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Patrilineal Committee, 1982-1994.

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# Rabbi G. Plaut states views on Klein article

NMB

By RABBI W. GUNTHER PLAUT

*Calderwood*

The Post and Opinion has asked a number of leading rabbis to comment on the article by Rabbi Joseph Klein in our issue of Jan. 7 headed, "Revoke patrilineal descent by adopting conversion and institute Jewish divorces, view of Reform Rabbi." Rabbi Plaut is the immediate past president of the Reform rabbis' organization, the Central Conference of American Rabbis, and is rabbi emeritus of Holy Blossom Congregation in Toronto.



W. Gunther Plaut

I am happy to comment on the article which my distinguished classmate has written. As always, he is forthright, courageous and clear.

First, divorce. Reform abandoned the need for a *get* because, as Rabbi Klein points out correctly, the inequities created by a male-oriented process were unacceptable. But this departure created problems of its own and the Reform rabbinate is now trying to deal with them. The new Rabbi's Manual which will be published in the near future will contain a ceremony of separation. This will not be a halachic *get*, but the very inclusion of the ceremony and, hopefully, its wide use by Reform rabbis, will re-introduce the need for a formal Jewish separation of divorcing couples.

As Rabbi Klein suggests, here is an area in which thoughtful progress can be made. Certainly Conservative rabbis are not happy with present *get* procedures, and Orthodox scholars too would like to see some halachic development. It is time we sat down and spoke about it together. *Kinyan*, the legal acquisition of the woman by the man, is a concept which we have outgrown, and that has to be faced. Somehow the equality of the contracting partners needs to be expressed in both marriage and divorce. I agree with Rabbi Klein that simply abandoning the *get* without offering a Jewish substitute that would stand the test of time was an error. But neither can we simply go back to the *get* as the only way of separating couples. I have some ideas on the subject but their explanation would exceed the limits of these comments.

Second, patrilineal des-

cent. This was once the rule in Judaism and was in mishnaic times changed to matrilineal descent as the guiding rule, as Prof. Shaye Cohen of the Jewish Theological Seminary has pointed out. This rule now needs re-evaluation, for the realities of today are as different from yesterday's as mishnaic times were from the biblical age.

What the Reform rabbis voted in 1983 was motivated by high ideals rooted in their perception of the role of father and mother in the raising of their child, as well as the child's needs and its opportunities to lead a full and meaningful Jewish life. But while I fully supported (and support) these objectives I thought then (and think now) that passing the resolution was an error. I thought that we had not fully analyzed the consequences of our move and that, while the principle we pursued was right, the method by which we put it into practice was wrong.

At the last CCAR convention our president, Rabbi Jack Stern, Jr., called for ways of lessening the divisions within Judaism. I wholeheartedly agree. And one of the ways Reform should contemplate is the conversion of non-Jews by circumcision and immersion. Neither requirement violates a Reform principle and a return to traditional conversion procedures could create an atmosphere of accommodation which would be fruitful and advance the unity of *klal yisrael*.



— Jewish Chronicle of London photo

**EVEN IN ENGLAND** — The New London Synagogue in St. John's Wood, northwest of London, was desecrated as shown by unknown

vandals. Police who were called took possession of a can of paint found nearby.

## Ticklish resolution passed on Israel and the intifada

**CINCINNATI** — The resolution on the intifada at the convention of the Reform rabbis here at one point in the debate called for Israel to negotiate with the PLO, but ended with negotiating with the freely-chosen representatives of the Palestinians. It condemned vio-

lence from whatever quarter, which of course included Israel, and it called for recognition of the legitimate rights of the Palestinians.

The resolution brought out the big guns of the CCAR before it was finally put into its final form.

## Reform to observe holidays on dates

**CINCINNATI** — Perhaps as much as any other action, the decision to observe the Jewish holidays on the days

they occur rather than on the nearest Sabbath was another indication of Reform's return to ritual.

## Barenboim cleared, everybody happy

**JERUSALEM** — When Maariv, the large afternoon daily, published a news item to the effect that Daniel Barenboim, the pianist and conductor, had said that he does not wish to return to Israel at present because of the way the intifada is being handled, a chain of events ensued. For one, Mayor Kollek wrote to Barenboim that he "deeply resented" the statement and called it "a disgrace and unworthy of an artist of your stature or a human being of your understanding." Maariv, which reported the remarks from an interview with Barenboim in The Times of London, also spoke out in an editorial headed, "A Conditional Israeli". Kollek had closed his letter

with "If you do not feel rooted here, it may be better if you do not come back."

It took only a day for Maariv to apologize and publish a correction when Barenboim denied having made the remark, at which point Teddy Kollek sent him a telegram expressing his "great sense of relief."

## Camp survivor murdered in N.Y.

**NEW YORK** — A swastika painted on his door led to the death of Max Kowalski, a concentration camp survivor, who lost his parents and sister and brother at Auschwitz.

The culprit was Ruben Martinez-Zucarino, who was seen holding a blue felt-tip

## Movie 'Shell Shock' metaphor for today

*Shell Shock* is the story of a career officer and a young soldier who share a hospital room, suffering the effect of the emotional traumas resulting from their battle experiences during the 1973 October War with the Arabs.

The film deals with each man's struggle to recover his shattered identity. In a society that for two generations has relied on military or "macho" values, each man tries to recover his former self, but now they must find new ways to cope. This story is, as director Sharon says, "a metaphor for Israel today."

*Shell Shock* is based on the personal experience of the film-maker, Yoel Sharon, during the 1973 October War. On the last day of the War, Sharon led his paratrooper platoon into the city of Suez, where an Egyptian ambush practically wiped it out and left Sharon disabled. Only three men survived.

pen with which the swastika had been drawn. When Kowalski grabbed at Martinez-Zucarino, he was stabbed repeatedly with a fork and scissors and beaten over the head with a religious statue. The assailant confessed to police that he had painted the swastika.

rabbis — Sam Silver — and Elaine, who we always think of as the assistant rabbi. All of us get older, but not Elaine.

A sideline at rabbinical and other conventions are the display rooms. Anyone who loves Jewish art ought to make it a point to visit them. We'll tell you about three of the exhibits in a later "chair."

## Rabbi 'marries' gay men, not odd in S. Francisco

**SAN FRANCISCO** — The wedding cake bore two males and the chuppah consisted of a multicolored gay freedom flag, and other than the fact that the wedding united two men who had been living together in love for seven years, it was a Jewish simcha. Rabbi Allan Bennett, who himself is gay and who serves Congregation Ahavat Shalom, one of two of the city's synagogues with outreach to gay and lesbian Jews, omitted the phrase "according to the laws of Moses and Israel" from the ceremony. The rabbi explained to Winston Pickett of The Northern California Jewish Bulletin, that "It is not a Jewish ceremony. To call it such would be hypocritical. I call it Jewish-style."

The ceremony joined Jay Schnyder and Allan Grill. Schnyder is a 35-year-old Berkeley tax accountant whose family was Reform, while Grill spent eight years at an Orthodox day school in his native Brooklyn, but is now non-observant. Grill is a licensed marriage, child and family counselor. He told Pickett that Jewish culture still exerts a strong pull on his life.

Rabbi Bennett has performed a number of gay marriages, but only in private, while this one was at the Brazilian Room at Berkeley's Tilden Park.

The city's other gay rabbi is Yoel Kahn of Congregation Sha'ar Zahav who said that some gay couples in his congregation have lived to-

Continued on page 6

**"'SHELL SHOCK,' A NEW ISRAELI FILM, IS VITAL, TIMELY AND ALIVE...FULL OF IMPORTANCE FOR ALL OF US."**

—HOLLYWOOD REPORTER

**"AN IMPRESSIVE ACHIEVEMENT."**

—LOS ANGELES TIMES



When the war ended, his battle had just begun

# SHELL SHOCK

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## Editor's chair

Continued from previous page  
you'll read elsewhere in this issue with Dr. Gottschalk.

If anyone were to inquire who is the most popular of all the professors at HUC-JIR, there would be no contest. He is Jacob Rader Marcus. Each time his name was mentioned, the round of applause was deafening.

We cannot overlook one of our favorite

# Holocaust memorials mean different values everywhere

JERUSALEM — Holocaust memorials take their cue from the countries in which they are established and each represents the deaths of 6 million Jews and 9 million others with emphases that mean most to the host country, and that includes Israel too.

This was the gist of an article in The Jerusalem Post by S.T. Meravi, who interviewed James Young, whose book, "The Texture of Memory: Holocaust Memorials and Meaning in Europe, Israel and America", will be published in 1991 by Yale University Press. His "Writing and Rewriting the Holocaust" was published last year by the Indiana University Press.

Depending on the interests of the host country, that is what the Memorials represent. As good an example as any is the monument to the Warsaw Ghetto Memorial. "Consider the most famous of the memorials, Nathan Rapoport's monument to the Warsaw Ghetto Uprising. We're talking about a Jewish event, but the Jewish iconography of the sculpture is minimal. And that's in keeping with the fact that the Poles use that monument as a symbol of Polish national resistance during the war."

Continuing, he pointed out that "all sorts of events are staged there. When foreign dignitaries visit, they're taken to lay wreaths there. So what is Jimmy Carter commemorating when he's a guest of the Warsaw government and he's brought to place a wreath at the Ghetto memorial? What does it mean when

Yasir Arafat does the same? This is what I mean by the consequences of what we do with the Shoah.

"If Holocaust memorials in Poland signify resistance, in Germany they serve as rallying points for anti-war sentiments. And in the U.S. they underscore American values," he said.

The same goes for American memorials. "Nathan Rapoport's monument in Liberty Park, N.J., for example, shows a G.I. rescuing a concentration camp survivor. That in fact is how America sees its connection to the Shoah — as liberators...The memorial is about freedom and liberty, American values."

Continuing, he used the Wiesenthal memorial and even the Holocaust Museum in Washington, to buttress his theory. "Similarly the museum at the Wiesenthal Center in Los Angeles is called the Museum of Tolerance, another American value. And look what's happening with the proposed Holocaust museum and memorial in Washington. It's paralyzed by internal dissension because the planners can't agree on whose Holocaust they're supposed to commemorate."

"When Jimmy Carter established the commission to create the museum, he charged it with memorializing the '11 million victims' of the Nazi Holocaust. That was a signal, and a people picked up on it. Russian-Americans, Ukrainian-Americans and Polish-Americans want

their martyrs singled out. Armenian-Americans are lobbying for the museum to commemorate 'all Holocausts.' In the end the museum is going to be highly pluralistic, because pluralism is yet another sacred American value."

He then was asked about Israel Holocaust institutions.

"Well, not surprisingly, the emphasis here is on heroism and rebirth. Nowhere else do Holocaust museums go beyond the liberation of the camps. Here you see the continuum of persecution, resistance, liberation, rebirth in Israel. Yad Mordecai is a good example, with the Warsaw Ghetto tied right in to the defense of the kibbutz in the War of Independence. Look at their statue of Mordechai Anielewicz. It's Michelangelo's David, the heroic David of Israel."

"You get the same idea at the Kibbutz Lohamei Hagatot museum. I think two of the 12 sections of that museum deal with the persecution and the other 10 celebrate resistance. In the same ways, we don't have a 'Holocaust Day' in Israel, we have a day to commemorate the 'martyrs and heroes.' I'm not deriding this. I think it reflects the constructive Israel memory, and I certainly prefer it to European memorials that show only destruction, with nothing before or after. I'm just pointing out how all governments and institutions remember their own Shoah."

## Israel priority for Jews leaving Russia, says ADL

NEW YORK — The Anti-Defamation League of B'nai B'rith has entered into the dispute about the Russian Jews who leave the Soviet Union and come to the U.S. instead of going to Israel, with a confusing move. The ADL is urging the American Jewish Community to give "priority and resources" for the emigration of Soviet Jews to be directed toward their resettlement in Israel.

Abraham H. Foxman, the ADL's national director, said the new policy "in no way contradicts ADL's long-standing commitment to freedom of choice for Soviet Jews."

The diaspora and the

Jewish Agency are split on the question, with the Agency contending that Jews leaving Russia should go to Israel.

The ADL's statement by its National Commission, according to Foxman, "reflects the fact that we are moving closer to the day when true freedom of choice becomes available for Soviet Jews, when those seeking leave can obtain exit visas for the country of their choice - Israel, the U.S., or anywhere else. Recognizing that entry visas to the U.S. and resettlement funds are both limited, the American Jewish Community's first concern must be to assist those Soviet Jews wishing to settle in Israel."

## Rabbi Meyer Marx dies in Sarasota

SARASOTA, FL. — Rabbi Meyer H. Marx died here at the age of 77. He was the retired spiritual leader of Temple Emanu-El here. He had served on the faculty of the University of Tennessee and with the Chautauqua Society.

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## Reform, Conservatism building in Russia

NEW YORK — Both the Reform and the Conservative Movements are setting up activities in the Soviet Union and establishing landmark organizations.

The Union of American Hebrew Congregations has just published a 16-page Russian-language pamphlet entitled, "What is Reform Judaism?". The pamphlet provides an elementary introduction to Reform Judaism.

At the same time, Franklin D. Kreutzer, international president of the United Synagogue (Conservative) is in Russia establishing a Conservative presence in both Moscow and Leningrad.

## Negotiate with PLO, ad advises Israel

VANCOUVER — Seventy-five Jewish artists and cultural workers here have called on Israel to negotiate with the PLO and accept the possibility that "these negotiations might eventually lead to the creation of a Palestinian State."

The statement, which appeared in an advertisement in The Jewish Bulletin here, asserted that "The tragic situation in the West Bank and Gaza is tearing the hearts of Jews in Israel and the Diaspora. The time has come for Israel to face reality. The bloodshed must stop and the aspirations of the Palestinian people must be paid attention to."

## What worries Jews most: will children be Jewish?

BOSTON — Intermarriage figures on the East Coast will skyrocket as they have on the West Coast once the single baby boomers reach marriage age, predicts social-researcher Gary Tobin of Brandeis University. Tobin made the statement as the final speaker in a three-year series that began with a collaborative effort between the Bureau of Jewish Education here and Brandeis. According to the Boston Jewish Advocate, Tobin's underlying message was that Jews were concerned mostly with their children and grandchildren remaining Jewish. In a report by Joyce Leffler Eldridge, the paper stated that when Jews state they want "a good Jewish education" for their children, they really mean they don't want them marrying non-Jews when they grow up.

Tobin said that the expenditure by the American Jewish community of \$500 million a year for Jewish education tells Jewish educators, "Make sure our children and grandchildren are not goyim."

Tobin has a solution:

Link synagogues, Jewish community centers and Jewish camps in an informal phase of Jewish education, including trips to Israel. Thus, major donors will begin to shift their funding radically toward informal education options, believing these are the best way to instill or reinforce Jewish identification.

Tobin urged more aggressive outreach to intermarried couples, pointing out that "most Jews do not convert out and the Jewish partner does not want his children to be raised Christian. He added that the fastest-growing part of the Jewish population is Jews married to non-Jews."

Tobin is not wedded to only one solution. He suggests a "user fee" as a possible alternative to synagogue and Jewish Center dues. He believes this approach fits the consumer mentality with which Jews regard their memberships today.

Referring to the fact that many families join congregations only to have their children bar or bat mitzvah, he said, "If we don't hook them, we'll lose them after six years."

## Cartoon draws ire of editor

PHILADELPHIA — A cartoon in the Philadelphia Inquirer showing a woman reading a newspaper and saying to her husband, "Imagine...hundreds of people killed for demanding basic political rights" and he responding that "The

news from China is awful" bringing the answer, "I'm reading about the West Bank" has irked the editor of The Jewish Exponent. The paper called the cartoon "mean-spirited, unfair and unwarranted."



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## Patrilineality on the bloc?

A proposal that could in time bridge the gap between Orthodoxy and Reform, and then of course Conservatism, has been made by Rabbi Alfred Gottschalk, the president of Hebrew Union College-Jewish Institute of Religion.

Until now, every occasion on which either unity among the various wings of Judaism was discussed or the schism which in some quarters has been voiced, everything was in generalities. Now we have a specific and by an, if not the, authority in Reform.

Rabbi Gottschalk in his taped interview in this issue of the P-O makes a precise and definitive offer to the Orthodox. Reform, as represented by him, is willing to discuss — forgo patrilineal descent if Orthodoxy is prepared to accept Reform.

It is as plain as that.

So we have a start.

There are other significant differences that divide Orthodoxy and Reform. Plus, one declaration doesn't make a peace agreement. There is the question of a Jewish divorce. But at least a significant start has been made.

Until now, there has been much bewailing of the differences but little action, with the irrevocable schism in Judaism predicted by some by the year 2000, only 11 years away. But with President Gottschalk's offer, we now have a basis for starting negotiations.

The assumption is that Conservatism and Reform have no unbridgeable differences between them, so that if Rabbi Gottschalk's concession leads to actual bargaining with centrist Orthodoxy, we have the makings of a united American Judaism. (The ultra-Orthodox cannot be expected to make even the least concession, but the centrists have indicated more than once a readiness to seek avenues for reconciliation in American Judaism)

A scenario such as presented in this editorial obviously will be challenged. But it cannot be gainsaid that a new ingredient has been thrown into the cauldron.

Gottschalk's statement, we hope, will engender a like response from his colleagues in Orthodoxy. The opportunity presented should not be rejected out of hand. That would be a terrible disservice.

Whether CLAL or even the American Jewish Committee or any national Jewish organization, or a coterie of them, now get involved in one way or another, the opportunity should not be lost.

## Neusner pans museum for dropping exhibit

WASHINGTON — Jacob Neusner, a member of the National Council on Arts, last week denounced the decision of the Corcoran Gallery of Art to cancel a planned photographic exhibit: "Robert Mapplethorpe: The Perfect Moment."

The council is an advisory body to the National Endowment for the Arts.

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Corcoran director Christina Orr-Cahall, said the decision to cancel was mostly due to concern over public funds supporting controversial art. The exhibit contains sexually explicit photographs.

Neusner said that the museum, once it had decided the work artistically merited showing, should not have backed out.

An unfortunate issue has cast a cloud over our coverage of this year's convention of the Central Conference of American Rabbis. As is usually the case, dating back to the convention at Estes Park, Colo. perhaps 30 years ago, we were the only Jewish paper represented at Cincinnati except for the local American Israelite, and year after year we have personally represented the P-O at the CCAR conventions. And the expressions of confidence have been mutual.

But not this year.

There were 13 sessions scheduled for 7:30 a.m. Friday, and we marked the ones on cults and the task force on women in the rabbinate in our program as the two we would try to cover. There were several women rabbis in the Wolverine Room of the Hyatt Hotel when we sat down, and then Rabbi Mark L. Winer, who succeeded our Rabbi Maurice Davis at the White Plains (N.Y.) Jewish Community Center, entered. As he saw us, he said we would have to leave.

This was a shock.

It recalled the time some 25 years or so ago at the convention of the Rabbinical Assembly (Conservative) at the Park Synagogue in Cleveland when at one of the sessions a hastily-scribbled sign was attached to the door stating "executive session." Since nothing on the program indicated that it was other than a regular part of the program, we protested, but in vain. We left the convention and have never covered a convention of the Conservative rabbinate since then.

When Rabbi Winer told us to leave, we resisted, suggesting that we discuss the matter. He not only refused, but stated that the executive vice president, Rabbi Joseph Glaser, with whom we have up until now had such a good relationship, had confirmed that we were to be barred.

In cases like this, as an editor we could have made provision so that our report could have been viewed by Rabbi Winer and a discussion between us might have persuaded us to change some of the wording, and even delete portions that could have led readers to wrong conclusions. We do not permit that kind of "censorship" with any of our reporters but as the editor, we do make that concession occasionally when intricate matters are discussed.

So we left the room, but we could not contain ourself and blurted out to the few women rabbis in the room that this is the

kind of treatment that women rabbis are receiving.

We had an appointment with Rabbi Gottschalk at the HUC campus, but we checked out of the hotel, and after the interview, we headed for home.

There were some outstanding characteristics of this — the centennial of the CCAR — convention and one was that it lasted almost a full week. That gave the rabbis time to incorporate all the facets of their work and their interests without the rush that usually marks a Jewish convention. The convention opened Wednesday morning and closed at noon Monday. So from early morning to late at night, the rabbis met and talked and listened and argued and prayed and studied. Yes, they studied, for a full day was spent at HUC's campus where 22 different classes were held morning and afternoon, conducted by the faculty.

