

# The Status of the Cantor in the Constitution of Congregation Brith Shalom

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Feb. 22, 2015

The CBS Constitution<sup>1</sup> does not explicitly say that the Congregation “shall have a Cantor” or that it “shall have a Rabbi” (collectively, “Spiritual Leaders”). In contrast, the Constitution says that the Congregation **shall** have a Board, a President, Vice Presidents, and a Secretary. Does this mean that the Constitution views the positions of Spiritual Leaders as optional, filled only at the discretion of the Board? A plain reading of the Constitution shows that the **opposite** is the case.

1. The terms Rabbi and Cantor are spread across the Constitution in such a way that it is clear that the Constitution **assumes** that Congregation **does have** a Rabbi and a Cantor. In contrast, the Constitution says that “The Board may, at its discretion, choose to employ an Executive Director to implement certain Synagogue policies, programs, or operations.”
2. The constitutional centrality of the Spiritual Leaders is further supported by the role that the Congregation plays in the elections of these leaders. Article IX, Section 1 says: “The Rabbi and Cantor shall be elected by a vote of the general membership.” (This is in contrast to the Educational Director, who is selected by the Board.) Even the **terms and conditions** of the contract with the Spiritual Leaders **must** to be approved by the Congregation.
3. Furthermore, the duties of the Spiritual Leaders are spelled **out in detail** in the Constitution. While the Board can elaborate on these specified duties, it cannot alter their essential components.
4. The Constitution **mandates** a search for Spiritual Leader. Article IX, Section 1, Item A says: “The President shall appoint a special committee (and its chairperson) ... who shall make recommendations to engage Spiritual Leaders for the Congregation”. While the Constitution does not spell out a precise time line, it is plain that a **vacated** office of a Spiritual Leader triggers this requirement, as otherwise this **mandate** has no meaning.
5. If Cantor Levin **is** to serve as the next Cantor of the Congregation, then he **must** be elected by the general membership. If Cantor Levin is not to serve as the next Cantor, then the Congregation **will not** have a Cantor as of April 1, 2015, and a search must be started immediately.
6. The democracy of Congregational affairs is a **cornerstone** of the Constitution. Article II, Item 4: “Provisions will be made to foster democratic procedures and to encourage active participation by every member.”

**Bottom line:** The Constitution **mandates** a process for election of a Cantor **by the** Congregation, and for the President to **start** the search process. While a timeline is not specified, these requirements are clearly triggered by the vacancy of the cantorial office.

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<sup>1</sup> See [https://brithshalom.org/sites/default/files/uploaded\\_documents/cbs\\_constitution\\_5\\_2013.pdf](https://brithshalom.org/sites/default/files/uploaded_documents/cbs_constitution_5_2013.pdf)