

Chabad Menorahs in the Public Sphere: Church and State and Freedom of Religious Expression

Zev Eleff

1. Lawrence M. Colton (Union Reform Temple), Letter to the Editor, *Jewish World* (August 28, 1981): 2

Dear Editor,

I have read Stewart Ain's recent article, "Lubavitch Sponsors Study Groups in Nassau," pertaining to adult education on Long Island being sponsored by the Lubavitch movement. What disturbs me is again the intrusion of the Lubavitch movement into the lives of the Reform and Conservative communities and other Orthodox communities of Long Island. There is an assumption implicit in their offering.

1. That they alone offer the possibility for satisfying adult Jewish education.
2. That they alone have the authentic insight into Jewish tradition.
3. That they best can teach it.

Recently, these days, there is much concern about the tactics of the Lubavitch outreach. In some notable cases, they have literally persuaded young people to join them, resulting in the ties of family love being broken. Their claim that the Lubavitch movement provides for an authentic expression of Jewish living causes a young person to question the Jewish lifestyle of his home, the commitment of Reform and Conservative approaches, and the authenticity of even being Jewish in the first place, without total commitment and allegiance to the mitzvot.

Many homes have been broken by bitter conflict because of the Lubavitch intrusion; communication and dialogue has been ruined. In the end, in the name of Judaism, the alienation and loss of affection is the same as that pilfered by the Hebrew-Christian Missionaries and cultic groups, L'havdil.

2. Hal Walters, Letter to the Editor, *American Israelite* (October 8, 1987): 24

Do you have to pay to pray?

This question was raised in a very timely letter that appeared in the Rosh Hashanah issue of the *Israelite*. The author of the letter explained that he found himself in the unenviable position of not having enough money to pay for Yom Tov tickets at a local shul. And, without funds, without tickets, he was denied the opportunity to attend Yom Tov services.

Well, two years ago I found myself in the same situation. So, for what it's worth, let me share this solution with your readers. **The answer to my dilemma, came in the form of Chabad House. They were warm, welcoming and most of all, understanding of the situation. Their philosophy was very simple: A Jew should not have to pay to pray. Their doors are always open for every Jew, and so are their minds.**

As you may know, Chabad House of Cincinnati like Chabad Houses around the globe are the forerunners of outreach work to their Jewish brethren. They are referred to as the "**Jewish Peace Corps movement.**" They are truly the ones who set into motion the theme song "reach out and touch someone." Their objective is to reach out and touch every Jew both physically and spiritually alike.

They have been inviting the general public to all Sabbath and holiday services free of charge. To them every Jew, wealthy or destitute, Reform, Conservative or Orthodox is an equal Jew and has to be treated as such.

For the past 12 years the doors of the Chabad House of Cincinnati have been opened to all 24 hours a day at no cost.

Not only is the Chabad attitude refreshing, it is also something you can't put a price on. All that I can say is "try them, you'll like them."

3. Stewart Ain, "Crèches, Menorahs Raise Issue of Mixing Government and Religion," *Jewish World* (November 30, 1984): 20

[Rabbi Walter Wurzbarger] "The Jewish community should ask for the very same privileges. It's important that we do that. I don't think we should be the first ones to ask permission to erect a menorah, but we owe it to ourselves to assert that we are one of the religions of the United States. I don't believe the principle of church and state should be so overriding. **I would prefer a total separation of church and state. I don't think it's in the cards—especially now after the Reagan landslide. The President is obviously going to appoint very conservative justices to the Supreme Court. Liberalism is proscribed in America today and in my opinion this conservative bent is going to be very much accentuated. In such a situation, I think it is better to have the Jewish community as viable as possible.**"

4. Harvey J. Fields, "It's Time to Stop Chabad," *Jewish Journal* (February 13, 1987): 14

Beyond the rather crass, self-serving aspects of the Chabad Hanukkah campaign, its brash leadership ought to be condemned for acting, unsolicited, for the Jewish community of Los Angeles. Indeed, this is the second year in which Chabad deliberately has defied the sensitivities and convictions of many Los Angeles Jews who oppose the placement of religious symbols on public property or the promotion of religious ceremonies in public facilities.

Fearing that the issue would introduce divisiveness within the Jewish community, and aggravate already wounded sensitivities, the American Jewish Congress, with the knowledge and backing of the Community Relations Committee of the Jewish Federation Council of Greater Los Angeles, sought to reach a consensus of understanding with Chabad leadership last

September. The meeting failed. Chabad leaders refused to find another venue for their celebration. They chose to divide the community to “make Hanukkah for themselves.” They were, apparently, acting on a higher principle than the “unity of the Jewish community.” Lubavitch leader Rabbi Menachem M. Schneerson had ordered a nationwide effort, and his followers complied.

The hard question now becomes, how will our Jewish community respond? Can we move toward responsible consensus, or are we going to be forced to fight it out in the courts? Will we allow the extremists to divide and exhaust us, or will we be strong enough to isolate them, and disciplined enough to develop a single, responsible voice on such delicate American Jewish issues?

... It is time for Jewish community leadership to deal with the issues raised by Chabad’s assault on City Hall. If we fail, we will be more divided than ever, and our moral force on questions of church and state will shrink to embarrassment.