It was surprising, but we should have anticipated it, how few of the younger rabbis we know. The oldtimers are almost all our friends, since we run into them often from time to time, but still it was something of a shock to walk through the corridors or sit in a session and find that although we knew their predecessors, the newer rabbis are strangers to us as we were to them.

Few of the rabbis wore yarmulkes; and that has us confused. We know that Reform has almost institutionalized return to ritual, yet in past conventions we were able to note increasing numbers from year to year of yarmulkes.

Rabbi Glaser revealed a new aspect of his abilities when he recounted in a talk studded with humor the lives of each of the presidents of HUC, beginning, of course, with Rabbi Isaac Mayer Wise. He can count among his other achievements the ability to bring laughter to audiences. He didn't spare the presidents either, pointing up some of their idiosyncracies, but with a loving touch. When he reached Rabbi Julius Morgenstern, he might have included that he was the first to acknowledge the legitimacy of Zionism. We interviewed him at a time when Zionism was more or less verboten in Reform, and he came out in favor of Zionism. We copyrighted that interview and the New York Times reprinted it word for word, giving us credit. Now we are copyrighting the interview

*Continued on next page*

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## Teen tour

A teenage volunteer training program will be held from 9:15 a.m. to 3:15 p.m., Wednesday, July 5, at Jewish Center for Aged of Greater St. Louis. The JCA is a 276 bed geriatric facility located at 13190 South Outer 40 Road, in the city of Town and Country.

The training program will include a tour of the JCA, the opportunity to meet with JCA staff members, film, interaction with the Center's residents, a simulation program so that teenagers can experience firsthand how it feels to be "old for a day" and a free luncheon. Those teenagers who have previously been through the JCA's training program may call the Center

for immediate placement.

For information or to register, contact Dorothy Goldstein, volunteer coordinator, 434-3330, ext. 235.

## Elderhostel

More than 40 senior adults from across the country got a taste of college life recently at Washington University in St. Louis. The seniors participated in an Elderhostel program that provides short-term college experiences for adults 60 and over. It is sponsored by Washington University, Jewish Community Centers Association (JCCA) and Elderhostel Inc., which is based in Boston.

The senior adults lived in a Washington University resi-

dence hall and attended classes on Judaism, which were taught by Washington University faculty. They also participated in a variety of extra-curricular activities.

The seniors in the program are an active and diverse group ranging from a retired nuclear engineer who now does maintenance work at his wife's nursery school, to a former Brentwood (Mo.) High School counselor who survived the Holocaust.

## BBYO officers

Seventy-six youths from the B'nai B'rith Youth Organization (BBYO) in St. Louis traveled to Omaha, Nebraska, recently for a Mid-America

## 'Gatekeeper'

*Continued from page 2*

pate in the program.

"The Gatekeeper Program is a recent addition to Union Electric's 'Energy Plus,' a group of special community service programs we support to address individual needs and respond to the Company's shared responsibility for the customers and communities it serves," says Kim Homeyer, Union Electric's Gatekeeper Program Coordinator.

"There are many people we are not reaching," says Mary Schaefer, Mid-East's Director of Planning and Development. "This is one way to work with a local company to find people who might need and benefit from our services."

## Directors

*Continued from page 2*

community's fastest growing population, the elderly.

Weintraub has a bachelor's degree in history from the State University of New York-Binghamton, and earned his MSW degree from the University of Pennsylvania. He is a member of the academy of certified social workers.

## Expansion

*Continued from page 2*

400 nursing home beds, an increase of 124 from its present size. Also on the plan is a multi-purpose facility which would incorporate a synagogue, recreation therapy area, adult day services and extension to the service building to hold a new kitchen. The addition would add 69,800 square feet to the Center.

Regional convention. The delegates participated in elections, held services, and had an explosive time with a group from Chicago called the Explosive Rockers.

Newly-elected officers to the Regional Board from St. Louis include Lenny Minkovich, regional secretary and treasurer; Dan "Pooky"

## Blacks, Jews

*Continued from page 3*

felt a sense of renewal. There were few illusions that the road ahead would be easy but realistic criteria for reenergizing the coalition were articulated.

Participants recognized that to successfully accomplish these goals requires two-way cooperation. This confer-

## Ethnic

*Continued from prev. page*  
questioned the family representatives about the worth of the forums, the effectiveness of the materials meant to aid them and their families, and the ways in which existing programs could be made more useful. Recommendations emerging from these investigations included these:

1) Printed and audio-visual material must reflect the cultural values and perspectives of the religious or ethnic group being addressed. Pre-packaged programs meant to disseminate information on caregiving must be adapted to the audience's cultural background.

2) Forums and similar programs designed to provide information to caregivers within ethnic and minority communities must be directed by a person who understands the needs of the participants, recognizes their cultural mores, and can translate information into terms they understand.

3) Before carrying out caregiver programs for ethnic and minority groups, group leaders must engage in extensive pre-planning, including: identifying the structures and systems within the community; getting the support of key community leaders; raising the consciousness of the community about caregiver issues in general; surveying the community to determine what needs exist, and, in cooperation with the community's leaders, developing educational goals that are reachable.

The study's findings, "in-

Loiterstein, regional reporter; Larry Weinberg, regional Judaic chairman; Jennifer Rothman, regional vice president; Joanna Sterneck, regional Judaic chairman; and Julie Pomerantz, Winter Regional coordinator.

All current BBYO members are encouraged to begin re-registering for the 1989-90 program year, at a cost of \$20.

ence — held on the campus of one of America's oldest and most respected predominantly black institutions of learning — was surely a step in the right direction.

*(This article is reprinted from the May 1989 issue of the ADL Bulletin, national publication of the Anti-Defamation League of B'nai B'rith.)*

dicating clearly that public and voluntary agencies must develop new marketing techniques if their important educational materials are to reach ethnically diverse people," Giordano said. "The voluntary and public sectors can learn from the success of the advertising industry, which is learning that products sell when negative stereotypes are transformed into relevant cultural images."

Similarly, Dobrof found that "the range of different ethnic groups portrayed in the video, 'In Care Of: Families and Their Elders,' attests to the universality of stress and satisfaction, as well as to the service needs of family caregivers. The caregiver study, which utilized our video, highlights the importance of ethnically sensitive communications strategies that enable us to reach those family caregivers."

"This study illustrates the critical need to increase awareness about caregiving in our ethnic and religious organizations," Hayes added. "The study establishes an understanding of how community organizations can play a role in supporting ethnic and minority caregivers who often do not have access to the aging network."

The American Jewish Committee is this country's pioneer human relations organization. Founded in 1906, it combats bigotry, protects the civil and religious rights of Jews here and abroad, and advances the cause of improved human relations for all people everywhere.

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## Family policy

*Continued from prev. page*

tor to single-handedly take on the financial responsibilities for successful family programs.

"There needs to be a synergism of funds from both the public and private sector for considerations revolving around the family. We are on a desperate course and there is a very delicate balancing act that is needed."

E. Robert Goodkind of Westchester, former chairman of the Advisory Board of AJC's William Petschek National Jewish Family Center, AJC's Family Policy Task Force and its Jewish Communal Affairs Commission, chaired today's meeting.

"Our work in the AJC Task Force on Family Policy identified family as a bridge issue between liberals and conservatives," he said. "We need be concerned both with advocating new programs to strengthen families and with affirming family values. Partnerships between public and private sectors are essential to realizing those twin sets of goals."

At the meeting, Bubis was presented with the William Petschek National Jewish Family Center Award in recognition of his exceptional contributions to the strength and stability of the American family.

Judith E. Obermayer of Boston made the presentation.

Bubis, a leader in the area of Jewish social thought and family policy planning, has sought to shed light on the challenging issues facing the American family and the Jew-

ish community including intermarriage, divorce, single-parent families, the changing demographics of the Jewish population and the role of women in American Jewish life. His writings, research and teachings have served as invaluable resources for those involved in Jewish communal service.

The William Petschek National Jewish Family Center was created by the American Jewish Committee in 1979 as an expression of its commitment to the family as an indispensable social institution for maintaining and enhancing Jewish identity, communal stability and human fulfillment. Its goal is to promote research on family problems, help clarify family values and stimulate the development of innovative programs to help meet the needs of parents, would-be parents and their children. It also strives to encourage an awareness and responsiveness to those needs in the Jewish and general communities. Steven Bayme is director of the Center.

The American Jewish Committee protects the rights and freedoms of Jews the world over; combats bigotry and anti-Semitism; promotes human rights for all; works for the security of Israel and deepened understanding between Americans and Israelis; defends democratic values and seeks their realization in American public policy; enhances the creative vitality of the Jewish people. Founded in 1906, it is the pioneer human-relations agency in the U.S.

# Are religions ever traditional? — part II

By JACOB NEUSNER

(Part two of a three-part series.)

I treated as an axiom the formal and putative autonomy of systemic thought,



which is so represented as if it begins *de novo* every morning, in the mind, imagination, and also conscience, of the system-builders. But what of what has gone before: other systems and their literary, as well as their social, detritus?

Let us turn to the relationships to prior writings exhibited by systematic and traditional authorships, respectively.

How do we know the difference between a system and a tradition in respect to the reception of received systems and their writings? The criteria of difference are characterized very simply. A systematic authorship will establish connections to received writings, always preserving its own autonomy of perspective. A traditional authorship will stand in a relationship of continuity, commonly formal, but always substantive and subordinate, with prior writings. The authorship of a document that stands in a relationship of connection to prior writings will make use of their materials essentially in its own way.

The authorship of a document that works in essential continuity with prior writings will cite and quote and refine those received writings but will ordinarily not undertake a fundamentally original statement of its own framed in terms of its own and on a set of issues defined separately from the received writings or formulations. The appeal of a systematic authorship is to the ineluctable verity of well-applied logic, practical reason tested and retested against the facts, whether deriving from prior authorities, or emerging from examples and decisions of leading contemporary authorities.

A traditional authorship accordingly will propose to obliterate lines between one document and another. A systematic authorship in the form of its writing ordinarily will not merge with prior documents. It *cites* the received writing as a distinct statement — a document “out there” — and does not merely allude to it as part of an internally coherent statement — a formulation of matters “in here.” The systematic authorship begins by stating its interpretation of a received writing in words made up essentially independent of that writing, for example, different in language, formulation, syntax,

originality of authorships that pretend to receive and transmit, but in fact imagine and invent.

A traditional document (therefore the mind and the religious system that it represents) recapitulates the inherited texts; that defines the traditionality of such a writing. A systematic writing may allude to, or draw upon, received texts, but does not recapitulate them, except for its own purposes and within its idiom of thought. Traits of order, cogency, and unity derive from modes of thought and cannot be imposed upon an intellect that is, intrinsically, subordinated to receive truth. A tradi-

*From the Pentateuch to the Bavli, Judaic authorships presented not stages or chapters in an unfolding tradition but closed systems, each one of them constituting a statement at the end of a sustained process of rigorous thought and logical inquiry, applied logic and practical reason.*

and substance alike.

The marks of independent, post facto, autonomous interpretation are always vividly imprinted upon the systematic authorship's encounter with an inherited document. Such a writing never appears to be represented by internal evidence as the extension of the text, in formal terms the uncovering of the connective network of relations, as literature a part of the continuous revelation of the text itself, in its material condition as we know it “at bottom, another aspect of the text.” Not only so, but a systematic statement will not undertake the sustained imitation of prior texts by earlier ones. And even when, in our coming survey, we find evidence that, superficially, points toward a traditional relationship between and among certain texts that present us with closed systems and completed, systematic statements, we should, indeed, be struck by the independence of mind and the

tional writing refers back to, goes over the given.

The system for its part not only does not recapitulate its texts, it selects and orders them, imputes to them as a whole cogency that their original authorships have not expressed in and through the parts, expresses through them its deepest logic. The system — the final and complete statement — does not recapitulate the extant texts. The antecedent texts — when used at all — are so read as to recapitulate the system. The system comes before the texts and so in due course defines the canon. But in introducing the notion of canon, I have moved far beyond my story. At this point it suffices to claim that the thought processes of tradition and those of system building scarcely cohere. Where applied reason prevails, the one — tradition — feeds the other — the system — materials for sustained reconstruction.

The statement of a system

is worked out according to the choices dictated by that authorship's sense of order and proportion, priority and importance, and it is generated by the problematic found by that authorship to be acute and urgent and compelling. When confronting the task of exegesis of a received writing, the authorship of a systematic statement does not continue and complete the work of antecedent writings within a single line of continuity (“tradition”). Quite to the contrary, that authorship makes its statement essentially independent of its counterpart and earlier document. In a systematic writing, therefore, the system comes first. The logic and principles of orderly inquiry take precedence over the preservation and repetition of received materials, however holy. The mode of thought defined, the work of applied reason and practical rationality may get underway.

First in place is the system that the authorship through its considered, proportioned statement as a whole expresses and serves in stupefying detail to define. Only then comes that selection, out of the received materials of the past, of topics and even concrete judgments, facts that serve the system's authorship in the articulation of its system. Nothing out of the past can be shown to have dictated the systematic program, which is essentially the work of its authorship. The tradition is ongoing, and that by definition. Then, also by definition, the system begins exactly where and when it ends.

Where reason reigns, its inexorable logic and order, proportion, and syllogistic reasoning govern supreme and alone, revising the received materials and restating into a compelling statement, in reason's own encompassing, powerful, and rigorous logic, the entirety of the prior heritage of information and thought. From the Pentateuch to the Bavli, Judaic authorships presented not stages or chapters in an unfolding tradition but closed systems, each one of them constituting a statement at the end of a sustained process of rigorous thought and logical inquiry,

applied logic and practical reason. The only way to read a reasoned and systematic statement of a system is defined by the rules of general intelligibility, the laws of reasoned and syllogistic discourse about rules and principles.

And the correct logic for a systematic statement is philosophical and propositional, whether syllogistic or teleological. The way to read a traditional and sedimentary document by contrast lies through the *ad hoc* and episodic display of instances and examples, layers of meaning and eccentricities of confluence, intersection, and congruence. But I maintain that tradition and system cannot share a single throne, and a crown cannot set on two heads. Diverse statements of Judaisms upon examination will be seen to constitute not traditional but systemic religious documents, with a particular hermeneutics of order, proportion, above all, reasoned context, to tell us how to read each document. We cannot read these writings in accord with two incompatible hermeneutical programs, and, for reasons amply stated, I argue in favor of the philosophical and systemic, rather than the agglutinative and traditional, hermeneutics.

Whatever happens to thought, in the mind of the thinker ideas come to birth cogent, whole, complete — and on their own. Extrinsic considerations of context and circumstance play their role, but logic, cogent discoursed, rhetoric — these enjoy an existence, an integrity too. If sentences bear meaning on their own, then to insist that sentences bear meaning only in line with their associates, their friends, companions, partners in meaning, contradicts the inner logic of syntax that, on its own, imparts sense to sentences. These are the choices: everything imputed, as against an inner integrity of logic and the syntax of syllogistic thought. But there is no compromise.

As between the philosophical heritage of Athens and the hermeneutics of the Judaic tradition known from classic times forward, I main-

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# An interview with Alfred Gottschalk

**Hebrew Union College-Jewish Institute of Religion president talks about Jewish unity, offers to discuss patrilineality, tells of efforts of recruiting rabbinical students and his view of the intifada.**

GABRIEL M. COHEN: If you were empowered to bring about a reconciliation between the four wings of Judaism, what would be the actions you would take?

A. Would you be willing to alter patrilineal descent if that became a stumbling block to a reconciliation?

B. Assuming that the Orthodox were willing to compromise, would Reform also be ready to make concessions?

GOTTSCHALK: You know, Gabe, I'm both a realist and an idealist and when I look at Jewish history and I wonder what Yochanan Ben Zaccai would have answered if you had asked him to reconcile the Pharisees, the Sadducees, the Essenes, and the Kach movement of its day, the Siccarees, the Qumran people. I think there is a diversity in Jewish life that's legitimate, that really doesn't need to be reconciled. We always have had in our tradition different readings of the nature of G-d, human destiny, politics, the view of the priest, the view of the Prophet. We've had the view of the sage, the chacham in the Bible. We've had the view of the rabbi from the rabbinic period, different kinds of approach of a scholar class, and this is just the nature of things. Therefore I think the differences in Jewish life reflect different readings of the will of G-d or the meaning of Torah.

GMC: Therefore you don't feel with, say Yitz Greenberg, that we're 11 years away from a big schism that'll split the Jewish community apart.

GOTTSCHALK: No, there are periods in Jewish history that were more schismatic than ours is. I think what holds us together here in this country is the framework of democracy, that we choose to be Jews on our own level of significance and meaning. No one tells you what it is to be a good Jew. There are people who say, this is the way to become a fulfilled Jew, this is the way you can do more mitzvahs, but there is no authority in a democracy because of the separation of church and state that can compel religious assent, and I think that's tremendous. That's the difference.

GMC: Have you participated, you must have, in any meetings over say the past 5 or 10 years with Conservative and Orthodox on this question?

GOTTSCHALK: Orthodox, I have received very few invitations, very very few.

GMC: I'm talking about meetings of all three.

GOTTSCHALK: The only meetings of all three that I was part of had to do with the problems that related to the Law of Return and its proposed amendment, and from time to time we would meet to discuss a common approach to a problem. For example, Norman Lamm, Ismar Schorsch, and before him Gerson Cohen and I, and Manny Rackman, we'd meet informally.

GMC: Do you still meet?

GOTTSCHALK: We talk—all the time. Sure. We talk to each other about what's real and what's not, yes.

GMC: So you really have never sat down with the other 3 wings of Judaism and discussed how, for instance, let's say the Denver Program of conversions worked.

GOTTSCHALK: Well people in the Union have and people in the Conference have, and there have been some professors of our faculty. There have been such discussions, yes.

GMC: In connection with the Denver program, the big concession it seems to me was made by Reform rabbis, because the actual Bet Din that accepted the converts was made up only of the Orthodox. That is doing exactly what yesterday both Rabbi Karpf and Joe Glazer were telling the reporters that Reform could not make any kind of concessions that would delegitimize Reform. It seems to me that that did delegitimize Reform, although to me, that's a minor concession—but I'm not a rabbi.

GOTTSCHALK: Well, it's also a local accommodation.

GMC: There has never been any criticism of it, never any public criticism, not by you, I'm sure.

GOTTSCHALK: No. I don't think it's to be criticized. Let's see what happens here for a while. I don't really, it doesn't matter to me, if the Bet Din works, we're working on a problem now where we hope to get a common denominator established for conversion for people who are considering aliyah. That started with Golda Meir in her day, when she sent around the world the Minister of Religion, Raphael. And we met with him in New York, and that was followed by discussions with Yitzhak Rabin and then with Menachem Begin, with Shimon Peres and with Shamir, with whom we met on several occasions on this

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question. And the ball keeps bouncing back from Israel to the Diaspora, because it is essentially a Diaspora problem. But the legitimacy has to be recognized in Israel, and I'll put the legitimacy in quotes.

GMC: Is there a meeting of minds in the Diaspora?

GOTTSCHALK: There is a greater meeting of minds in the Diaspora than we have imagined possible. There is one question I think that is a very very serious obstacle. And that's the question of patrilineality, which I would not want to change. Because I think it's an authentic Jewish position, and I'd like to give you my reasons why I wouldn't want to change it. It's an authentic Jewish position because throughout the times of Biblical Judaism your lineage was determined according to bet avicha, your father's house. So it's bet avicha. When historic circumstances demanded, required for humane reasons, a change in that,

because Palestine was overrun by the Roman Empire, and one seized Jewish women and there were children brought into the world, one always knew who the mother was. One didn't always know who the father was. So matrilineality became Halachically the way to identify a child. I don't think they meant to do away with patrilineality. There was no abrogation of patrilineality. They just added matrilineality. Now, I think today where the circumstances require us because of the modern world in which we live where you do have Jewish fathers and you may have non-Jewish mothers, and the child may be reared by a Jewish father in the same conscientious way that a Jewish mother would rear a child in a family where there is a non-Jewish father, so patrilineality was a way of maintaining more Jews.

GMC: What about a little concession on patrilineality that's been discussed, which would be a symbolic conversion? If that concession were made, I think the Orthodox might yield.

GOTTSCHALK: Symbolic conversion is like being a little bit pregnant. I don't know what it is. You're either converted or you're not converted. You require it or you don't require it.

GMC: Has that been discussed in Reform circles?

