers suffering. It was organized by the Jewish communities of Minneapolis and Chicago as well as the USCJ. Liberal Jews came from all over the Midwest including teens from Camp Ramah in Wisconsin.

One of the people in the march was Rabbi Laurie Zimmerman, a Reconstructionist rabbi, from Madison, Wisconsin. As her group marched through the streets of Postville, she

wondered what the residents of Postville were thinking as they watched them marched by. The residents were sitting on their porches and on lawn chairs and they seemed to be fascinated, for I am sure that they had never seen such a procession before in their town. The marchers waved at them as they went by, and the people of Postville waved back, and each took photographs of the other, to keep as souvenirs.

When they arrived at Agriprocessors, a rabbi taught a page of Talmud that prohibits employers from oppressing their workers. Then they listened to a poem about freedom, recited by a Latino child. And from there they went to the Church of St. Bridget's, the place that has taken in many of the illegal immigrants and given them food and shelter and legal advice.

Rabbi Zimmerman asked one of the people whom she met outside the Church, why the people of the Church of St. Bridget's have been so good to the illegal immigrants. The man answered: "We do it because we just don't like to see poor people mistreated, and we don't like to see families separated. It's just not right!"

When they went inside, they found that the church had prepared a spread of cookies and cakes and drinks for them. Throughout the day, Rabbi Zimmerman says that she had been wondering what the folks of St. Bridget's thought of all these Jews who had converged on their town. Did they understand that we too were offended by the mistreatment of these illegal aliens, that we shared their feelings about the violation of the child labor laws? Did they have any idea what kashrut was, and why it was so important to us that its laws be observed properly and that its values not be desecrated?

Soon enough she got her answer. She was standing next to a long table, full of neatly arranged trays of cookies and cakes, when she felt a friendly tap on her shoulder. She turned around and saw a woman with white hair smiling at her. The woman had noticed the kippah that she was wearing, and so she said to her: "The kosher cookies are over here." And she walked with her to another table, where she found cookies in wrapped packages, labeled with a hechsher. The women of St. Bridget's Catholic Church had

prepared these refreshments for their visitors in order to show their appreciation for what they had done by coming. And they were even thoughtful enough to make sure that some of the cookies were kosher, for the benefit of those who kept kosher.

Rabbi Zimmerman was moved by the thoughtfulness of not only having cookies for them, but kosher cookies as well. And so she thanked one of the women on the hospitality committee. The woman responded: “We did it because we are so happy to have you here”.

“But serving a thousand cookies? Rabbi Zimmerman asked.

And the answer she got was: “We’re Iowans, Ma’am. And that is what Iowans do.”

Well Iowans bake cookies and Jews keep kosher; and Conservative Jews link kashrut and ethics. Even in the Orthodox world there are countless examples of the linking of kashrut and ethics. When the Kaf-K threatened to pull their certification from the Glatt Yacht if they continued to allow mixed dance on board was a statement about what they considered to be proper behavior. When the RCBC threatens to pull the kashrut certification from any local caterer who works at a Conservative synagogue where a microphone is used on Shabbat is linking Shabbat and kashrut according to their standards, not ours. When the Israeli establishment pulls the kashrut certificate from a restaurant that has dancing girls is linking kashrut and their brand of ethics.

In truth we have a long history of connecting kashrut and ethics. The Baal Shem Tov, the founder of Hasidism, taught that a Jew who would not touch an egg that had a bloodspot on it but who was not horrified to touch a ruble that had a bloodspot on it was not a good Jew. And Reb Yisrael Salanter, the founder of the Musar ethical movement, taught when he was asked what instructions he had for those who were going to supervise the women baking matza for Pesach. He told them to make sure, above all else, that the women were not overworked. He said: the Christians say that we Jews bake matza with the blood of Christian children. That is not true. But I say that we Jews bake matza with the blood of

Jewish workers, if we don't pay them enough and if we don't give them enough time to rest.

The Conservative rabbi who has taken the lead on the issue of kashrut and ethics is Rabbi Morris Allen of MN. More than a decade ago Rabbi Allen began promoting kashrut among his members with a campaign called, "Chew by Choice". We decide what to put in our mouths, we decide what we will and will not eat. There is no mitzvah that impacts on us the way that kashrut does. All of us eat, most of us too much and too often. But if you stop to think about the kashrut of everything you put in your mouth, then you will contemplate your Judaism much more often than the observance of any other mitzvah requires. Here is a ranking of kashrut observance that each of us can use to push ourselves to the next level of kashrut observance. Step 1 is not eating pork; 2 – fins & scales for fish – i.e. no shellfish. 3 – Don't eat milk and meat together. 4 - Wait after eating meat, most Americans wait three hours before eating dairy. 5 – Separate utensils and dishes for milk and meat. 6 – Kosher meat or vegetarian at home. 7 – Kosher meat or vegetarian out of the house. 8 – Only hekhshered items at home. 9 – Only hekhshered items outside the home. While it is my hope that each of you will ascend one rung on the ladder of kashrut observance in the coming year, this is just the ritual side of the kashrut equation.

Rabbi Allen is also the innovator of the Hekhsher Tzedek initiative of our movement. The RA and the USCJ have both embraced HT which means "justice certification." We have established a commission, educational materials have been written and there is even a HT website and blog now. The commission created 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.

Some have objected to Hekhsher Tzedek on the grounds that the government already supervises employee health and safety regulations; and we should just leave it up to the authorities to police the treatment of workers and animals. But if we believe the Jewish tradition has something to say about these issues, why shouldn't we support a process that investigates them from a Jewish perspective?

The commission's concerns are not grounded only in vague pronouncements about Jewish values. The standards of *Hekhsher Tzedek* flow from a considered look at the teachings of our tradition as they have evolved from Torah to Talmud to codes, responsa literature and contemporary teachings. Rabbi Avram Reisner developed a document examining the halakhic teachings regarding each of the standards. Last month our Board of Trustees began to discuss a resolution in support of the Hekhsher Tzedek initiative, but got bogged down in some of the above questions and failed to endorse it, it is my fervent hope that next month we will take it off the table and join with hundreds of Conservative congregations and thousands of Conservative Jews as participants in Hekhsher Tzedek.

I began by saying that CJ has been in need of a focus, well Hekhsher Tzedek has been a rallying point for CJ on the right, on the left and in the middle; we may have found our unifying focus. We are the movement that integrates rituals and ethics. The Reform movement has endorsed our Hekhsher Tzedek initiative, rabbis and organizations from across the liberal spectrum are getting on board. We're on to something here. We've found something that can give new life and new vitality to what it means to be a Conservative Jew. Make this the year that you blend ethics and rituals together in your observance of Judaism, in your observance of life. And may it lead you to a life filled with meaning.

Wishing you and all your loved ones a healthy, happy and kosher New Year – Shanah Tovah.