5. Boruch S. Cunin, “It’s Time to Support Chabad,” *Jewish Journal* (February 20, 1987): 14

For years, our Jewish children have been besieged by Christmas trees and symbols at every turn of the road. They have wondered where the Jewish symbols are and whether it is O.K. to be Jewish

... The title of The Journal article is outrageous. Would our Jewish community sit still for (and would The Journal accept for publication) an article titled “It’s Time to Stop Federation” or “Wilshire Boulevard Temple” or the “University of Judaism?” Or is it simply acceptable to bash Chabad and other Orthodox organizations in these pages?

If Rabbi Fields succeeds in “stopping Chabad,” does he propose to use the magnificent physical structure of his temple to serve those helped by Chabad—the homeless, the drug addicts, the alcoholics, the aged, and the new immigrants? After all, most of the kids helped by Chabad come from Reform homes.

Why is it so difficult for Rabbi Fields to make his point without engaging in name calling and ad hominem slurs? His assault appears to be part of a broader attack by the Union of American Hebrew Congregations, of which is temple is a constituent.

... Chabad views itself as very much in the mainstream of this issue. The extremists are those who accept Christmas trees on public property but find the menorah an affront to their sensitivities. Rabbi Fields would better serve the Jews of Los Angeles if he devoted his energies to getting Christmas trees out of the Jewish homes instead of fretting over the public display of a menorah by a proud people. No one is ordering Rabbi Fields to attend a public menorah lighting, and he has no business telling those Jews who wish to do so that they may not.

6. Noach Dear, “Guest Editorial,” *Jewish Press* (January 9, 1987): 48

The so-called “Jewish” organizations that have gone around the country challenging the erection of menorahs by the Lubavitch movement on public property, ought to be ashamed of themselves. Rather than being on the receiving end of such unconscionable activities, the Lubavitch movement, under the leadership of the great Lubavitcher Rebbe, shlita, should get their applause—and everyone else’s.

As the JEWISH PRESS reported last week, the National Jewish Community Relations Advisory Council, the American Jewish Committee, the American Jewish Congress, and the Anti-Defamation League of B’nai B’rith, have in various ways, including court action and negotiation, tried in recent weeks to thwart the national program of Lubavitch to place large menorahs in public places. **They will be judged by a higher authority, but some criticism is in order.**

How can these groups do this? How can they systematically go about trying to defeat efforts to display the Jewish symbol of freedom and victory of right over might? All their gibberish about the First Amendment and the Constitution has a hollow ring. The United States Supreme Court has already permitted even a Christian nativity scene to be displayed which is clearly religious. How much more permitted then is the menorah? That is also why their explanation that they must challenge the menorahs in order to be able to consistently challenge the nativity scenes must be dismissed.

These self-appointed protectors of the Jewish community don’t speak for me and I think not for a lot of American Jewry. **Their constitutional theories and efforts over the years have crippled the financial situation of Jewish education—the essence of Jewish survival—and now they seek to undermine the symbol of Jewish survival.**

For Shame!

7. Baruch Cohen, "Menoras Shouldn't Be on Public Grounds," *Jewish Press* (January 23, 1987): 5

I would like to express my concern over the position taken by Chabad Lubavitch, in its recent controversy with the American Jewish Congress, ACLU, and other various Jewish groups, over placing a large Menora in the Los Angeles City Hall, and in the Santa Ana City Park.

As a frum Jew, I appreciate an occasional Jewish reminder, when I walk down our predominantly Christian be-decked streets. I also appreciate the importance of the separation of Church & State in creating a tranquil community environment that we all enjoy.

I was disturbed to learn that Chabad equated Menoras to *goyishe* Christmas trees, which is a non-religious symbol, associated with the non-religious observance of a de-facto American national holiday. Chabad analogized an unlit Menora (even had a Reform Rabbi testify) to a Christmas tree minus a nativity scene below it.

I understand that Chabad wants parity and equality. The fact is that Chanukah does not compete with Christmas, nor should it have to. While Chanukah might lack the pageantry of Christmas, it is rich in religious and philosophical significance that is universal. And, it is these profound values represented by Chanukah and by our Torah that account for our continued vitality after thousands of years of persecution.

Chabad, which certainly had the best of intentions, should review their perspectives, and should not confuse enjoyable pageantry with deep religious significance.

8. "Chicago Isn't Required to Put Menorahs at O'Hare, Judge Says," *Chicago Tribune* (December 14, 1989): D24

[Gary Sternberg, Chabad Lawyer:] "What the City of Chicago is saying is that we will celebrate Christmas as a secular holiday, but we will maintain and fight in court for the right to refuse to celebrate the holiday of another people."

9. William Grady, "Appeals Court Bars Menorahs at O'Hare," *Chicago Tribune* (November 8, 1990): S6

[Judge John Coffey:] "If there were [constitutional rights to put up structures on public property], our traditional public forums such as our public parks would be cluttered with all manner of structures. Public parks are certainly quintessential public forums where free speech is protected, but the Constitution neither provides, nor has it ever been construed to mandate that any person or group be allowed to erect structures at will."