GOTTSCHALK: No it's never been broached seriously. I had a long talk about matrilineality with a number of Orthodox rabbonim. And I was really surprised at the lack of hostile reaction. They objected to a number of things. They objected to the way we did it. There I agree with them. That we did not take the time to educate others to our point of view. We sprung it on the Jewish community. It wasn't meant to be that way, it just happened that way. Because there had been a committee at work for a couple of years before this surfaced, and it surfaced because of lay pressure primarily within congregations where this phenomenon is rampant. We didn't create the problem. This is another aspect that I try to tell my Orthodox friends—we didn't create the modern world. We're trying to live in it the way you are. We have a different way of living in it, but we're not permissive in our ways, we don't want our children to intermarry, we don't want to lose our future generations any more than any Jewish parent who is not Reform does. That's not the problem. The problem is how you accommodate with modernity.

GMC: Yes but when Israel made peace with Egypt, Israel had to make concessions. You remember the big fight when the colonies in the Sinai Peninsula refused to vacate!

GOTTSCHALK: Gabe, if the Orthodox would say to us, you give up patrilineality, and we'll accept your rabbis as authentic Jewish rabbis, we will accept Reform Judaism as an authentic Jewish Movement, which they didn't do before we had patrilineality, but if they were to make such a gesture, I would say sure. Let's talk.

GMC: There are, I presume, a number of pulpits that are not being filled because of the lack of Reform rabbis to fill them. That's been a continuing situation, I still presume, because you could probably tell me within almost five how many such pulpits there are. I know they are not the major pulpits. But that means not enough students are applying and being accepted in your rabbinical school. Are you working on that problem? I presume you are.

GOTTSCHALK: Yes, we have now established a Joint Commission with CCAR and with the Union on the question of how to replenish really in a way, the Jewish professions. We are not only talking about the rabbinate. We're going to have within the next decade 5,000 Jewish civil servants retiring. From Federations and Welfare Funds, and so on. Where are we, as communities, going to get the replacements for these?

GMC: Did you put Babis to work?

GOTTSCHALK: Yes. When I was Dean of the L.A. school, at that time Bert Gold was still out there and Sandy Solender was still out there, and we and Dr. Karpf, Maurice Karpf, and Maurice bugged all of us, and said now is the time for another experiment. Now is the time for another school of Jewish communal service. And it's not New York, it's L.A. where it should be. And he persuaded me, and I went to work on it and persuaded Dr. Gleuck and Dr. Solender who was then the provost and they told me to bring it to the long-range planning committee of the college which was headed by the then-president of Federated, Fred Lazarus, Jr. And they said like you would in a business, do a feasibility study. So Burt Gold and Solender and some others did an independent feasibility study, and concluded

that indeed such a school would be needed and now is the time to build it, and the college gave me the authority to recruit a director. And Jerry Bubis who was Director of the Jewish Federation in Long Beach, he and I were at the first International Congress of Jewish Communal Service in Jerusalem. I had a list of guys I wanted to meet. And I'm in a gallery standing next to a guy looking at some pictures. I said I'm Fred Gottschalk. He said, I'm Jerry Bubis. I said we're looking for you. I never went down the list. You know, it was very unprofessional of me I guess, but I just thought after meeting him and talking to him for literally a day that he was the guy. And he did. Now we're looking for a successor. Jerry is retired. We had a beautiful day for him in L.A.

GMC: I ran into him a few months ago, I think it was in Tampa. Yes it was in Tampa. You know he was delivering the sermon that Friday night at the Reform temple. And I walked in and just sat down, but he recognized me. Meanwhile, let's go back to the subject.

GOTTSCHALK: So we also have to replace Jewish communal servants. So we have a school of Communal Service.

GMC: What are you doing that will bring, in view of your expertise, let's discuss it on the rabbinical end.

GOTTSCHALK: We're doing the same thing on all three levels: Jewish education, Jewish communal service, we have a full school of Jewish education to which the Wexner Foundation has just made a major grant because they think we're the best, not only the largest. So education, communal service, the rabbinate and our graduate school of Jewish studies all face the same challenge. But it's somewhat easier to recruit for communal service because there is a lot of local recruitment that goes on within the Federation network. They start young people out, they watch them, they encourage them.

GMC: They have programs for bringing in young people.

GOTTSCHALK: Right. And then when they are of the quality where they should be trained at the cost of the community, they are sent to one of the communal schools. There are five programs in the United States. For the recruitment of rabbis we have to depend largely on our alumni. Because invariably it's the role model of a rabbi that a young person identifies with who comes into the rabbinic school. And therefore you need the full-hearted appreciation and cooperation of the alumni, and that's why the Union, the Conference and the College have to work together in this recruitment effort.

GMC: That's not attacking the real problem. The real problem is why aren't more young Jewish people interested in the rabbinate?

GOTTSCHALK: Well they asked the same question a hundred years ago.

GMC: It's a very good profession, it pays well, and gives you status and so forth.

GOTTSCHALK: Reasonably well. It's also related to when I... I was in Stockholm about a month ago under the auspices of the Memorial Foundation of the Jewish Culture. The purpose of the meeting was finding Jewish personnel to be rabbis in Europe. So I met with the new Chief Rabbi of France, one student...

GMC: Did you say one student?

GOTTSCHALK: One student in France that he's cultivating.

GMC: Say it again.

GOTTSCHALK: One rabbinic student.

GMC: So what you're saying is that it's universal.

GOTTSCHALK: It's worse on the continent. When I came back from that trip I had a long-scheduled opening day lecture to our students at the New York school. There were 120 kids sitting there. And I said to myself, how lucky we are that we have, and by comparison, we're doing very well. Objectively we're not. We probably should be able to get another 100. We're working on it.

GMC: You're talking about another 100 Reform. Could you place that many rabbis? There are not that many pulpits.

GOTTSCHALK: Well you don't place them all at once, over time if you admit 100 and you stagger them over four or five years

GMC: Well then let's go back to the figures. How many pulpits would you say could be filled today if there were rabbis available?

GOTTSCHALK: 30. More.

GMC: Are they all small?

GOTTSCHALK: No, some are medium-sized. Some are even in large communities, in large areas. What I'm trying to tell you is that if we had the younger people—the congregations are hiring to meet the needs, some of the newly retired rabbis. At lunch today I'm going to meet with close to 80 of them. More than half of them are 65 and over, but every other way they are still functioning.

GMC: What are you going to meet with them for?

GOTTSCHALK: I want to talk to them about the needs of the school and how they can be helpful as mentors in the recruitment process. They still travel.

GMC: Well we're still back at the same question. Evidently the young Jewish people do not find this a career option.

GOTTSCHALK: I'm not going to dodge your question. I'm just going to put it into a context. I just rewrote a book that I wrote in '68. I entitled it then "Your Future As A Rabbi". It was reviewed in The Post and Opinion by one of your editors then. We just redid it and we retitled it "To Learn and To Teach." What was shocking to me was that between 1968 and 1988, there was no other book on the same subject. I'm trying to interest young people in the rabbinate, by anybody—Orthodox, Conservative, Reform. So the Chronicle of Higher Education did a survey on vocational preferences of young people. It's a very good publication. It covers what goes on in universities around the United States. And they did a survey on professional preferences of high school graduates. The last three out of ten categories were teaching, tenth; social worker, nine; clergy, eight. Investment banking, one; computer technology, two and medicine and law, somewhere in the middle. So that's the values of the society in terms of what it prizes that we're dealing with also. And therefore we have an education job to do. You know, we used to say at one time in Jewish life if your daughter could marry a rabbinical student, that was the greatest mitzvah. Today I don't think they do it that way.

GMC: The rich man always found the top student at the Yeshiva.

GOTTSCHALK: It was only in Eastern Europe.

GMC: Well I guess going back far enough it looks to me like it was just part of tradition. So then we can fairly well prognosticate that at least for the immediate future, this situation where pulpits remain unfilled will continue.

GOTTSCHALK: Yes the Conservative movement has a much more serious problem. It doesn't make us feel any better, because they are graduating fewer rabbis. And some of our guys are crossing over into the more traditional congregations.

GMC: You mean they are finishing here and then...

GOTTSCHALK: Well, yes, there are a number of rabbis who are members of the Conference, they are members of the CCAR who have pulpits that belong to the United Synagogue. Because they are more traditional.

GMC: Are the Reconstructionists having the same problem as far as you know?

GOTTSCHALK: Yes.

GMC: Really? But not the Orthodox.

GOTTSCHALK: With the Orthodox you have a different system entirely. So RIETS graduates more rabbis than we do, but they don't go into the pulpit.

GMC: Go into business.

GOTTSCHALK: They don't make the Torah a spade with which to dig. The most really revolutionary program in Reform Jewish life today is what we're doing in Israel. Despite all of the objective problems that exist, we're still sending the largest number of our young people to work, study and play in Israel. Because I'm firmly committed to the principle that Israel is a transforming experience for every Jew. I went to Israel for the first time when I was a college senior, just about ready to enter HUC. I went there for 6 months under a Jewish Agency grant, for Hebrew teachers. It changed my whole life, my perspective on Jewish life. And that's one of the major reasons why I'm so committed to the development of the Jerusalem campus.

GMC: Why is it news today?

GOTTSCHALK: Because there is new Jewish life in Israel, and more than ever before is there a blend of, I see a blend of religious Jewish modernity and Zionism. These youngsters who we are sending to Israel are religious Jews. Young religious Jews. From our temples and our camps. Many of them will be the leadership community of Reform Judaism tomorrow. Just as the number of women being ordained will change the rabbinate. Just change it, I'm not putting a qualitative value on it, just change it so a large number of people whom we have sent to Israel and who are coming back are going to change American Jewish life. They're going to keep going back and forth, back and forth. When I interview the entering class, I have a long lunch and one of the questions I ask is how many of you have been to Israel before? Most of them. How many of you have been to Israel more than once? Most of them. How many of you have been to Israel more than twice, three times, four times? Because the age of the group, they are 25, 26, 27, many have been there three, four times. So the cumulative buttressing back and forth has created a Jewish person who wants to devote themselves to Jewish life. And I think whether you become a rabbi or you remain a layman, become a religious leader within our movement, it's a new experience. The growth of ARZA is a phenomena that I couldn't have dreamt possible five years ago. Growth! It's a major religious political movement.

GMC: Zero in on the point you're making—I don't follow.

GOTTSCHALK: The Reform Movement is going through a real revolution.

GMC: For instance, sending over the rabbinical students for their first year is already what — 15, 20 years old.

GOTTSCHALK: 15 years old. But you see it's rabbinic students and cantorial students and communal service students and education students, all of them.

GMC: Are they obligated to spend a year too?

GOTTSCHALK: All of them, practically, yes.

GMC: You mean Bubis' people.

GOTTSCHALK: Bubis' people, Sarah Lee's people—she's the director of our School of Education in L.A. — our cantorial school, it's now in its second year. We have a program with the musical academy in Israel, the Rubin in Jerusalem, for voice training for the pure musical component. And we have a full time professor, who is professor also at Tel Aviv University, Jewish Liturgic Arts, who is our teacher in the cantorial department.

GMC: So the new thing is expanding it over and above just sending rabbis. So how long has that been in existence?

GOTTSCHALK: The cantorial school, the last two years, three years. We're now working on our graduate program. Here we have probably the largest graduate school of Judaic Studies in the United States, comprised of Jews and Christians. There were 68 Ph. D. candidates. And we want to integrate them in our archaeological program in Jerusalem.

GMC: How many of them are rabbis? What proportion?

GOTTSCHALK: Very few.

GMC: Many must not be Jewish.

GOTTSCHALK: Some are Christian scholars, as I said. It's an interfaith enterprise. A lot of the people who graduate from that school are today, Morgenstern started that, they are today people of great influence in Christian scholastic circles. Among them people who are at the Vatican today, teaching at Kodeao University and the Gregorians and the Biblical Pontifical Institute and other places.

GMC: What is your view about the intifada?

GOTTSCHALK: On the intifada when it first broke out and the direction began to provoke Israeli soldiers, and first incidents were reported with extreme harshness and retaliation, I was interviewed by The Jerusalem Post and I was asked whether I believed that the Israeli army was capable of doing the things they were accused of doing? I said, impossible, because of the doctrine of the maturity of arms had prevailed in Israel. And I held out hope, you know, that I was right about that. And over time was compelled to change my view. I think the situation now is much more severe, it's going to get I think much worse as both sides escalate, and I think that the only thing that can stop it is intervention by the United States, which I don't see happening. So I think that ultimately what we're faced with here is a potential civil war, and there are enough of those going on in the world that are so totally destructive to the spirit of their populace, never mind the physical murder.

GMC: Well Israel could do what China is doing and that would end the civil war.

GOTTSCHALK: That's not Jewish. We're caught between a Jewish problem and the practical necessity of doing things to solve it. There are more people killed in any one day in minor intifadas around the world than there were killed in a whole year in Israel. Because we're Jewish and we agonize over this. It relates to the future of Eretz Yisroel morally and spiritually, not just from the vantage point of security. It's less a problem of security at this point than it is a problem of morale.

GMC: The point about civil war seems not valid because at any one point Israel could end the intifada and certainly before civil war they would introduce measures that are not countenanced today. So therefore there would not be a civil war, but there would be insurrection.

*Continued on next page*

## The Passover cruise

By RABBI SAMUEL SILVER

Passover on a ship! It was like a dream, a fantasy, we hear from Yosi Melamed, one of the four mashgichim who toiled for four days to



kasher a luxury ship which accommodated 300 guests during the week of Passover. The event was strictly kosher. The casino was closed. A women's shul was fashioned. Each family was able to conduct its own Seder, but there was a central one for those who wanted to attend. It was led by Cantor Martin Dudson.

The event was stage-managed by the owner of the Cheers kosher restaurant of Manhattan. Among the attendees were Malcolm Honlein, the exec of the presidents' conference and his family, and Zev Brenner, the popular host of the Jewish radio program, Talkline. From England to Fort Lauderdale, where the ship began its voyage, on a Concord plane, flew an Israeli millionaire, David Sofer and his fiancée, Cynthia.

It was a floating holiday, and the article is accompanied by photos of many of the smiling celebrants. (Algemeiner Journal)

### Editor

Up in Boston nurses and doctors are getting orientation in Judaism at the Deaconess Hospital. The reason: the Algemeiner Journal's editor, Gershon Jacobson, is a patient there with a foot infection. Three times a day he davvens. Jewish books abound in his room. Curious

### Gottschalk

Continued from previous page

GOTTSCHALK: Well I think you may have both, wherever the Arabs feel it's possible to wage a civil war, they'll wage a civil war. And if they can't, they'll do an insurrection. And if they can't do an

non-Jewish personnel watch him and ply him with questions, which he eagerly answers. Ill though he is, he writes his editorials and keeps his readers posted about his condition and his views of the world.

### Yiddish in Russia

Two summer courses in Yiddish will take place in Russia, thanks to the Rena Costa School of Yiddish of Israel's Bar-Ilan University, we learn in a Forward article. At the same time, a number of Russians will attend classes at the Israeli school to receive training as instructors in mame lashon.

### Dr. Marek Edelman

At its recent commencement, one of those receiving an honorary degree at Yale University was Dr. Marek Edelman, one of the heroic survivors of the Warsaw Ghetto uprising. He was saluted by Dr. Benno Schmidt, Yale's president, and shortly thereafter went back to Poland to campaign for a seat in the parliament as a representative of Solidarity. (The Forward)

### Rabbi Schneier

Ubiquitous is the word for Rabbi Arthur Schneier of Manhattan's Park East Shul and president of the interfaith group called Appeal to Conscience. In one Forward photo he is seen in Havana bringing Judaism to Castroland. On the front page of the Algemeiner Journal he is seen davvening in a Moscow shul. In the same issue his photo appears again, in a story about the visit to his synagogue of a 50-man choir from Johannesburg, South Africa, for a Lag B'Omer concert.

Rabbi Samuel Silver may be reached at 2475 West Atlantic Ave., Delray Beach, Fla. 33445.

insurrection they'll murder wantonly and randomly the way this professor at the Hebrew University was just murdered. The tactics of terror are different. They differ with respect to their political needs.

## LaRouche group a menace

By RABBI MAURICE DAVIS

The N.Y. Times book review of Dennis King's Lyndon LaRouche and the New American Fascism, brings to mind my own dealings with



LaRouche and his band of crazies.

Some years ago he began writing about me in his magazine. He kept referring to me as Rabbi Mau-Mau Davis but I never did understand what he was saying. It is almost impossible to read two paragraphs of his writing with a look of intelligent comprehension on your face.

I dismissed this nonsense until a few years ago when it all began to come home to me. I was in bed one night (actually I was ill with pneumonia) when the phone began to ring. When I answered the phone the caller said, "We know who you are." I did not think that was surprising, since he was the one who called me.

He then informed me that he knew where I lived. I tried to find out what he was talking about, to no avail. As soon as I hung up I received another call. This one told me that he knew what I was planning, but that I would not live long enough to do it.

Thus began a series of calls which I was finally able to decipher. They were representatives of the National Democratic Policy Committee, which was one of the fronts of Lyndon LaRouche, who was planning once again to run for the presidency of the United States.

They had received word from him, presumably by telegrams throughout the land, that when he came to New York for his convention Rabbi Davis planned to assassinate him!

I put on the answering machine and tried to get some sleep. In the morning Marion and I played back the tapes. These nuts had not only threatened my life — ON TAPE! — they had also identi-

fied themselves by name and address.

We called the police, and a detective came to the house to listen to the tape. That is when we learned that I was accused not only of planning LaRouche's assassination, but that I was also responsible for the attempted assassination of President Reagan. I was, also, behind the Son of Sam murders that had plagued New York a few years earlier.

This, of course, brought in the State Police, the FBI, and the Secret Service. After several meetings it was determined that I was probably in no immediate danger. It seems that LaRouche had demanded police protection for his trip to New York, and had been denied. This was his way of showing that he needed that protection.

The police decided that if nothing happened to LaRouche on his trip to New York, then nothing would happen to me.

Of course....if something did happen to him, then they would immediately cover me.

Not very reassuring.

My next brush with these nuts came when various newspapers called to ask me about the forthcoming news conference to be held at my Temple. When I told them I knew nothing about it, I was informed that it had been arranged by National Caucus of Labor Committees, another LaRouche front.

I asked my newspaper friends if there could be a news conference if no news people appeared. They understood what I meant, and no news people appeared.

### How does halacha view sex-change?

LONDON — Miss Caroline Cossey became a news item in The Jewish Chronicle of London when she was married at St. John's Wood Liberal Synagogue to Elias Fattal because it was learned that 15 years ago she underwent a sex-change operation. Rabbi David Goldberg, who performed the ceremony, told The Jewish Chronicle that no one was aware of Miss Cossey's history and that "she appeared to all of us as a very beautiful woman. She studied diligently and sincerely to learn about Judaism and

I did, however, notify the police, and the president of my congregation. She appeared, along with my wife. So did a dozen policemen in various disguises, looking as if they had come directly from Miami Vice. The office staff was terrified.

At the appointed hour a small caravan of cars attempted to enter our parking lot. They were immediately intercepted by the police, and after some heated exchanges they left only to return a few minutes later. This was repeated several times, until they finally parked away from the temple, crossed the street, and stood there taking pictures.

A few minutes later one of them approached on foot with a sheaf of papers. "These are for Rabbi Davis," he told the policeman who stopped him.

"That's all right," said the cop. "I am Rabbi Davis' personal representative." He took the papers. The cars departed with two police cars following them very ostentatiously. Some 20 minutes later one of the police cars radioed back to us, "All clear. They are now in New Jersey."

The papers, needless to say contained the same garbage all over again.

The review in the Times about LaRouche was entitled, "A Menace or just a crank?"

It all depends. When he called the Queen of England a drug dealer, and Henry Kissinger a paid member of the KGB, the first inclination is to call him a crank, and laugh at him.

But when you are the target, it loses some of its humor.

in due course registered her marriage."

He added that he felt sorry for the couple and their families, but assured them that they will receive sympathy and support from the congregation.

Rabbi Berel Berkovits, registrar of the London Beth Din, said that there was no definitive ruling on whether marriage involving a sex-change partner was valid, but offered the opinion that the couple would not be accorded halachic recognition.



CCAR

MINUTES OF THE PATRILINEAL COMMITTEE MEETING  
New York City, September 26

file

PRESENT: Joseph Glaser, Walter Jacob, Samuel Karff, Gunther Plaut,  
Herman Schaalman (chair), Alexander Schindler, Daniel Silver

Schaalman proposed an agenda consisting of the following six items:

1. What's the meaning of the resolution as passed in Los Angeles
2. Response to attacks (a) from within the Movement; (b) from without
3. The problem of the status of children of mixed marriages by colleagues who dissent from our resolution
4. Our relation to Maram, our European colleagues, etc., with regards to this resolution
5. What are specific requirements to establish Jewish identity totally under the terms of the resolution
6. Is there a problem of retroactivity.

Concerning item #1, a lengthy discussion ensued which centered around a number of items chiefly among them the word "presumption." The group finally declared itself satisfied with a statement about "presumption" made by Schaalman for the CCAR JOURNAL, a copy of which is attached.

#2 - after listening to some of the attacks made both from within and without and discussing them at some length, the consensus of the group was not to respond but rather to maintain a low profile with regard to them. Perhaps at some future time if these attacks continue we might be willing to review this matter to adopt a different course.

#3 - the Committee felt that all items of this sort should be left to the disposition of the Responsa Committee to which, generally, most of the questions that are now in doubt or concerning which conflict may ensue, should be referred.

#4 - the Committee felt that since the resolution was specific for North American Jewry we had no special obligation to answer any of the discomfort or attacks by non-North American colleagues at this time.

#5 - after a lengthy discussion it was decided that we would put out a set of questions and answers (a copy of the questions is attached to these minutes), which might embody a consensus of the Committee's view on this as well as other related matters. Plaut was asked to draft the answers.

#6 - this item was likewise to be covered in the questions and answers to be prepared, which were to be mailed to the entire membership for their consent.

Generally speaking, it was the consensus of the Committee not to enter into controversy when at all avoidable, and to monitor the development of the consequences of our resolution over the next half year or so.

Respectfully submitted,

HES:sgk  
10/17/83  
Encl.

Herman E. Schaalman, Rabbi

The Patrilineal issue as resolved by the 1983 Los Angeles CCAR Convention was understood by everyone to be likely to elicit strong and varied responses. This expectation has not been disappointed. Reactions have ranged from outraged denunciation to thoughtful analyses leading both to approval and disapproval.

The paper by our colleague Block\* is an example of the latter. In calmly reasoned tones he subjects both the content and process of our Patrilineal resolution to a searching examination, leading him to the conclusion that the 1983 Resolution contains a logical flaw. In his opinion the defect needs to be remedied by another resolution or by such a statement in the forthcoming revision of the Rabbi's Manual as would undo the damage.

Block's argument turns on his examination of the meaning and use of the key word "presumption" in the 1983 Resolution. Basing himself on the Oxford Dictionary he states: "in its simplest sense, a presumption is a belief that something is true deduced from fact and experience." He then concludes: "... a presumption is not a belief that requires proof to be established. It is a belief that is taken as true, without further evidence, until and unless the contrary is proved."

Citing various uses of the term "presumption" thus understood, Block concludes: "it was ... entirely illogical ... to assert that the child of one Jewish parent is presumed to be Jewish, that the truth of the presumption must be established ..." This point is reiterated later as: "... the logically inconsistent 'presumption'/'establishment' language ...".

This is a formidable attack on the resolution whose keywords "presumption" and "is established" are claimed to be logically contradictory thus flawing the entire statement. It all turns on the definition, use and understanding of the word "presumption."

The Oxford Dictionary, as Block avers, lists as possible uses of the word "presumption": "a belief deduced from fact and experience: and under the special rubric of 'use in law' lists: 'presumption of law: (a) the assumption of the truth of anything until the contrary is proven.'"

These uses are, however, neither its "simplest sense" nor is it accurate to claim that "by definition" a presumption is true until proven to the contrary. The latter is only one of several uses and definitions of the word, specifically used as a legal term: "presumption of law".

The Oxford Dictionary, in fact, lists such other definitions of "presumption" as "seizure and occupation without right;" "usurpation": "the taking upon oneself more than is warranted by one's position, right, or (formally) ability." "The assuming or taking of something for granted." All of these definitions precede "the belief deduced from facts and experience" and would thus be the "simpler" definitions. Moreover, each of them when listened to carefully allow for, if they do not actually demand the "establishment" of what is "presumed."

In the 1973 American Heritage Dictionary under "presumed" we find a usage: "to engage oneself in without authority or permission; venture; dare;". The listed synonyms contain the statement: "... signify the step and inferring certain things to be true as a probability, hypothesis or convenience sometimes without full justification." Need more to be said about the rightful use of "establishing" what is "presumed?" These words and concepts are not only not logically contradictory; they often are complementary surely compatible. The "presumption of Jewish descent" thus well, and logically consistently calls for "is established through ... "

Both the Oxford and American Dictionaries thus invalidate Block's analysis and argument. The 1983 Resolution is not flawed in this regard and need not therefore be replaced by another resolution or statement in the Rabbi's Manual.

This rejoinder does not preclude further commentary, examination of meaning and consequences. In fact, they may be both necessary and wholesome. It is true, as Block states, that the Convention hardly had time, and he might have added desire, to examine fully the amended version of the resolution as it rose from the floor, and was adopted within an arbitrary time limit. Discussion and analysis of our 1983 Resolution therefore is in order and welcome. And if past CCAR history is a guide it is not unlikely that the issue will be reopened in the future. This is true particularly when we keep in mind that we did not legislate in a prescriptive manner but rather developed an additional option in the continuous and painful struggle to cope with one of the major Jewish religious and human problems of our contemporary American experience.

The 1983 Resolution on Patrilineality invalidates, in my opinion, none of the other possible responses to the issue as lucidly delineated by our colleague. It goes beyond anything stated by us or anyone else hitherto, in that it equates the presumption of Jewish descent from a father with that of the mother, and imposes upon both of them the requirement to exceed the fact of birth by Jewish acts.

This position is thus responsive both to tradition and to our contemporary values and needs. At the same time, it stipulates that most Jewish of values and commands, to engage in Mitzvot. For that even those who cannot accept our reasoning ought to applaud us.

Rabbi Herman E. Schaalman

\*We are not certain of the spelling of the author's name of the original essay.

6/9/83

COMMITTEE ON PATRILINEAL DESCENT

1. Is the resolution a legislative fiat, or is it merely advisory?
2. Where formerly Jewish identity was determined on an objective basis, is it now dependent on what an individual rabbi does?
3. Does the 1983 CCAR Resolution diminish the standing of the Jewish mother? Is it the intent of the resolution to make the establishment of Jewish identity more difficult, as in the case of a Jewish mother?
4. Does the 1983 CCAR Resolution treat the establishment of the Jewish identity of children of mixed marriages in exactly the same manner no matter which parent is Jewish?
5. Is there a contradiction between the purpose of the 1983 CCAR Resolution "to establish the Jewish status of the children of mixed marriages..." and the earlier Resolution of the CCAR in 1973 opposing rabbinic officiation at mixed marriages?
6. Are all or any of the Mitzvot mentioned in the 1983 CCAR Resolution to establish the presumed Jewish identity of children of mixed marriages mandatory?
7. Why was conversion not included in the mitzvot to be performed in establishing the Jewish identity of the children of mixed marriages?
8. What is the extent of the mitzvah of "Torah study?"
9. Is there sufficient traditional precedent in which to base the 1983 CCAR Resolution?
10. Why does the 1983 CCAR statement limit itself to the Reform Jewish community of North America?
11. How will the 1983 CCAR Resolution impinge upon Reform-Liberal communities in other parts of the world?

## PATRILINEAL &amp; MATRILINEAL DESCENT

QUESTION: What are the origins of matrilineal descent in the Jewish tradition; what halakhic justification is there for the recent Central Conference of American Rabbi's resolution on matrilineal and patrilineal descent which also adds various requirements for the establishment of Jewish status?

ANSWER: We shall deal first with the question of matrilineal and patrilineal descent. Subsequently we shall turn to the required positive "acts of identification."

It is clear that for the last two thousands years the Jewish identity of a child has been determined by matrilineal descent. In other words, the child of a Jewish mother was Jewish irrespective of the father (Deut 7.3,4; M. Kid 3.12; Kid 70a, 75b; Yeb 16b, 23a, 44a; 45b; A. Z. 59a; J. Yeb 5.15 (6c); 7.5 (8b) Kid 3.14 (64d); Yad Issurei Biah 15.3f; etc.). The Talmudic discussion and that of the later codes indicated the reasoning behind this rule.

The rabbinic decision that the child follow the religion of the mother solved the problem for offsprings from illicit intercourse of unions which were not recognized, or in which paternity could not be established, or in which the father disappeared. The union between a Jew and a non-Jew had no legal status (lo tafsei kidushin). At an earlier stage in the Talmudic discussions, some authorities considered children of all such unions as mamzerim. They felt that the danger lay with non-Jewish women who could not

Levite or an Israelite. Thus lineage was and continues to be determined by the male alone whenever the marriage is otherwise proper (M. Kid 3:12 ; Kid 29a; Shulhan Arukh Yoreh Deah 245.1).

If a marriage is valid but originally forbidden, (marriage with someone improperly divorced, etc.), then the tainted parent, whether mother or father, determines lineage (Kid 66b; Shulhan Arukh, Even Haezer 4.18). The same rule applies to children born out of wedlock if both parents are known.

Matrilineal descent although generally accepted by tradition continued to be questioned under special circumstances. For example, there was a question whether the offsprings of the Exilarch Bostonai (618-670) and a wife, who was the daughter of a Persian king, were to be considered as Jewish descendents on an equal level with those of his Jewish wives. A full discussion of this material can be found in V. Aptowitzer's "Spuren des Matriarchats im jüdischen Schrifttum", Hebrew Union College Annual, Vols. 4 & 5. The matter was debated for several generations as descendents from this line rose to power.

These discussion show us that our tradition responded to particular needs. It changed the laws of descent to meet the problems of a specific age and if those problems persisted, then the changes remained in effect.

The previous cited material has dealt with situations entirely different from those which have arisen in the last century and a half. Unions between Jews and non-Jews during

mix of destiny and choice" (Robert Seltzer, Jewish People, Jewish Thought, p 544). Since the Napoleonic Assembly of Notables of 1806, the modernity and Jewish community has struggled with the tension between modernity and tradition. This tension is now a major challenge, and it is within this specific context that the Reform Movement chooses to respond. Wherever there is ground to do so, our response seeks to establish Jewish identity of the children of mixed marriages."

We may elaborate further with the following statements which reflect the previously cited historical background as well as other concerns.

1. We shall turn first to the question of descent and then to the requirement of "acts of identification." Clearly in the Biblical period, patrilineal descent determined the status of a child, so the children of the kings of Israel married to non-Jewish wives were unquestionably Jewish. This was equally true of other figures. Furthermore, our tradition has generally determined lineage (yihus) through the father, i.e., in all valid but originally forbidden marriages. This was also true for priestly, Levitical and Israelite lineage which was and remains traced through the paternal line (Nu. 1.2, 18; Yad Hil. Issure: Biah 19.15; Shulhan Arukh, Even Haezer 8.1). If a marriage was valid, but originally forbidden, then the tainted parent (mother or father) determined status (Kid 66b; S. A., Even Haezer 4.18). The same rule applied to children born out of wedlock if both parents were known.

3. The Reform movement has espoused the equality of men and women, virtually since its inception (J. R. Marcus, Israel Jacobson, p. 146; W. G. Plaut, The Rise of Reform Judaism, pp. 252ff). As equality has been applied to every facet of Reform Jewish life, it should be applied in this instance.

4. We, and virtually all Jews, recognize a civil marriage between a Jew and a Gentile as a marriage although not giddushin, and have done so since the French Sanhedrin of 1807 (Tama, Transactions of the Parisian Sanhedrin - Tr. F. Kerwan, p. 155f; Plaut Op. Cit., p 219). We are morally obliged to make provisions for the offsprings of such a union when either the father or mother seek to have their children recognized and educated as a Jew.

5. We agree with the Israeli courts and their decisions on the matter of status for purposes of l'am, the registration of the nationality of immigrants and the right to immigrate under the Law of Return. In the Brother Daniel case of 1962, this apostate was not judged to be Jewish although he had a Jewish mother (1962-16-P.D.2428). The court decided that a Jew who practiced another religion would not be considered Jewish despite his descent from a Jewish mother. "Acts of religious identification" were determinative.

Earlier in March, 1985, the Minister of Interior, Israel Bar-Yehuda, issued a directive which stated that "any person declaring in good faith that he is a Jew, shall be registered as a Jew." No inquiry about parents was authorized. In the case of children "if both parents

remained operative for immigration into the State of Israel.

The decision of an Israeli Court is, of course, not determinative for us as American Reform Jews, but we should note that their line of reasoning is somewhat similar to ours.

For the reasons cited in the introduction to the Resolution, those stated above and others, we have equated matrilineal and patrilineal descent in the determination of Jewish identity of a child of a mixed marriage.

Now let us turn to the section of the resolution which deals with "positive acts of identification." There are both traditional and modern reasons for requiring such acts and not relying on birth alone.

Several Biblical commentaries to Lev 24.10 ("There came out among the Israelites one whose mother was Israelite and whose father was Egyptian") stated that this child should simply be considered as a Jew (Nahmanides, and later, Shulhan Arukh Even Haezer 41.9). This decision became normative. Rashi and others, however, felt that the child of such a union needed to "accept the religion of Israel" (Rashi and Sifra to Leviticus 24.10; see also Kid. 68b).

We must add some modern reasons for requiring "positive acts of identification":

1. We do not view birth as a determining factor in the religious identification of children of a mixed marriage.
2. We distinguish between descent and identification.
3. The mobility of the American Jews has diminished the influence of Jewish grandparents and other relatives upon

*Patrilineal*

May 7, 1991  
23 Iyar 5751

Mr. Simcha Abeles Friedman  
638 Montgomery Street  
Brooklyn, NY 11225

Dear Mr. Friedman:

Thank you for your recent note commenting on interfaith marriages. I appreciate your having taken the time to share your concerns with me and I assure you that I, too, am very distressed by the growing number of interfaith marriages. I can hardly think of a family within my circle of friends and associates which does not have such a couple in their midst. And, of course, here I refer to marriages where there has been no conversion to Judaism.

You should know, however, that my call for acceptance of patrilineal descent came as the result of much discussion with respected colleagues and scholars, as well as personal soul-searching. While I do not officiate at interfaith marriages, I urge these couples to seek a Judge or J.P. to do a civil ceremony, I do not want Judaism to lose them, I want to keep them and their children in the circle of our people and our faith. But you should understand that in calling for acceptance of patrilineal descent, there is an urgent prerequisite that the children of interfaith marriages be reared and educated Jewishly, that the mere fact of a Jewish father will not suffice to recognize them as Jews. This is an important facet of patrilineality, alas, one that is sometimes neglected by reporters or those seeking to throw barbs at Reform Judaism for adopting this critical stance.

I do hope this information will serve to clarify your understanding of Reform acceptance of patrilineality.

Let me also react to your comments about Reform Jewish contact in small communities you visited en route to Florida. The major percentage of our member congregations are small, often rabbi-less and found in communities which do not have large Jewish populations or are not near centers of Jewish learning. More often than not, these small congre-

Page -2-

gations are the sole survivors of major and flourishing Jewish communities, with histories going back to the early days of our nation. Today, they stand strong in the forefront of Jewish religious life with each and every member aware of their importance to the congregation and the Jewish community. They are devoted and dedicated men and women who manage to keep the flame of Jewish life and thought burning bright, even with meager Jewish resources at their command. We are very proud of thee small congregations and communities, they are exemplary in their love of and allegiance to our faith and our people. You may be interested in the enclosed address which I delivered at the UAHC's Small Congregation's Department's first Conference of Small Congregations.

With every good wish, I am

Sincerely,

Alexander M. Schindler

Encl.

## Patrilineal Descent and the Soviet Jewry Problem

by Alexander M. Schindler, President, Union of American Hebrew  
Congregations

At the present rate, Israel will absorb one million new Soviet immigrants within the next few years. An estimated 30% of these olim are not considered Jews according to halachah, including the children of intermarried couples in which the mother is not Jewish. These children, numbering in the tens of thousands, will share the fate of the Jewish people -- speaking Hebrew, attending Israeli schools, participating in Jewish festivals, serving in the IDF -- but unless they yield to a stringent Orthodox conversion, they are prohibited by the rabbinical courts from marrying a Jew within the borders of Israel. Given the sheer numbers of Soviet immigrants in this predicament and their general estrangement from ritual observance, the conversion option is as unfair as it is impractical.

The Israeli government must find a realistic solution, and fast; otherwise a large minority will be consigned needlessly to the margins of society, constituting a caste of untouchables. Fortunately, the Reform rabbinate, in struggling with the dilemmas of intermarriage on the American scene, has passed a historic resolution on Jewish identity that is as relevant in Israel as it is in the diaspora. The "patrilineal descent" resolution states: "the child of either Jewish parent is under the presumption of Jewish descent. This presumption of the Jewish status of the offspring of any mixed marriage is to be

established through appropriate and timely public and formal acts of identification with the Jewish faith and people. The performance of these mitzvot serves to commit those who participate in them, both parent and child, to Jewish life...."

By adopting a similar resolution, the Knesset could guarantee that all children of intermarried olim admitted to the country under the Law of Return are presumed to be Jews, regardless of whether the Jewish parent is the mother or the father, so long as the children are raised as Jews. The Reform decision on patrilineal descent eliminates the distinction between men and women, between fathers and mothers. It holds that, insofar as genealogy is a factor in determining Jewishness, the maternal and the paternal lines should be given equal weight.

When first proposed, "patrilineal descent" was condemned in certain Jewish quarters as a radical departure from the path of Jewish law and tradition. Today, about 80% of the American Jewish laity, including some Orthodox, accept the principle. They recognize that Jewish survival depends on adaption to changing circumstances, no less today than in times past, and that this broadened definition of who is a Jew does not in fact represent a break with tradition.

True, for the past 1,500 years, Jewish identity has been determined by the maternal line alone. But in the early days of our history children were considered Jewish primarily because their fathers were Jewish, even though their mothers were not. However, in the Torah, genealogical tables are overwhelmingly

patrilineal; it is the male line that determined descent and status. In matters of inheritance the patrilineal line alone was followed. Perhaps even more to the point, the Jewishness of the children of non-Jewish mothers is never questioned. Moses, for example, married Zipporah, the daughter of a Midianite priest; yet her children were considered Jews, following the line of the father. And Joseph married Asenath, daughter of a priest of On; yet her children too were regarded as Jews. Indeed, to this day every male child of Israel receives the blessing that he be like Ephraim and Menasseh, the sons of a non-Jewish mother!

Significantly, both the Torah and rabbinic law hold the male line absolutely dominant in matters affecting the priesthood. Whether one is a kohen or a levi depends on the father's priestly claim, not the mother's. If the father is good enough to bequeath the priestly status, why isn't he good enough to bequeath Jewishness? Reform has concluded that he is; hence its old-new definition of who is a Jew.

The time has come for Israel's rabbinate to admit that Judaism allows for more than one interpretation of law and custom. The most authentic interpretation, I believe, reflects not only the wisdom of Torah but its heart, which is precisely why we must embrace all the children of the Soviet olim, matrilineal and patrilineal Jews alike.

Fax: 001 212 570 0895

May 29, 1991

**To: Rabbi Alexander Schindler**  
**From: Gershom Gorenberg**

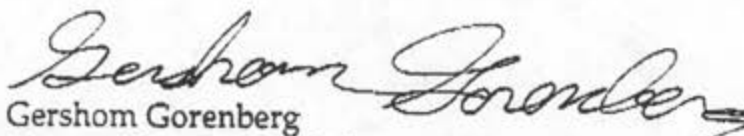
Dear Rabbi Schindler,

Thanks for sending your article. Following is an edited text.

Because of deadline pressure, I would be most appreciative if you could respond immediately with any comments or corrections. Also, please note that two questions that arose during the editing process are marked in the body of the text.

I look forward to hearing from you.

Warm regards,



Gershom Gorenberg  
Deputy Comment and Opinion Editor

## Keep them in the tribe

**Alexander M. Schindler**

At the present rate, Israel will absorb 1 million Soviet immigrants within a few years. An estimated 30 percent of these immigrants, including the children of intermarried couples in which the woman is not Jewish, are not considered Jews according to halakhah. These children, numbering in the tens of thousands, will share the fate of the Jewish people — speaking Hebrew, attending Israeli schools, celebrating Jewish festivals, serving in the army. But unless they yield to the stringent requirements of Orthodox conversion, the rabbinic courts will bar them from marrying Jews within the Israel's borders. Given the sheer numbers of Soviet immigrants in this

predicament and their estrangement from ritual observance, the conversion option is as unfair as it is impractical.

The Israeli government must find a realistic solution, and fast. Otherwise a large minority will be consigned needlessly to the margins of society, becoming a caste of untouchables. Fortunately, the Reform rabbinate, in struggling with the dilemmas of intermarriage in America, has passed a historic resolution on Jewish identity that is as relevant in Israel as it is in the Diaspora.

The "patrilineal descent" resolution states: "The child of either Jewish parent is under the presumption of Jewish descent. This presumption of the Jewish status of the offspring of any mixed marriage is to be established through appropriate and timely public and formal acts of identification with the Jewish faith and people. The performance of these *mitzvot* serves to commit those who participate in them, both parent and child, to Jewish life . . ."

The Reform decision on patrilineal descent eliminates the distinction between men and women, between fathers and mothers. It holds that, insofar as genealogy is a factor in determining Jewishness, the maternal and the paternal lines should be given equal weight. By adopting a similar resolution, the Knesset could guarantee that all children of intermarried immigrants admitted to the country under the Law of Return would be presumed to be Jews, regardless of whether the Jewish parent was the mother or the father, so long as the children were raised as Jews.

When first proposed, patrilineal descent was condemned in certain Jewish quarters as a radical departure from Jewish law and tradition. Today, about 80 percent of the American Jewish laity, including some Orthodox, accept the principle. ***[Is this the author's assessment, or is it based on a study or survey?]*** They recognize that Jewish survival depends on adaption to changing circumstances, no less today than in times past, and that this broadened definition of who is a Jew does not in fact represent a break with tradition.

True, for the past 1,500 years ***[shouldn't figure be higher, to push it back to pre-rabbinic period?]***, Jewish identity has been determined by the maternal line alone. But in the early days of our history, children were considered Jewish primarily because their fathers were Jewish, even if their mothers were not. In the Torah, genealogical tables are overwhelmingly patrilineal; it was the male line that determined descent and status. In matters of inheritance, the patrilineal line alone was followed. Perhaps more to the point, the Jewishness of the children of non-Jewish mothers is never questioned. Moses, for example, married Zipporah, the daughter of a Midianite priest; yet her children were considered Jews, following the line of the father. And Joseph married Asenath, daughter of a priest of On; her children too were regarded as Jews. To this day male Jewish children receive the blessing that they be like Ephraim and Menasseh, the sons of Joseph and a non-Jewish mother!

Significantly, both the Torah and rabbinic law hold the male line absolutely dominant in matters affecting the priesthood. Whether one is a cohen or a levi depends on the father's priestly claim, not the mother's. If the father is good enough to bequeath the priestly status, why isn't he good enough to bequeath Jewishness? Reform has concluded that he is; hence its old-new definition of who is a Jew.

The time has come for Israel's rabbinate to admit that Judaism allows for more than one interpretation of law and custom. The most authentic interpretation, I believe, reflects not only the wisdom of Torah but its heart, which is precisely why we must embrace all the children of the Soviet immigrants, matrilineal and patrilineal Jews alike.

*Alexander M. Schindler is president of the Union of American Hebrew Congregations.*

REFORM JUDAISM AND THE ISSUES OF JEWISH STATUS AND IDENTITY

by Rabbi Joseph Klein

In 1961 the Central Conference of American Rabbis published a revised edition of its Rabbi's Manual in which a statement appeared that had not been found in the previous edition of the Manual. Entitled "Status of Children of Mixed Marriage," the statement declared the following:

"Jewish law recognizes a person as Jewish if his mother was Jewish, even though the father was not a Jew. One born of such mixed parentage may be admitted to membership in the synagogue and enter into a marital relationship with a Jew, provided he has not been reared in or formally admitted into some other faith. The child of a Jewish father and non-Jewish mother, according to traditional law, is a Gentile; such a person would have to be formally converted in order to marry a Jew or become a synagogue member.

Reform Judaism, however, accepts such a child as Jewish without a formal conversion, if he attends a Jewish school and follows a course of studies leading to confirmation. Such procedure is regarded as sufficient evidence that the parents and the child himself intend that he shall live as a Jew." (Page 112 in the Manual.)

I wrote the above statement. I was then a member of the Liturgy Committee of the Central Conference of American Rabbis, and Rabbi Abraham J. Feldman and I were assigned the task of editing and revising a section of the Manual called "Historical and Explanatory Notes," a kind of compilation of rules to be followed by Reform rabbis in life-cycle events. The statement on "Status of Children of Mixed Marriage" was included in this section.

The statement merely put into writing a policy that members of the C.C.A.R. had been practicing for a long time, that of giving Jewish status to children in their congregations whose fathers were Jewish but whose non-Jewish mothers had not been converted to Judaism. This was the original written effort to claim such children as Jewish on the basis of patrilineal descent. The obvious intent was to establish the Jewishness of these children ~~was to declare such children as Jewish~~ without their having to undergo conversion. I recall that in the original wording of the statement there was a phrase that said, "Bar Mitzvah, Bat Mitzvah and Confirmation are to be regarded as being in lieu of conversion," but in the final editing (probably by Rabbi Bernard J. Bamberger, then chairman of the Liturgy Committee) these words were deleted.

It occurred to me at a later time that there was something wrong with the statement on "Status of Children of Mixed Marriage" despite the fact that I had written it. What purpose was being served in trying to by-pass or circumvent conversion? The unconverted child of a non-Jewish mother is still a non-Jew and has no Jewish status anywhere in Jewish religious life outside the Reform movement. Without undergoing conversion, if he or she wanted to marry a Jew affiliated with another branch of Judaism, non-Reform rabbis would refuse to officiate at such a marriage as they would not consider it a valid Jewish marriage. At the same time, the position adopted by the Reform rabbinate on the status of children of mixed marriage becomes most unfair to the child of a non-Jewish mother. Such a child is led to believe that he or she has undisputed status as a full Jew only to find out later in life that such status does not exist for him or her in the broader Jewish community.

The more recent adoption by the Central Conference of American Rabbis of the resolution upholding the Jewishness of a child by reason of patrilineal descent, in effect, says almost exactly what the Rabbi's Manual states. It only complicates the issue and solves nothing. The child of a non-Jewish mother is still a non-Jew on the basis of historic tradition, unless he or she is formally converted to Judaism.

The position to which I now subscribe was very clearly stated in a letter by Rabbi Bernard Mandelbaum, published in the December 10 issue of the Jewish Post and Opinion. He wrote:

"Again, without going into the details of the halachah issue on patrilineal descent, how can one impress upon the Reform Movement that they are being cruel with this 'innovation'..."

Two-thirds of the Jewish religious community - Conservative as well as Orthodox - unqualifiedly reject patrilineal descent. ~~But it is not the case...~~ A child of a Christian mother and Jewish father is brought up with a good Jewish education, committed. But now, he or she learns that he or she isn't Jewish. (This applies in the U.S. as well as in Israel.)

There is this solution: If such parents think well enough of Judaism to raise their child Jewishly, and the children's mother didn't convert - for many possible reasons, including a sensitivity to the feelings of her parents - what is so difficult about converting the child with a brith or mikvah at an early age?...

Why don't our brothers and sisters in the Reform Movement re-evaluate this? It is cruel to the young people who are being misled."

Still another reason for rescinding the statement on Status of Children of Mixed Marriage, and also the resolution on Patrilineal Descent, is the fact that they denigrate the whole concept of proselytism and conversion. To try to avoid or circumvent conversion has the implication of regarding conversion as something that is highly objectionable and, in some respects, even disgraceful - quite <sup>the view of</sup> different from/our forebears of Talmudic times who regarded the bringing in of a ger tzedek (proselyte) to Judaism as one of the noblest and most laudable of all mitzvot.

However, it must be pointed out that one of the great obstacles to conversion of male proselytes is the requirement of circumcision. While the Reform rabbinate takes a strong position in emphasizing that brith milah must be done on new-born infants, it is quite lenient about circumcision when the proselyte is not an infant, not requiring it at all, and this too has become a divisive factor that makes conversion under Reform auspices unacceptable to the more traditional branches of Judaism. Also absent from most Reform conversions is the requirement that the convert, male or female, undergo immersion in a mikvah and that the proselyte be accepted by a rabbinical court (Beth Din) of three rabbis. Usually, it is a single Reform rabbi who does the converting.

Thus, on the one hand, the Reform rabbinate, by using the argument of patrilineal descent, makes Jews out of people who are not Jews in the eyes of the rest of religious Jewry, and, on the other hand, when it does convert the non-Jew to Judaism, it does so in a manner so out of line with halachic requirements that the convert cannot be accepted as a Jew by the Orthodox and Conservative branches of Judaism.

Perhaps even more serious than the issues connected with conversion are those that arise out of Reform Judaism's radical departure from tradition in the matter of divorce. When a marriage is dissolved, according to traditional Jewish law, there must be a religious divorce (get) in addition to the civil divorce. Even if a civil

divorce is granted, and there is no religious divorce, traditional Jewish law still regards the couple as being in the state of matrimony. To marry another person without a get is adultery. Children born of such a marriage are mamzerim.

The Reform rabbinate, however, has dispensed with the requirement of a religious divorce; a civil divorce is considered sufficient. Reform rabbis, therefore, freely officiate at re-marriages of people separated by a civil decree, but whose marriages have not been terminated by a get.

The chief argument for taking this stand is the alleged unfairness of traditional Jewish divorce laws to women. A man may divorce his wife; a woman may not divorce her husband. Hence, instances arise in which a woman is not free from whom she is divorced by civil decree, to marry again because her ~~divorced~~ husband/refuses to give her a religious divorce. Without a get no Orthodox or Conservative rabbi or other officiant in traditional Judaism may officiate in a divorced person's re-marriage. This refusal puts pressure on the man to give his wife a get as he/<sup>himself</sup>is put into the position of being denied the right to marry again until he gives his first wife a religious divorce.

The Reform position, however liberal and humanitarian it may at first appear to be, often undermines and thwarts the stand taken by Orthodox or Conservative rabbis. For example: A couple affiliated with an Orthodox synagogue are divorced in a civil suit. The man refuses to give his wife a get. He wishes to marry someone else. The Orthodox rabbi cannot, of course, officiate. The man learns that the Reform rabbi in the community does not require a religious divorce. He is married by him to goes to him and ~~marries~~ another woman. His former wife, if she continues to remain loyal to Orthodox principle, is thus put into the position of never being permitted to marry again. Whatever pressure might have been put upon the man to give his first wife a get is blocked and defeated because of the Reform rabbi's action. The consciousness that there was something morally wrong in conduct of this kind by Reform rabbis resulted in the inclusion of the following paragraph in the statement on "Dissolution of Marriage" in the Rabbi's Manual, (Page 139)

"Frequently a couple, one of whom has been divorced by civil decree without the issuance of a Get, may come to a Reform rabbi for a wedding ceremony. No problems arise when the parties belong to a Reform congregation. When this is not the case, especially if either bride or groom belongs to a non-Reform congregation, the rabbi should not agree to officiate without careful inquiry and consideration. If feasible, he should consult with the rabbi of the congregation where these persons usually worship."

As justification for their rejection of religious divorce Reform rabbis often cite the principle of Dina d'malchuta dina - "The law of the land is the law ." If the government enacts a law that in no way conflicts with Jewish religious principle or law, then it is the duty of Jews to abide by that law. But to make the claim that dina d'malchuta dina may be applied to Jewish divorce laws, justifying the elimination of the get, has been called spurious and wholly unfounded. We know of no other Jewish community in history that of its own free will did away with religious divorce on the basis of dina d'malchuta dina.

The upshot of all this is to point out that the differences between Reform Judaism and the traditional branches of Judaism are so great in principles of Jewish identity and personal status that to all intents and purposes they have become two separate religions. Personally, I find this very difficult to accept. Although I have been in the Reform rabbinate for nearly half a century I have never considered myself a "Reform Jew." I am simply a Jew. I reject the notion that there are Reform, Conservative, Reconstructionist and Orthodox Jews. We are all one people. I cannot consider myself to be a different species of Jew than my parents were; they were very pious practitioners of Orthodoxy. Nor can I separate myself from other members of my immediate family who belong to Orthodox and Conservative as well as Reform congregations.

I hear my colleagues in the Reform rabbinate constantly speak in favor of "Jewish unity" and K'lal Yisrael, but the Reform movement, as a whole, has done everything in its power to destroy any possibility of achieving Jewish unity, through its rejection of the laws that govern marriage, divorce and conversion. There is no area of Jewish life more hallowed than that of taharat hamishpaha, "family purity."

abolition  
 But this too has been sullied by our ~~abolition~~ of marriage and divorce laws that guard against producing ~~produce~~ what other Jews call adulterers and mamzerim.

If there is to be Jewish unity there can be only one set of rules governing personal status and Jewish identity. It is the Reform movement that has broken the historic rules. Therefore, it becomes its responsibility to try to repair the damage that has been done, by reversing itself in those areas in which it has departed so radically from historic tradition, in matters related to marriage, divorce and conversion. In other areas of Jewish life - in prayer, theology, education, social action - we can go in any direction desired and still maintain a relationship with other Jewish religious groups, no matter how much we differ from them. But if we persist in harboring the notion that we can discard and violate ~~any~~ the laws that govern personal status in Judaism, then it is inevitable that we will cut ourselves off from the main body of Jewry.

It is important that we in the Reform movement re-establish one of the basic institutions in Judaism, the Beth Din or rabbinic court of law and to <sup>related</sup> utilize this in matters/to divorce and conversion. There are precedents for this in the Reform movements of other countries.

Eventually, I hope, if we attempt to do things ka-din v'ka-halacha, "according to the strict letter of the law," our co-religionists in the Conservative and Reconstructionist movements will be willing to maintain jointly with us a Beth Din in every major Jewish community.

I do not anticipate that the Orthodox rabbinate will quickly accept our move back to traditional requirements in marriage, divorce and conversion. No matter what we do it will still hold off from giving its hechsher (approval). But it is not to appease or satisfy the Orthodox that these changes must be made, but rather to establish our own integrity as a legitimate branch of authentic Judaism. Eventually, perhaps, even the Orthodox will regard us as such.

I am not an opponent of Reform Judaism. I believe very ardently in the freedom it enjoys to be creative and innovative in worship, education, social action and a host of other areas of religious endeavor. Reform Judaism has had a decided impact upon the other branches of Judaism, including even Orthodoxy. Traditional congregations are far different from what they were a generation or two back because they have emulated many of the innovations of the Reform movement, and have profited richly in doing so.

There should be more interaction, especially in the realm of Jewish law. There has been too much insensitivity by Reform rabbis to the halachic or legalistic character of traditional Judaism largely because not enough training was given them in their seminary years in the legal codes such as Shulhan Aruch and Mishneh Torah. When the Central Conference of American Rabbis is grappling with a problem of Jewish law it should be willing to spend a great amount of time studying and considering the issue, and not hesitate calling on the experts and scholars in Jewish law for advice and guidance, even the scholars connected with the traditional branches of Judaism. And it should take seriously into account how a change in halachic principle will affect Jews belonging to other movements in the Jewish religion, and not just those affiliated with Reform. And, above all, if Jewish Unity and K'lal Yisrael are the desired end, the Central Conference of American Rabbis cannot go off on its own without consulting its counterparts in the Conservative, Reconstructionist and Orthodox movements in matters that effect interrelationship between one branch of Judaism and another.

The word "reform" in my understanding means to change for the better. It seems to me that the time for "reform" has come again to a movement that has drifted too far away from the disciplines that determine Jewish status and identity, and the way it must go is back to the moorings that bind it to the rest of world Jewry.

*Patrilineal*

April 29, 1986  
20 Nisan 5746

Mr. Leonard Fein  
MOMENT  
462 Boylston Street  
Boston, MA 02116

Dear Lenny:

I really have no innovative ideas as to how the pro-Patrilineal position can be articulated. All I can tell you is that when we have a chance to make our case the sheer logic of it all persuades the audience and especially if the audience is composed of those who are not institutionally committed. Interestingly enough, this applies to Israelis as well.

Maybe you should not present this as a Reform versus the rest of the world issue. You might invite a number of people across the line who are for it on an individual level, including Reform leaders such as me and then some Conservative leaders such as Kelman, Shkuler, Gerson Goben (Kelman tells me he is for Patrilineal, although at the CLAL Conference he made sounds that were totally otherwise, but that may be his institutional voice rather than the voice of his conviction).

I think that a Panel idea is not bad, or a series of like questions addressed to three or four individuals.

You may recall the JUDAISM volume devoted to this issue. It will give you some ideas for participants but in all fairness, that issue, whatever it is, should not present a divided view since prior issues of MOMENT were devoted to the "yesh omrim" (from my perspective).

I hope you have been enjoying a sweet and Kosher Pesach.

Sincerely,

# MOMENT MAGAZINE

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April 20, 1986

Rabbi Alexander Schindler  
UAHC  
838 Fifth Avenue  
New York, NY

Dear Alex:

In the May issue, we have an appeal from Bob Gordis to the Reform movement asking that patrilineal be rescinded. And in the June issue, we have Norman Lamm's speech from the Greenberg conference.

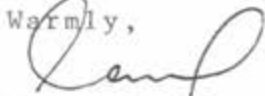
Which means that it's time for us to do something that comes out of the Reform movement. Not, I don't think, another speech. Perhaps a round-table with you and some of your pulpit colleagues that would make the motives for patrilineal more clear than they've been, and also get into other stuff?

Any ideas?

As to the confusion over your talk--understood, forgiven; sorry it didn't work out, but I'm confident there'll be other chances.

Chag kasher v'sameach.

Warmly,



Leonard Fein

# Emanuel Congregation

5959 Sheridan Road  
at Thorndale Avenue  
Chicago 60660

*Tell him ok*

HERMAN E. SCHAALMAN  
Rabbi

January 24, 1984

## MEMORANDUM

TO: MEMBERS OF THE PATRILINEAL COMMITTEE

FROM: RABBI HERMAN E. SCHAALMAN

All the returns on the Questions and Answers are now in. Overwhelmingly, the members of the Committee endorsed the current wording preferring No. 5a to 5b, and 7a to 7b.

There were some suggestions about rewording and perhaps other minor changes which I have incorporated in the enclosed statement.

I'm sending it to you for your final approval after which it would be ready for distribution.

Unless I hear from you by February 15 I assume that you will allow the Committee to proceed with the statement as enclosed.

HES:sgk  
Encl.

Question #1 - Is the CCAR resolution a form of legislation?

The resolution is, in its own words, a declaration. The CCAR has never seen itself as a body that legislates halachically. It interprets, it advises, it issues responsa, it declares -- by majority vote -- the opinion of its membership arrived at in an open convention or through a mail poll.

#2 - What is the role of the individual rabbi in using the resolution?

Ideally, all members should be guided by the will of the convention. In practice, this has not been the case. As in the past, some rabbis will construe the declaration differently than others. It is our experience that in time a body of acceptable practice will develop.

#3 - Is it the intent of the resolution to make the establishment of Jewish identity in the case of a mixed marriage dependent on more than descent from a Jewish parent?

Yes, Identity is seen as derivable from a Jewish parent, but finally determined in the life of the individual through public acts and the pattern of living.

#4 - Does the resolution consider the establishment of the Jewish identity of children of mixed marriages to be established in exactly the same manner no matter which parent is Jewish?

Yes.

#5 - Is there any contradiction between the purpose of this resolution and that of the CCAR resolution (1973) opposing rabbinic officiation at mixed marriages?

No. The 1973 resolution focused on the role of the rabbi as a mesader kiddushin. The 1983 resolution deals with the fact of

mixed marriages and the status of the children, which is the reality addressed by the 1973 resolution.

#6 - Are the mitzvot mentioned in the resolution as ways of establishing the Jewish identity of the children of mixed marriages mandatory?

The list given is intended to be descriptive and is neither mandatory nor complete. Not listed, but obviously relevant, would be such mitzvot as regular attendance at worship or a pattern of participation in Jewish causes.

#7 - Why was conversion not included among the Mitzvot which established the Jewish identity of the children of mixed marriages?

When the conversion of the child is advised by the rabbi or requested by the family or the child, the issue of the identity of the child is resolved. We are dealing here with non-conversion cases.

#8 - What is meant by the Mitzvah of "Torah study?"

Learning which assumes both commitment and knowledge as carried out under rabbinic supervision, preferably in a synagogue setting.

#9 - Are there traditional precedents for the 1983 resolution?

The historic grounds for the conclusion of this resolution which departs from long-standing halacha decisions was discussed in a recent responsum which may be obtained from the CCAR.

#10 - Why does the resolution limit itself to the Reform Jewish community of North America?

The CCAR addressed the social reality which its members face and did not wish to interfere in existing community patterns in Israel, Great Britain, South Africa, Australia, where conditions are different. Liberal Jews in each community will adopt the practice which is appropriate for their situation.

#11 - How will the CCAR resolution impinge on Reform-Liberal communities in other parts of the world?

There may be some difficulties when Jews move from these communities to North America or vice versa, but rabbinic patience and wisdom should be able to resolve them.

#12 - Will this resolution be cited in custody issues arising from divorces or mixed married couples?

Possibly. Generally, both in the United States and in Canada, courts have been hesitant to base their decisions on particular religious interpretations (especially when these are in dispute), and that practice is likely to continue. In view of the recent law passed in the State of New York, however, (which the Supreme Court of the United States has refused to review) a different pattern of judicial decisions may arise. This question cannot be answered now with assurance.

February 8, 1984

Rabbi Samuel R. Weinstein  
Hebrew Benevolent Congregation  
1589 Peachtree Street  
Atlanta, GA 30367

Dear Sam:

Al Vorspan was kind enough to share with me your wonderful response to Rabbi Emanuel Feldman. I write to express my admiration of the superb response you provided to his condemnation of Reform Judaism on the patrilineal issue. You were great!

With thanks and with all good wishes, I am

Sincerely,

Alexander M. Schindler

2/8/80  
PM. SS BY

AMS

"IN RESPONSE TO ORTHODOXY"

BY RABBI SAMUEL WEINSTEIN

In his article entitled "Orthodox Rabbi Appeals to CCAR to Reconsider," Rabbi Emanuel Feldman condemns Reform Judaism for its newest resolution on patrilineal descent. Attacking with a barrage of talmudic quotes, he criticizes Reform on the grounds that it arrives at its conclusions on the basis of shoddy scholarship and an "unfamiliarity with Jewish legal procedures and principles."

Naturally Rabbi Feldman believes his way to be correct, but one can disagree with a particular religious movement without misrepresenting it. Implicit in Orthodoxy is the belief that both the Written Law (the Torah) and the Oral Law (the explanation of the Torah) were given directly by God at Mount Sinai. However, Reform views the Torah to be mankind's response to God, the recorded collective yearnings of a spiritual nation in their quest to experience the awesome Infinite. Because Reform holds the sacred texts of our faith to be a human product, Judaism and Jewish law is understood to be evolutionary. Thus the Reform movement maintains that the halacha, the Jewish way, must continually be adapted by scholars to meet the needs of a new environment so that Judaism can always be pertinent and perpetuated.

This evolutionary process was always evident in Judaism, not a new development with the advent of Reform. First the various books of the Bible were written. Later came the Mishna, Gemara and the collections of Codes and Responsa to further expound upon the biblical verses. The intent of our sages was to reinterpret and update laws and practices which were dissonant with the tenor of the day. This is not to say that the old was randomly discarded, rather it was utilized in creating a Judaism that would meet the exigencies of that era. The liturgy replacing the sacrificial system of the Bible and the rabbinate replacing the priesthood is ample testimony to this process.

With this in mind, the early reformers, noting Orthodoxy's resistance to change, and believing the Torah to be inspired rather than divine, justifiably eliminated some elements of Judaism and rejuvenated other aspects of our faith. Their intent was not to find interpretations unassociated with Jewish practice or engage in intellectual acrobatics in order to discover facets of the law undetected by Akiva, Hillel, Maimonides or Vilna Gaon as Rabbi Feldman contends. Rather they viewed halacha as the vehicle by which mankind draws closer to God. They believed that the Torah was for mankind, not for God. Therefore, they insisted that each generation explore the religious texts with the divinely bestowed gifts of intellect and creativity in order to attain a unique relationship with God.

Consequently, Reform analyzes ancient religious books not to seek legal justification for its actions, but to capture the essence and evolutionary nature of the Jewish faith. Indeed it is impossible for Reform to violate a legal system which it does not accept as having binding authority. Since the Torah, particularly in the realm of ritual and observance is by the people and for the people, it is absurd to quote biblical verses to support a view that is not seeking approval by a higher authority. Biblical and talmudic passages are cited by Reform merely to demonstrate that an idea or concept was once prevalent in the life of our people, and as such, may still be valid today.

Reform, by its very nature cannot violate the Law as Rabbi Feldman's Supreme Court analogy suggests, since religious law, unlike the laws of a nation, is subject to voluntary acceptance by its adherents. While the citizens of a nation may appeal a law to the highest court if constitutionality is in question, the same is not possible in religious life. In our religion the Highest Authority does not answer religious questions. One can turn only to the rabbi and each rabbi, even among the Orthodox, has the right to interpret the same law in a different fashion.

Simply put, Reform labors to make Judaism relevant out of conscience and not convenience. In this particular instance, where the issue of patrilineal descent is under question, we could have decreed that the child of a Jewish father is Jewish, thus "increasing our ranks" as Rabbi Feldman says, but this sentiment is not reflected in the resolution if read carefully and correctly. Whether or not we agree with the resolution, Reform has remained true to its calling by courageously and thoroughly investigating the tradition in order to provide authentic alternatives to those involved in the dilemma of intermarriage.

If misrepresenting Reform were not enough, the article proceeds to attack Reform scholarship. There is obviously no attempt to understand or appreciate the legitimacy of the movement even if the author is in disagreement. This attitude leads the writer to make statements that are simply incongruous with that which we have historically observed in Judaism.

Does Jewish law begin at Sinai as Rabbi Feldman states? To a certain extent we must answer in the affirmative. But the author boldly affirms that "proof-texts from the narratives of the pre-Sinaitic personalities have no bearing whatsoever on halacha." If this is the case, why are verses dealing with the commandment to procreate, Abraham's circumcision of Isaac on the eighth day and the prohibition of eating the thigh muscle, all from Genesis and pre-Sinaitic, considered to be the proof-texts for specific religious practices? Furthermore, if God gave the Torah as the Orthodox contend, then who is to say what verses have a bearing on halacha?

Next Rabbi Feldman states that "once a legal ruling is established in Judaism, any deviant practice has no legitimate grounds." With this statement the author disfranchises all those, even in his movement, who approach halacha from a different perspective. Certainly Orthodox scholars and all scholars disagree about certain interpretations of the law. Literature as recent as the Shulhan Aruch is ambivalent about the observance of certain mitzvot. The very fact that valid religious practices do differ compelled Rabbi Moses Isserles to adapt the Shulhan Aruch for Ashkenazic Jewry.

Finally, on what basis does the author, quoting from Baba Kamma 82a say that had matrilineal descent been so major an "innovation," it would have been included in Ezra's Ten Major Enactments? Ezra as the High Priest of Israel did many profound things which were not included in these enactments and what is listed there is not necessarily his greatest contribution to Jewish life. Among his ten enactments Baba Kamma lists "that clothes be washed on Thursdays, that garlic be eaten on Fridays, that the housewife rise early to bake bread and that a woman must comb her hair before performing immersion." Surely Ezra's contribution was more significant than these "innovations."

Reform does not seek to deny the validity of the verses from the Talmud. These talmudic quotes clearly support matrilineal descent (when a marriage is not licit), but many biblical verses also justify patrilineal descent. Reform would violate its very mission if it did not consider the entire corpus of Jewish literature in rendering decisions.

To attack Reform so brutally and to warn parents about the purity of those Reform Jews whom their children date is reminiscent of the way we as a people have been treated by our oppressors. The very suggestion of purity in terms of "status" evokes the false conception that we are a people because of our genetic composition and not our spiritual outlook. Indeed if that were the case, one could never convert to Judaism. Ruth, the righteous proselyte and antecedent of King David would never have been welcomed into the Household of Israel.

We are Jewish because of what we believe and what we do. While the accident of birth brings many into Judaism, it is not compelling enough to keep them there. In the final analysis, we are Jews simply because we choose to be Jewish.

We accept and admire the Orthodox for their convictions and practices even if we do disagree with <sup>them on</sup> certain fundamental issues. Why cannot they accept us for our particular interpretation? If there is any obstacle to K'lal Yisrael, it certainly is not coming from Reform.

## *The Matrilineal Principle in Historical Perspective*

SHAYE J. D. COHEN

ACCORDING TO RABBINIC LAW, FROM THE second century of our era to the present, the offspring of a gentile mother and a Jewish father is a gentile, while the offspring of a Jewish mother and a gentile father is a Jew. Each of these two rulings has its own history, but it is convenient to group them together under the general heading *the matrilineal principle*. What is their origin? This is an immensely difficult question which is further complicated by its contemporary relevance. The matrilineal principle is at the center of the perennial Israeli debate on the topic "Who is a Jew?" The reform movement has recently decided to adopt a "non-lineal" principle, according to which a child of a non-Jewish mother would be considered a Jew if raised as a Jew. In spite of the relevance of the topic, this essay focuses on history, not *halaka*. Whether or not the matrilineal principle should be retained I leave for others to determine; my goal here is to determine the origins of the law and to provide some historical background to the contemporary debate.<sup>1</sup>

### *The Mishnah*

The central rabbinic text bearing on the matrilineal principle is Mishnah Qiddushin 3:12 (an explanation of all the technical terms in this Mishnah would swell this brief essay beyond reasonable length):

(A) Wherever there is potential for a valid marriage and the marriage would not be sinful, the offspring follows the male. And what is this? This is the daughter of a priest, Levite, or Israelite who was married to a priest, Levite, or Israelite.

(B) Wherever there is potential for a valid marriage but the marriage would be sinful, the offspring follows the parent of lower status. And what is this? This is a widow with a high priest, a divorcee or a 'released woman' (*halusa*, see Deut. 25:5-10) with a regular priest, a *mamzeret* or a *netina* (see Ezra 2:43-58, etc.) with an Israelite, an Israelite woman with a *mamzer* or a *netin*.

(C) And any woman who does not have the potential for a valid marriage with this man but has the potential for a valid marriage with other men, the offspring is a *mamzer*. And what is this? This is he who has intercourse with any of the relations prohibited by the Torah.

(D) And any woman who does not have the potential for a valid mar-

1. This essay is a capsule version of a long and detailed paper scheduled to appear in a forthcoming issue of the *Review of the Association of Jewish Studies*.

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Thank R. &  
Barie for giving  
me this outline

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2 : Judaism

riage either with this man or with other men, the offspring is like her. And what is this? This is the offspring of a slave woman or a gentile woman.

The Mishnah assumes that some marriages are valid and some invalid, and that the status of offspring is determined by the potential of the parents to contract a valid marriage with each other. Paragraph A treats unions which are permitted and potentially valid, B unions which are prohibited but potentially valid, and C and D unions which have no potential validity because they are prohibited. Legal paternity exists only if there exists the potential for a valid marriage between the father and mother. If the ~~more~~ <sup>mother</sup> is legally incapable of contracting a valid marriage, her offspring lacks a legal father and follows its mother. Consequently, the offspring of a Jewish father and a gentile mother follows the father (paragraph A, since legal paternity exists) while the offspring of a Jewish father and a slave or gentile mother follows the mother (paragraph D, since legal paternity does not exist). The logic of paragraphs B and C is somewhat different.

Mishnah Qiddusin 3:12 thus addresses one half of the matrilineal principle. In connection with a different issue Mishnah Yebamot 7:5 addresses the other half of the matrilineal principle and assumes that the child of a Jewish mother and a gentile or slave father is a *mamzer*.<sup>2</sup> It is unclear whether this ruling is to be connected with paragraph D of Mishnah Qiddusin 3:12 (since the father lacks the capacity to contract a legal marriage, there is no paternity and the offspring follows the mother), paragraph C (since the mother is capable of contracting a valid marriage with other men but not with this man, the offspring is a *mamzer*), or with some other principle entirely. In any case, the Mishnah penalizes both a man and a woman for straying from the fold. A Jewish man who marries a gentile fathers a gentile; a Jewish woman who is married to a gentile bears a *mamzer*.

Both Mishnah Qiddusin 3:12 and Mishnah Yebamot 7:5 are anonymous, but their literary contexts suggest that each mishnah reflects the thought of the Yavnean period (circa 80-120 C.E.). The fact that the texts are anonymous implies that their editor, at least, regarded their rulings as beyond dispute. In the case of Mishnah Qiddusin 3:12 he was correct; no rabbi ever disputed the fact that the offspring of a gentile mother and a Jewish father follows the mother. In the case of Mishnah Yebamot 7:5 he was not correct. After a vigorous debate the Talmud reverses this Mishnah, insisting that the offspring of a Jewish mother and a gentile father is not a *mamzer* but a legitimate Jew. What motivated the Talmud to adopt this position is now known, but the Talmudic modification was

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2. A *mamzer* is a male or female Jew (the feminine form of the noun is *mamzeret*) who is the offspring of a forbidden union (for example, adultery or incest) and is therefore prohibited from marrying a native born Jew; if he or she does, the children are *mamzerim*. Since the English terms "illegitimate" and "bastard" derive from a completely different legal system they do not accurately reflect the meaning of the Hebrew.

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accepted by subsequent codifiers of Jewish law and remains in force to the present day. This dispute aside, both the Mishnah and the Talmud agree that the offspring is Jewish. Rabbinic literature preserves traces of non-matrilineal views, but the traces are few and insignificant.

Now we turn to the crucial questions: what are the origins of the matrilineal principle? Is it a rabbinic innovation of the first or second century, or was it already centuries old by the time it was codified in the Mishnah? With few exceptions rabbinic family law is patrilineal. Status, kinship, and succession are determined through the father ("the family of the father is considered family, the family of the mother is not considered family"<sup>3</sup>). Why, then, did the rabbis adopt a matrilineal principle for the determination of the status of the offspring of mixed marriages?

#### *It is not Biblical*

In biblical times the offspring of intermarriage was judged patrilineally. Numerous Israelite heroes and kings married foreign women; for example, Judah married a Canaanite, Joseph an Egyptian, Moses a Midianite and an Ethiopian, David a Philistine, and Solomon women of every description. By her marriage with an Israelite man a foreign woman joined the clan, people, and religion of her husband. It never occurred to anyone in pre-exilic times to argue that such marriages were null and void, that the foreign women must "convert" to Judaism,<sup>4</sup> or that the offspring of the marriage were not Israelite if the women did not convert. In some circumstances biblical law and society did pay attention to maternal identity — the children of concubines and female slaves sometimes rank lower than the children of wives — but it never occurred to anyone to impose any legal or social disabilities on the children of foreign women.

Similarly, if an Israelite woman was married to a non-Israelite husband, she thereby joined his family and his people and was lost to the people of Israel. The Bible pays scant attention to such marriages, since it pays scant attention to Israelite women generally, but clearly implies that the offspring of Israelite women and foreign men were judged matrilineally only if the marriage was matrilocal, that is, only if the foreign husband joined the wife's domicile or clan.<sup>5</sup> If the marriage was not matrilocal, that is, if the Israelite woman joined the house of her foreign husband, I assume that the fellow nationals of both the husband and the wife would have considered the children to be of the same nationality as their father.<sup>6</sup>

3. Babylonian Talmud Baba Batra 109b.

4. Conversion to Judaism did not yet exist; see Shaye J. D. Cohen, "Conversion to Judaism in Historical Perspective: From Biblical Israel to Post-Biblical Judaism," *Conservative Judaism* 36.4 (Summer 1983) 31-45.

5. See Lev. 24:10; 1 Chron. 2:17 (contrast 2 Sam. 17:25); and 1 Chron. 2:34-35.

6. 1 Kings 7:13-14, cf. 2 Chron. 2:12-13.

The Talmud, of course, is unaware of these developments, and attempts to find a basis in scripture for the rulings of the Mishnah. Deuteronomy 7:3-4 ("You shall not intermarry with them [the Canaanites]; do not give your daughter to his son or take his daughter for your son. For he will turn your son away from me to worship other gods.") serves as the scriptural "hook" upon which to hang the matrilineal principle ("Your son from an Israelite [woman] is called 'your son,' but your son from a gentile woman is not called 'your son' but her son"). How the Talmud derives the matrilineal principle from these verses is not entirely clear,<sup>7</sup> for the simple reason that the matrilineal principle is not to be found in these verses. It is not biblical.

*It was not introduced by Ezra*

After returning to Israel from Babylonia in 458 BCE (?), Ezra attempted to expel from the Jerusalem community approximately one hundred and thirteen foreign wives with their children (Ezra 9-10). Many scholars have argued that this episode proves that the matrilineal principle was introduced by Ezra. He attacked marriages between Israelite (at this period we can begin to say "Jewish") men and foreign women because their consequences were serious; like their mothers, the offspring are not Jewish. In contrast, he could ignore (at least temporarily) the marriages between Jewish women and foreign men because their consequences were relatively benign; like their mothers, the offspring are Jewish.

This view *may* be correct, but it is not necessarily so; other explanations are possible. Perhaps Ezra ignored the marriages between native women and foreign men because, as I have just mentioned, such marriages are generally ignored by biblical texts. Ezra's jurisdiction extended only to the members of his people, and he could do nothing to a foreign man who had married an Israelite woman. Even the attempted expulsion of the children of the foreign wives does not necessarily presume a matrilineal principle. Perhaps Ezra introduced a bi-lateral requirement for citizenship (Jewish identity requires two Jewish parents).

The likelihood that Ezra (or a contemporary) introduced the idea that the offspring of a Jewish father and a gentile mother is a gentile is further diminished by the fact that this half of the matrilineal principle is never attested explicitly, and is frequently contradicted implicitly, by the later literature of the second temple period. It is unknown to "the apocrypha," "the pseudepigrapha," the Qumran scrolls, Philo, Paul, Josephus, and the Acts of the Apostles. Some of these works are also unfamiliar with the other half of the matrilineal principle, the idea that the offspring of a Jewish mother and a gentile father is a Jew. Perhaps

7. See Rashi and Tosafot on Babylonian Talmud Qiddushin 68b; compare Palestinian Talmud Qiddushin 3:14 64d and Yebaiot 2:6 4a.

later rabbis *deduced* the matrilineal principle from Ezra's actions, but that Ezra himself introduced the principle is unlikely.

*It is not a relic of primitive times*

Sixty years ago Victor Aptowitzer suggested that the matrilineal principle is a relic of primitive times when Israelite kinship was matrilineal and Israelite society was matriarchal. The thesis was supported by the discovery in both the Bible and the Talmud of numerous other such "relics" of primitive matriliney and matriarchy.<sup>8</sup>

This suggestion is not convincing because Aptowitzer confuses *matriliney* (determination of kinship through females) with *matriarchy* (rule by females), a social form which never existed. Whether ancient Israelite society was ever matrilineal, I leave for others to determine, but the alleged relics of that alleged society collected by Aptowitzer are, for the most part, trivial or debatable. Furthermore, relics which are nowhere attested in the Bible and post-Biblical Jewish literature but which surface miraculously in rabbinic texts a millenium or two after the period of their origins — these are remarkable relics indeed. Perhaps a methodologically sophisticated study of rabbinic family law and kinship patterns will reveal traces of a matrilineal society, but in the absence of such a study, Aptowitzer's suggestion is unconvincing.

*Rape and Intermarriage*

It has been suggested that many Jewish women were raped by Roman soldiers during the wars of 66-70 and 132-135, and that the rabbis, out of pity for their plight, declared the resulting offspring to be Jewish, not gentile. The quality of this suggestion befits the obscurity of its origins, because, according to the Mishnah (see above), the offspring of a Jewish mother and a gentile father is a *mamzer*, and telling an unfortunate woman who has been raped that she is about to bear a *mamzer* is only slightly more consolatory than telling her that she is about to bear a gentile. In some respects it is less consolatory: a gentile, at least, can convert to Judaism, but a *mamzer* can never be legitimated.

Further, why declare the offspring of a Jewish father and a gentile mother to be a gentile? If the point of this half of the matrilineal principle was to discourage intermarriage by Jewish men, there seems to have been little need for such legislation. Perhaps in first-century Rome and Alexandria intermarriage between Jews and gentiles was not uncommon, but it certainly was uncommon in first century Judea and in rabbinic society generally throughout the following centuries. And if the primary motivation was to restrain intermarriage, the rabbis should have intro-

8. Victor Aptowitzer, "Spuren des Matriarchats im juedischen Schrifttum," *Hebrew Union College Annual* 4 (1925): 207-240 and 5 (1926): 261-297.

duced a bi-lateral requirement for citizenship, just as Ezra did (perhaps) in Jerusalem (see above).

*The Uncertainty of Paternity and the Intimacy of Motherhood*

Some have suggested that the principle is based on the old idea *mater certa, pater incertus*. The identity of a mother is always knowable, but the identity of a father is never knowable; if a woman is married, the law presumes that her husband is the father of her child, but this presumption always lacks certainty. Perhaps the rabbis too believed that paternity was always unknowable and felt that a child's identity should be determined in the first instance by its mother and not by its putative father. Hence the matrilineal principle. This suggestion fails for two reasons. First, as I remarked above, the rabbis restricted the matrilineal principle for cases of intermarriage, but paternity is no more uncertain in those marriages than it is in unions between Jews. Second, the rabbis did not always require marriage between the father and the mother for the offspring to inherit the father or receive his status. If an unmarried woman is pregnant and declares that the father of her child is a priest, R. Gamaliel and R. Eliezer say that she is to be believed; if a woman becomes pregnant as the result of rape, the offspring is presumed to have the same status as the majority of the people where the rape occurred (Mishnah Ketubot 1:9-10). In these cases paternity is very uncertain, but the rabbis did not judge the offspring matrilineally.

Instead of emphasizing the uncertainty of paternity, some have suggested that the matrilineal principle is the result of the natural closeness between mother and child. The offspring of a gentile mother and a Jewish father is a gentile because the intimate connection between a mother and her child makes it certain that she will influence him and instruct him in the ways of the gentiles. This suggestion too is unconvincing. The ancients, both Jewish and gentile, recognized the intimacy of motherhood, but they did not draw any legal inferences from this intimacy. Indeed, it was not until the nineteenth century that the legal systems of Europe began to recognize the legal rights of a mother to her children. According to rabbinic law a child must honor both his mother and his father, but only the father is legally responsible for raising the children. A mother's obligation to tend to her children is reckoned as one of her obligations to her husband, since it is he who is responsible for their care.

*Two proposed solutions*

Although I have failed to discover a definitive solution to our question, I offer two suggestions which are more plausible than those so far considered. These two suggestions share two assumptions. First, the matrilineal principle is a legal innovation of the first or second century of

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our era, i.e., that the origins of the principle are to be sought in the period roughly contemporary with its earliest attestation. Second, the principle was introduced not in response to societal need but as a consequence of the influx of new ideas into rabbinic Judaism.

#### *Roman Law*

According to Roman law, a child is the legal heir, and is in the custody, of his father only if his father and mother were joined in a legal marriage (*justum matrimonium*). The capacity to contract a legal marriage was called *conubium* (also spelled *connubium*), and was possessed almost exclusively by Roman citizens. Marriage between a person with *conubium* and a person without *conubium* was valid, but it was not a *justum matrimonium*; and without a *justum matrimonium*, the status of the child follows that of its mother. Consequently, if a Roman citizen marries a non-citizen woman, the children are non-citizens. If a Roman citizen has intercourse with a slave woman, the children are slaves. According to the legal theory, if a Roman matron marries a non-citizen, the children are citizens, except that the *Lex Minicia*, a law probably enacted during the first century BCE, declared that the children of such unions follow the parent with the lower status, that is, the children follow the father. Similarly, the children of a Roman matron by a slave ought to be, according to the theory, free citizens like their mother, except that a law, enacted under Claudius, declared that they are slaves.<sup>9</sup>

The conceptual similarity between the Roman and the rabbinic systems is striking. Marriages between citizens produce children whose status is determined patrilineally. Marriages between citizens and non-citizens produced children whose status, in theory at least, is determined matrilineally; but both legal systems tried to equalize the consequences for male and female citizens who stray from the fold. A Roman matron impregnated by a non-citizen or a slave bears a non-citizen or slave, not a citizen; a Jewish woman impregnated by a gentile or a slave bears a *mamzer*, a citizen of impaired status.

Although it is generally very difficult to prove the influence of one legal system upon another, here the evidence is rather strong. The Roman law, whose principles are clearly attested in republican times, antedates the earliest attestation of the rabbinic law. This suggestion accounts for the phraseology of the Mishnah as well as its dominant ideas. It takes seriously the Mishnah's explanation of itself, since the Mishnah's notion of "potential to contract a valid marriage" seems to reflect the Roman notion of *conubium*. It also is economical, since it accounts at once for both halves of the matrilineal principle. Perhaps, then, the matrilineal principle entered rabbinic Judaism from Roman law.<sup>10</sup>

9. For a readable introduction to the Roman legislation see John Crook, *Law and Life of Rome* (Ithaca: Cornell, 1967), pp. 36-68 ("The Law of Status"), esp. 40-41.

tion.<sup>13</sup> The offspring of intermarriage was a conceptual problem which required a solution.

#### *Conclusions*

The transition from biblical patriliney to mishnaic matriliney cannot be dated before the period of the Mishnah itself. In all likelihood the transition was occasioned by the influx of Roman ideas and by the growth of the rabbinic interest in mixtures of all sorts. The transition was also facilitated by the emergence in the first century BCE and the first century CE of the idea that a gentile woman "converted" to Judaism not through marriage with a Jewish husband (as was the practice in biblical times) but through a separate ritual (immersion in water). The matrilineal principle presumes that the Jewishness of a woman born a gentile can be determined without reference to her Jewish husband. If she converts to Judaism, her children are Jewish; if she does not, they are gentiles. There is no evidence that the matrilineal principle was introduced in response to any particular social need.

Does this reconstruction have implications for contemporary practice? Does it strengthen the hand of those who wish to reject or reform the matrilineal principle of contemporary Halaka? I am not speaking to those fundamentalists who believe that all of rabbinic law was revealed to Moses at Mount Sinai, because they, in principle, oppose both historical scholarship and halakic reforms. I am speaking to those who accept, as I do, a modern, historical approach to Jewish tradition. Does my analysis have Halakic implications?

The answer is no. Jewish law, like other legal systems, is based on precedent, and what the historian can contribute to Halaka is the collection of precedents and the analysis of legal history. But history and Halaka are autonomous disciplines, each with its own methods, assumptions, and goals, and the historian cannot tell the jurist which precedent to follow or which decision to adopt. The modern jurist will, of course, consider the data provided by the historian, the sociologist, the economist, the politician, etc., but it is the jurist who makes the decision, and he makes his decision in accordance with his own legal philosophy. In its interpretation of the Constitution the Supreme Court considers, but is not bound by, the original meaning of the document in its 18th century context. The jurist seeks to determine the law, the historian seeks to determine the truth. The two need not coincide.

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13. Jacob Neusner, *Judaism: the Evidence of the Mishnah* (Chicago: University of Chicago, 1981), pp. 256-270.

# Orthodox rabbi appeals to CCAR to reconsider

by Rabbi Emanuel Feldman

The PR release from the Reform movement, which appeared in the Jan. 13 *Southern Israelite* attempts to justify its radical break from the laws of matrilineal descent by wrapping it in a mantle of biblical scholarship.

An unsuspecting reader could well assume that, after 3,500 years of Jewish law, in which the mother alone determines the child's religion, Reform has suddenly discovered that this has all been a mistake, and that the father is also the determiner. A new reading of Jewish law is now presented—one which apparently eluded such figures as Akiba, Hillel, Maimonides, Nachmanides, Rashi, the Vilna Gaon, the Baal Shem Tov; and escaped the minds of such pre-eminent contemporary authorities in Jewish law as Rav Moshe Feinstein and Rav Joseph B. Soloveitchik.

Not only are we now informed that these great scholars did not know elementary Bible translation, that they overlooked obvious small rabbinic source material; we also are told that the Talmudic sages themselves, in underscoring the matrilineal principle, "do not follow biblical practice or observance." Who does follow biblical practice and observance? Only the Reform movement, which claims that, in this break with classical Jewish practice, they are on "legitimate grounds."

Sadly, the article betrays an unfamiliarity with Jewish legal procedures and principles. Firstly, Jewish law begins at Sinai. That

which occurred prior to Sinai is not a basis for Jewish law. Proof-texts from the narratives of pre-Sinaitic personalities have no bearing whatsoever on *halachah*. Secondly, once a legal ruling is established in Judaism, any deviant practice has no legitimate grounds at all—even if, by some tortuous reasoning, it might have some isolated pre-Sinaitic biblical basis. An American citizen who follows the minority view in a 5-4 Supreme Court decision may claim "legitimate grounds"—after all, four legal scholars agree with him—but he is nevertheless in violation of the law of the land.

Reform evidently has its own reasons for breaking once again with Jewish law. By admitting as Jews those whose mothers are not Jewish, Reform leadership, in one fell swoop, increases its ranks, so dangerously depleted by its self-engineered assimilationary and intermarriage processes.

But it was to be expected: the same philosophy which in the past declared that Berlin was Jerusalem, which gave up all hope of ever returning to a Jewish homeland, and which deleted all references to Zion from its prayerbook—that this same mindset now turns its back once again on Jewish law should come as no surprise.

What is most surprising, however, is the fact that the Reform movement now tries to justify its break with *halachah* by citing the very same classic halachic sources which they have historically disregarded, which

which they discarded long ago as being irrelevant. Now *halachah* is apotheosized—resurrected in order to justify their actions. They should have heeded Isaiah 1:2:

"In all this there is one bit of macabre humor: if Jewish law had insisted that the religion of the child is determined by the father and not the mother, one can only imagine the hue and cry of the Reform movement for equality of the sexes, and their push for recognition of the mother and for matrilineal descent...Irony, is it not, that in the area where *halachah* gives predominance to the woman, Reform leaps in and tries to take her legal rights away from her."

The press is not the place to argue Jewish law, but in fairness to your readers, they should know that Jewish law is crystal clear on matrilineal descent. The Mishnah in Kiddushin 3:12 clearly states the fact that the child follows the religion of the mother; the Talmud in Kiddushin 68b cites Deuteronomy 7:3 as support for this law; Yebamot 45b similarly underscores the matrilineal law, as does Gittin 23b. And Maimonides in his monumental Law Code, *Isurei Biah*, 15:9, establishes the matrilineal idea clearly as a basic principle of Jewish law.

If, as the article's author would have us believe, the matrilineal descent began only in the times of Ezra, how is it that the Talmud in Baba Kamra 82a, when it lists the 10 major enactments of Ezra, fails to mention the matrilineal matter whatsoever. Surely such a major

Most tragic of all is the fact that, henceforth, Conservative and Orthodox Jews must be very wary when their youngsters date Reform Jewish youngsters—for perhaps the Reform youngster's mother is not a Jewess, and by Jewish law, neither is the child. Children brought up believing that they are full-fledged members of

the Jewish people will discover as they approach marriage that the bulk of the Jewish people does not recognize their Jewish status—with implications of tragedy and destructiveness which are beyond belief. In the past 2,000 years, no single act of any Jewish movement has had more potential for creating greater divisiveness among Jews. This is a devastating act of disunity which is being perpetrated by the Reform movement, a step which even the early radical reformers never took.

We can only pray that Reform will reconsider this hasty action, and will rejoin the two-thirds of the Jewish people who look on in horror as it moves to detach itself from *Am Yisroel*. I appeal to all of our brothers and sisters in the Reform movement to urge that this ill-advised, tragic step be rescinded in order to prevent irreparable harm, G-d forbid, to *K'lal Yisroel*.

Israel E. Levine  
Director of Communications  
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1/16/84

For Immediate Release

RABBIS FROM THREE BRANCHES OF JUDAISM DEBATE  
PATRILINEAL ISSUE AT AJCONGRESS SYMPOSIUM

NEW YORK — Reform Jewry's decision last spring to give paternal descent equal weight with maternal lineage in determining Jewish identity was defended here by a leading Reform leader.

Rabbi Alexander Schindler, president of the Union of American Hebrew Congregations, told an American Jewish Congress symposium (Jan. 11) that the patrilineal decision attempts "to contain" the decline in Jewish numerical strength caused by the high rate of intermarriage "and, if possible, to convert that loss into a gain."

However, the patrilineal descent policy set forth last March in a resolution passed by the Central Conference of American Rabbis -- a Reform organization -- was sharply criticized by another speaker at the symposium, Rabbi Irving Greenberg, a well-known Orthodox rabbi who is president of the National Jewish Resource Center. He said the Reform movement's decision to reverse tradition by giving patrilineal and matrilineal descent equal weight was a "triumph for ethics, feminism, sociology and Americanism" but a "defeat for Halacha and the totality of the Jewish people."

Rabbi Greenberg called the patrilineal decision "a corruption, not a reform."

He said it was "a move to dismiss the significance of biology" in determining Jewishness and to make Jewishness "totally volitional." He termed it a "betrayal of ultimate Jewish values" and "enormously costly."

Rabbi Greenberg noted that a study of mixed marriage families by Brooklyn College sociologist Egon Mayer suggested that when a parental act of conversion to Judaism takes place, there is a 45 percent likelihood that a mixed marriage child will also intermarry -- a percentage about equal to that for children in families where both parents are Jewish by birth. But when the non-Jewish spouse in a mixed marriage does not convert, the likelihood that the children of such a union will intermarry jumps to 92 percent, Rabbi Greenberg said.

(more)

He charged that a patrilineal descent rule reduces the incentive for conversion among non-Jewish mothers by automatically granting Jewish status to their children through the Jewish spouse.

A third participant in the symposium was Rabbi Wolfe Kelman, executive vice-president of the Rabbinical Assembly, a Conservative body. He acknowledged his personal support for the extension of Jewish identity on a patrilineal basis but noted that his organization had defeated past efforts to introduce such a resolution. The reason, he noted, was Judaism's traditional "deep-seated repugnance to intermarriage" and the ensuing fear that intermarriages would be encouraged by a patrilineal rule.

The symposium, which was held at AJCongress' national headquarters, took place before an invited audience of some 50 rabbis, biblical scholars and Jewish leaders representing the various branches of Judaism.

In his presentation, Rabbi Schindler said that the matrilineal principle has not existed throughout Jewish history. "Quite the contrary, there was a time in Jewish life when the patrilineal principle was dominant, when children were considered Jewish primarily because their fathers were Jewish even though their mothers were not," he pointed out.

He said that while Jewishness automatically has been conferred through genealogy, under Reform Judaism's new guideline "genealogy is not enough." It specifies that Jewishness cannot only be presumed but "must be expressed in some concrete way through an involvement in Jewish life and the willingness to share the fate of the Jewish people."

Rabbi Schindler said that the patrilineal descent ruling does not alter Reform Judaism's opposition to intermarriage, but merely recognizes the reality of such unions. "Just because we oppose intermarriage does not import that we therefore have to reject those who intermarry," he said. Such a view sees Judaism as being "inclusive" rather than "exclusive," he added. "We will remove the 'not wanted' signs from our synagogues."

Rabbi Schindler also argued that the patrilineal resolution does not attempt to rule out the significance of biology in determining Jewishness but attempts to include the biology of the father as well. "Why should the biology of the mother be more important than the biology of the father?" he asked.

Rabbi Greenberg predicted that the patrilineal resolution would increase divisive tensions between the Orthodox and Reform branches. One solution, he said, is a "dialogue" between the various segments of Judaism to attempt to seek agreement on a common policy to govern conversions.

Rabbi Kelman said, "There is no reason or prospect to think that Conservative Judaism will change its view in favor of a patrilineal descent policy in the foreseeable future."

Chairman of the symposium was Rabbi William Berkowitz, chairman of AJCongress' Commission on Law and Social Action. The meeting was opened by AJCongress executive director Henry Siegman.

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## Rabbi Schindler's sermon

Although it is treacherous to compose editorials based on news reports of speeches without having the full text available, yet from what we can read about the sermon of Rabbi Alexander Schindler at the Friday night services of the the Central Conference of American Rabbis in Cincinnati, he was issuing a warning over the seeming return of Reform to the center in American Judaism. That means, if we interpret Rabbi Schindler correctly, that he sees and issues a caution against, as would any acute observer of American Judaism, Reform beginning to institutionalize a return to greater observance of ritual. The pendulum has swung from the perimeter towards the center. One evidence of it at the centennial convention of the CCAR was the speech by the retiring president, Eugene Lipman, who happens to be opposed to patrilineal descent and would repeal it did he have such power, although as president he was obligated to support it.

It was only a few years ago that Rabbi Schindler in a major address to his own Union of American Hebrew Congregations called for a return to assumption by Reform of basics of Judaism. That cry came from his heart, but it did not lead to any abrupt action on the part of his constituents, although it most assuredly did add weight to the continuing accommodation to more ritual as attendance today at any Reform service almost anywhere in America will testify. In fact, Hebrew now occupies as much a role in the Reform service as its absence a few years ago revealed exactly the opposite. When Hebrew was almost non-existent in the Reform service, Reform had a need, which was to validate its position of modernizing Judaism. That need not only no longer exists, but the extremes to which Reform went — there were a few large temples which dropped Saturday services in favor of Sunday services — have long been recognized as inimical to Jewish continuity.

In Indianapolis, which is hardly atypical, any member of the city's Conservative-Reconstructionist congregation can feel very much at home at services at the Indianapolis Hebrew Congregation, which is Reform and which has, with only minimal criticism, introduced Hebrew throughout the service.

There are valid concerns about the future of Judaism in America, but there is hardly any problem with a return to observance. At one time, it was practically a crusade among the intelligentsia to divest Judaism of "superstitions" and outmoded beliefs. Today there is no place in American Jewish life where such a view has any currency and in fact it probably never occurs to present-day Reform Jews to challenge the reinstitution, if not the actual institutionalizing, of ritual.

Does that make Reform now Orthodox?

Of course not.

In fact, the Orthodox have not as yet recognized what is taking place in Reform and still harbor the bitterness against Reform as if we were still in the 1930s when God was being ridiculed everywhere and not only in Jewish circles.

But that is aside from the point.

There is a trend in Reform, and it is undeniable. It also is a sign of strength, not weakness.

We would be happy to consider publishing the full text of Rabbi Schindler's sermon, for it well could be that the reports of it do a disservice to both him and to the wing of Judaism he so ably represents.

Robert Collier

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# Open letter to David, my Orthodox friend

By Rabbi Harry Manhoff

As a close friend of my colleague, Rabbi David Eliezrie, I must respond to his commentary titled "We Are One People, but They Are Dividing Us."

Dear David:

The time has come for both the Reform and Orthodox, especially Chabad, to stop the public accusations and counter-accusations regarding who is or who is not splitting the Jewish people. What we may only be doing, Heaven forbid, is creating a self-fulfilling prophecy.

Neither the Orthodox nor the Reform will ever be willing to accept the other's interpretation of Judaism in its entirety, and now is the time to accept the differences and live with them.

I may be a Democrat and David, you may be a Republican, but we do not read each other out of American citizenship. To this day I can not understand why you, my good friend, are willing to accept a split in the Jewish people because the

"Reform Movement [will not] repudiate its decision."

In this case the decision to which you refer is the so-called Patrilineal Descent ruling. But it does not matter about which of the long list of differences between us that you are writing about today. In the end, Orthodox Judaism will only accept Reform Judaism when it becomes Orthodox Judaism (or when Reform Jews are willing to donate to Orthodox programs, ie. Chabad drug rehabilitation).

On the other hand, Reform Judaism is always on the defensive, because as liberals, we have been willing to accept other interpretations of Judaism as equally valid expressions of our faith. Simply stated, no Orthodox group can ever accept as valid any other interpretation, whereas any liberal group must accept the validity of other interpretations.

I intentionally refer to Orthodox and Reform Judaism as interpretations of our heritage. It may be very hard for the Orthodox to understand this, but their tradition is as much an interpretation as

is our Reform tradition.

As a case in point, David, you challenged Rabbi Schindler's use of Joseph's marriage to Asenath as an example of patrilineal descent in the Torah. Parenthetically you note that Asenath was Dinah's daughter and Jewish. Your information about Asenath comes from the *Pirke de Rebbe Eliezer* (Chapters 37 and 38) and certainly not from the Torah as God given, even if it was given in a series of inspirations instead of a single revelation, see the midrash as poetic interpretation.

In other words, the disagreement between Orthodox and non-Orthodox rabbis is not over "Who is a Jew," or which interpretation is correct. Rather, the disagreement is over the source of the interpretation of Torah.

No one can live by the agricultural social laws of 3,000 or 4,000 years ago. I do not "seethe the kid in its mother's milk," because I don't have goats or kids. Instead, I keep kosher, which is the rabbinic interpretation of the meaning of the threefold repetition of this Torah

prohibition.

David, if you want to accept the belief in the revelation of the Oral Law on Mt. Sinai, I think that it is fine for you. But I hope that you will think that it is equally fine for me to believe that the Oral Law was written by rabbis as inspired by God in various ages, with new and necessary changes in each age.

Don't agree with me, but allow me the right to my beliefs.

While "Ezra refused to bend to the winds of his time," scholars of the Bible believe that the book of Ruth was canonized as a counterbalance to Ezra's demand to divorce non-Jewish wives. The Bible does not know of Ruth's immersion in the mikvah to convert to Judaism according to the Halacha, before she gave birth to the ancestors of the messianic line. Rather, see the brilliant piece of inductive reasoning in the *Zohar Chadash Ruth*, 180-182.

David, your knowledge of the "determination of Jewish identity" is, as you wrote, "learned directly from," but by

Continued on Opinion D

Continued from Opinion A

way of an explanation, ie, an interpretation, of "a verse in the Torah," as the "Talmud, in the Tractate Kiddushin, ... explains this in great detail."

Instead of attacking the Reform Movement with unfounded charges that Reform rabbis perform intermarriages due to pressure from their boards of director, David, please join the Board of Rabbis, sit down and listen to your non-Orthodox colleagues and work together to avoid the prophesied cataclysmic split.

Instead of attacking Rabbi Schindler's considerable and well-respected scholarship, let's come together once again as we once did, so we can give our children as many approaches to Judaism as they will need to that they will find one that keeps them in the Jewish fold.

Once, David, when you came to my home, your son saw me bare-headed as I returned from painting a neighbor's house. Your son said: "Abba, I thought you said he is a rabbi." You answered: "He is, but he is a rabbi for a different community of Jews."

I shall cherish that memory as a great sign of love that shall always bind us together, even if we don't always agree.

In the end, David, if your daughter falls in love with my son, somewhere they will find a rabbi who refuses to accept the division of the Jewish people, and they will get married. I hope that they will feel comfortable to come to either of us as rabbis, and more importantly, that we will accept their respective choices with love and pride.

Fondest regards to Stella and the children.

Harry A. Manhoff

□ Harry A. Manhoff is rabbi of Congregation Beth David in San Luis Obispo.

Excellent letter -  
Frank Manhoff

HERITAGE (New York, San Diego) 11/2/87

members of the Patrilineal Committee

- ✓ Ben Zion Wacholder
- ✓ Walter Jacob
- ✓ Peter Knobel
- ~~Herman Schaalman~~
- ~~Alex Schindler~~
- ✓ Alfred Gottschalk
- ✓ Albert Friedlander
- ✓ Jerome Malino
- ✓ Joseph Glaser
- ✓ Robert Seltzer
- ✓ Leonard Kravitz
- ✓ Julius Kravetz
- ✓ Jerome Folkman
- ✓ Stanley Dreyfus
- ✓ Samuel Karff
- ✓ Max Shapiro
- ✓ Gunther Plaut
- ✓ Joshua Haberman
- ✓ Isaiah Zeldin
- ✓ Daniel Silver

April 10, 1984

Mrs. Agnes MacIntyre  
700 East Buckeye Street  
Deming, N.M. 88030

Dear Mrs. MacIntyre:

Rabbi Weiss of El Paso has forwarded to me your letter of April 2. It was good of you to write and share your thoughts and your background with me. I was deeply touched by your words.

You may be interested in reading my statement on Patrilineal Descent and I enclose herewith a copy of remarks I made in 1982. You should also know that in March of 1983 the Central Conference of American Rabbis (the membership body of American Reform rabbis) voted on the matter of Patrilineal Descent affirmatively. What has been accepted informally in the past has now been formalized by our community. Thus, my personal views are no longer merely that, they have been accepted by American Reform Judaism.

With repeated thanks to you for writing and with every good wish, I  
am

Sincerely,

Alexander M. Schindler

Encl.

April 2, 1984,  
700 E. Buckeye St.,  
Deming, N.M. 88030

Rabbi Alexander Schindler

Dear Sir:

All my life I've "felt" Jewish, and have never known anyone who accepted me as such, except Gentiles. My father was Jewish. At this late date it's hopeless to think I'm Jewish. Sir 65.

Although I was explained the religion, I never followed it, nor did I raise my son in any.

We didn't keep a kosher house.

I am so glad to hear of your views, and, maybe, it will help the younger folk to feel part of a great people.

Yours very sincerely,

Agnes Mae Intyre

My grandparents and father were  
born in "Bow Obodyska" a village  
in Russia, rest of family in Phila, Pa.

Grandmother - Gittel Brayman (maiden  
name)

Grandfather - Shia Milgram

Father - Lager Lieb - Lewis Leonard

Uncle Joseph - Yisreal - Jos. Milgram

Uncle David - David - David Milgram

Aunt Dorothy - Dubrich - Dorothy Milgram  
Greenstein

Grandmother buried at  
Mt. Sharon Cemetery, Phila

Grandfather - Har Jehudah - Phila - Pa.

Father - Mt. Lebanon - near Phila, Pa.

# Emanuel Congregation

5959 Sheridan Road  
at Thorndale Avenue  
Chicago 60660

HERMAN E. SCHAALMAN  
Rabbi

(312) 561-5173  
April 13, 1984

## MEMORANDUM

TO: MEMBERS, PATRILINEAL COMMITTEE  
FROM: RABBI HERMAN E. SCHAALMAN

Just for your information, the enclosed Resolution will be proposed to the Resolutions Committee for submission to the Conference at its forthcoming Grossinger Convention.

If you have any comments, please let me have them.

A joyous Pesach to you.

HES:sgk  
Encl.

April 19, 1984

Rabbi Herman E. Schaalman  
Emanuel Congregation  
5959 Sheridan Road  
Chicago, Illinois 60660

Dear Herman:

Two comments regarding the resolution which you circulated:

- 1) Who authored this resolution? Who is submitting it? How did it get to you?
- 2) Our Committee, led by its chairman ought to oppose this resolution, both on the Resolutions Committee and on the floor, for the following reasons:
  - a) It is premature; the fuller impact of our decision on the ~~Jewish~~Jewish world can scarcely yet be determined.
  - b) It is redundant. Our present Committee was constituted to do precisely what this resolution calls for.
  - c) Equally redundant is the granting of the right of each colleague to interpret this report as his conscience dictates. That is a given in our Conference.

Hope you had a pleasant Pesach.

Affectinnately,

Alexander M. Schindler

cc: Members, Patrilineal Committee

## PATRILINEAL DESCENT

WHEREAS the 1983 Report of the Committee on Patrilineal Descent on the Status of Children of Mixed Marriages has been the cause of much controversy in the Jewish world and because it has been the occasion of the disruption of intra-communal relations in many places; and

WHEREAS the adoption of this Report has been subject to much misinterpretation and confusion due to inaccurate or misleading press coverage and perhaps to disputes as to the meaning and significance of the Report within the Conference

BE IT RESOLVED

THAT the Central Conference of American Rabbis requests of the President of the Conference

1. A report on the effect of the adoption of this Report on relations between the Reform movement and the rest of the organized Jewish world;
2. A report on the impact of this Report on Reform Jewry; and
3. A reconstitution of a committee to study
  - a. the impact of the Report
  - b. the possibility of modifications, clarifications, or rescission of the Report.

AND BE IT RESOLVED

THAT The Central Conference of American Rabbis affirms the right of each colleague to interpret this Report and to make rabbinic decisions in matters of personal status according to the knowledge, understanding and conscience of the individual rabbi.

PATRILINEAL & MATRILINEAL DESCENT

QUESTION: What are the origins of matrilineal descent in the Jewish tradition; what halakhic justification is there for the recent Central Conference of American Rabbi's resolution on matrilineal and patrilineal descent which also adds various requirements for the establishment of Jewish status?

ANSWER: We shall deal first with the question of matrilineal and patrilineal descent. Subsequently we shall turn to the required positive "acts of identification."

It is clear that for the last two thousands years the Jewish identity of a child has been determined by matrilineal descent. In other words, the child of a Jewish mother was Jewish irrespective of the father (Deut 7.3,4; M. Kid 3.12; Kid 70a, 75b; Yeb 16b, 23a, 44a; 45b; A. Z. 59a; J. Yeb 5.15 (6c); 7.5 (8b) J. Kid 3.12 (64d); Yad Issurei Biah 15.3f; etc.). The Talmudic discussion and that of the later codes indicated the reasoning behind this rule.

The rabbinic decision that the child follow the religion of the mother solved the problem for offsprings from illicit intercourse of unions which were not recognized, or in which paternity could not be established, or in which the father disappeared. This practice may have originated in the period of Ezra (Ezra 10 3: Neh 13.23ff) and may parallel that of Pericles of Athens who sought to limit citizenship to

a Jew and willingly changed his religion" (Law of Return Amendment #2, #4a, March, 1970). This meant that a dual definition (descendents from Jewish mothers or fathers) has remained operative for immigration into the State of Israel.

The decision of an Israeli Court is a secular decision. It is, of course, not determinative for us as American Reform Jews, but we should note that their line of reasoning is somewhat similar to ours. We also see flexibility to meet new problems expressed in these decisions.

For the reasons cited in the introduction to the Resolution, those stated above and others, we have equated matrilineal and patrilineal descent in the determination of Jewish identity of a child of a mixed marriage.

Now let us turn to the section of the resolution which deals with "positive acts of identification." There are both traditional and modern reasons for requiring such acts and not relying on birth alone as follows:

1. We do not view birth as a determining factor in the religious identification of children of a mixed marriage.
2. We distinguish between descent and identification.
3. The mobility of the American Jews has diminished the influence the extended family upon such a child. This means that a significant informal bond with Judaism which played a role in the past does not exist for our generation.

We should contrast the rabbinic position to the earlier Biblical and post-Biblical period. It is clear that patrilineal descent was the primary way of determining the status of children in this period. The Biblical traditions and their early rabbinic commentaries take it for granted that the paternal line was decisive in the tracing of descent, tribal identity, or priestly status. A glance at the Biblical genealogies makes this clear. In inter-tribal marriage paternal descent was likewise decisive (Nu. 1.2 l'mishpehotam l'veit avotam); the line of the father was recognized while the line of the mother was not (mishpahat av keruyah mishpahah, mishpahat em enah keruyah mishpahah B. R. 109b, Yeb. 54b; Yad, Nahalot 1:6; etc.).

We should also recognize that later rabbinic tradition did not shift to the matrilineal line when conditions did not demand it. Therefore, the rabbinic tradition remained patrilineal in the descent of the priesthood; it was and remains the male kohen who determines the status of his children. The child is a kohen even if the father married a Levite or an Israelite. Thus lineage was and continues to be determined by the male alone whenever the marriage is otherwise proper (M. Kid 3:12 ; Kid 29a; Shulhan Arukh Yoreh Deah 245.1).

If a marriage is valid but originally forbidden, (marriage with someone improperly divorced, etc.), then the tainted parent, whether mother or father, determines

lineage (Kid 66b; Shulhan Arukh, Even Haezer 4.18). The same rule applies to children born out of wedlock if both parents are known.

Matrilineal descent, although generally accepted for the union of a Jew and a non-Jew, has rested on an uncertain basis. Some have deduced it from Deut. 7.4, others from Ezra 9 and 10. Still others feel that the dominant influence of the mother during the formative years accounted for this principle. A few modern scholars felt that the rabbinic statement followed the Roman Paulus (Digest 2.4f), who stated that the maternity was always known while paternity was doubtful; this, however, could be extended to the offspring of any parents. Shaye Cohen has also suggested that the rabbis may have abhorred this type of mixture of people as they felt negatively toward mixtures of animals and materials. A full discussion of this and other material may be found in Aptowtizer's "Spuren des Matriarchats im jüdischen Schrifttum", Hebrew Union College Annual, vols. 4 & 5 and Shaye J. D. Cohen's "The Origin of the Matrilineal Principle in Rabbinic Law", Judaism, Winter 1984.

We should note that the Karaites considered the offspring of a Jewish father and a Gentile mother to be a Jew. It is, however, not clear from the sources available to me whether the conversion of the mother to Judaism may not

have been implied (B. Revel, "The Karaite Halkaha", Jewish Quarterly Review III, pp. 375f.) The matter continues to be debated.

These discussion show us that our tradition responded to particular needs. It changed the laws of descent to meet the problems of a specific age and if those problems persisted, then the changes remained in effect.

The previous cited material has dealt with situations entirely different from those which have arisen in the last century and a half. Unions between Jews and non-Jews during earlier times remained rare. Furthermore, the cultural and sociological relationship with the people among whom we lived did not approach the freedom and equality which most Jews in the Western World now enjoy.

We in the 20th century have been faced with an increasing number of mixed marriages, with changes in the structure of the family, and with the development of a new relationship between men and women. This has been reflected in the carefully worded statement by the Committee on Patrilineal Descent (Jacob, American Reform Responsa, Appendix).

We may elaborate further with the following statements which reflect the previously cited historical background, the introduction to the resolution as well as other concerns. We shall turn first to the question of descent and then to the requirement of "acts of identification."

1. In the Biblical period, till the time of Ezra or beyond, patrilineal descent determined the status of a child, so the children of the kings of Israel married to non-Jewish wives were unquestionably Jewish. This was equally true of other figures. Furthermore, our tradition has generally determined lineage (yihus) through the father, i.e., in all valid but originally forbidden marriages. This was also true for priestly, Levitical and Israelite lineage which was and remains traced through the paternal line (Nu. 1.2, 18; Yad Hil. Issure: Biah 19.15; Shulhan Arukh, Even Haezer 8.1). If a marriage was valid, but originally forbidden, then the tainted parent (mother or father) determined status (Kid 66b; S. A., Even Haezer 4.18). The same rule applied to children born out of wedlock if both parents were known.

Yihus was considered significant, especially in the Biblical period and long genealogical lines were recorded; an effort was made in the time of Ezra and, subsequently, to guarantee pure lines of descent and precise records were maintained (Ezra 2:59ff; genealogies of I, II Chronicles). An echo of that practice of recording genealogies remained in the Mishnah and Talmud despite the difficulties caused by the wars of the first and second century which led to the destruction of many records (M. Kid 4.1; Kid 28a; 70a ff). In the Biblical Period, and in some instances later, lineage, was determined by the father.

2. Mishnaic and Talmudic authorities changed the Biblical laws of descent, as shown earlier in this responsun, as well as many others when social or religious conditions warranted it. Family law was changed in many other ways as demonstrated by the laws of marriage. For example, the Talmudic authorities validated the marriage of Boaz to Ruth, the Moabites, despite the strict ruling against such marriages (Deut 23.4); they indicated that the Biblical rule applied only to males, not to females (Yeb 76b ff). Earlier, the Mishnah (Yadayim 4.4) claimed that the various ethnic groups had been so intermingled by the invasion of Sennacherib that none of the prohibitions against marriage with neighboring people remained valid. In this instance and others similar to them, we are dealing with clear Biblical injunctions which have been revised by the rabbinic tradition. We have followed these examples in our own revision.

3. The Reform movement has espoused the equality of men and women, virtually since its inception (J. R. Marcus, Israel Jacobson, p. 146; W. G. Plaut, The Rise of Reform Judaism, pp. 252ff). As equality has been applied to every facet of Reform Jewish life, it should be applied in this instance.

4. We, and virtually all Jews, recognize a civil marriage between a Jew and a Gentile as a marriage although

not qiddushin, and have done so since the French Sanhedrin of 1807 (Tama, Transactions of the Parisian Sanhedrin - Tr. F. Kerwan, p. 155f; Plaut Op. Cit., p 219). We are morally obliged to make provisions for the offsprings of such a union when either the father or mother seek to have their children recognized and educated as a Jew.

5. We agree with the Israeli courts and their decisions on the matter of status for purposes of l'am, the registration of the nationality of immigrants and the right to immigrate under the Law of Return. Such rulings are secular in nature and do not bind the Israeli rabbinic courts, or us, yet they have far reaching implications for all Jews. In the Brother Daniel case of 1962, this apostate was not judged to be Jewish although he had a Jewish mother (1962-16-P.D.2428). The court decided that a Jew who practiced another religion would not be considered Jewish despite his descent from a Jewish mother. "Acts of religious identification" were determinative for secular purposes of the State of Israel. The court recognized that this had no effect on the rabbinic courts; nonetheless, it marked a radical change which deals with new conditions.

Earlier in March, 1985, the Minister of Interior, Israel Bar-Yehuda, issued a directive which stated that "any person declaring in good faith that he is a Jew, shall be registered as a Jew." No inquiry about parents was authorized. In the case of children "if both parents

declare that the child is Jewish, the declaration shall be regarded as though it were legal declaration of the child itself" (S. Z. Abramov, *Perpetual Dilenma*, p. 290; Schlesinger v. Minister of Interior 1963 - I - 17 P.D. 225; Shalit v. Minister of Interior 1968 - II - 23 P.D. 477-608). This was for the purposes of immigration and Israeli registration. It represented the furthest stance away from halakhah which any official body the State of Israel has taken in this matter. It remained law until challenged and later legislation replaced it. There have been a number of other decisions which have dealt with this matter.

The current law passed in 1970 after a government crisis over the question of "Who is a Jew" reads "for the purpose of this law, Jew means a person born to a Jewish mother, or who has become converted to Judaism, and who is not a member of another religion" ("Law of Return - Amendment, March, 1970 #4b; M. D. Goldman, Israel Nationality Law, p. 142, Israel Law Journal, vol. 5, #2, p 264).

Orthodox efforts to change this to read "converted according to halakhah" have been defeated on various occasions. We should note that although the definition of a Jew was narrowed, another section of the law broadened the effect of the Law of Return and included "the child and grandchild of a Jew, the spouse of a Jew and the spouse of the child and grandchild of a Jew - with the exception of a person who was

4. Education has always been a strong factor in Jewish identity. In the most recent past, we could assume a minimal Jewish education for most children. In our time, almost half the American Jewish community remains unaffiliated, and their children receive no Jewish education.

For those reasons the Central Conference of American Rabbis has declared:

"The Central Conference of American Rabbis declares that the child of one Jewish parent is under the presumption of Jewish descent. This presumption of the Jewish status of the offspring of any mixed marriage is to be established through appropriate and timely public and formal acts of identification with the Jewish faith and people. The performance of these mitzvot serves to commit those who participate in them, both parents and child, to Jewish life.

Depending on circumstances, mitzvot leading toward a positive and exclusive Jewish identity will include entry into the covenant, acquisition of a Hebrew name, Torah study, Bar/Bat Mitzvah, and Kabbalat Torah (Confirmation). For those beyond childhood claiming Jewish identity, other public acts or declarations may be added or substituted after consultation with their rabbi."

Walter Jacob, Chairman  
Responsa Committee

October 1983

Depending on circumstances, mitzvot leading toward a positive and exclusive Jewish identity will include entry into the covenant, aquisition of a Hebrew name, Torah study, Bar/Bat Mitzvah, and childhood claiming Jewish identity, other public acts or declarations may be added or substituted after consultation with their rabbi."

Walter Jacob, Chairman  
Responsa Committee

October 1983



RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, N.Y. 10021 (212) 249-0100

July 17, 1989  
14 Tammuz 5749

Gabriel Cohen, Publisher  
The Jewish Post and Opinion  
2120 N. Meridian Street  
P.O. Box 449097  
Indianapolis, IN 46202

Dear Gabe:

I really don't want to engage in a public disputation with a colleague. It seems unseemly to me and I do hope that you understand my position and in understanding, forgive. But, on a personal level and not for publication but for your information, let me make the following points:

A) Patrilineality is not as consequential from a halachic point of view than is Reform's decision made over a hundred years ago not to require religious divorce. The former can be remedied through a halachic conversion, the latter is halachically irremediable since its consequence is bastardy. In other words, patrilineality is only one of scores of changes that Reform made over the decades which we would have to change in order to be accepted by the Orthodox, not in the least among which is men and women sitting together at services, women reading from the Torah, which halacha can never countenance.

B) The Conservative movement hasn't adopted Patrilineality, not yet anyway, then why isn't the Conservative movement accepted by the Orthodox?

C) In a recent public statement, made after my CCAR Conference speech, Rabbi Moshe Sherer declared that even if we were to change our position on patrilineality we would never be accepted by the Orthodox.

To all of this I only want to add that according to Steve Cohen's studies some 85% of American Jews - lay leaders and many rabbis - are now accepting of the patrilineal principle and would not bar their children from marrying someone who is defined as a Jew through the paternal line providing he or she lived life as a Jew.

Gabriel Cohen  
Page -2-  
July 17, 1989

Lastly, I don't think that there is a substantial rift between Orthodox and Reform except on a professional level, rabbi vs. rabbi, and certainly not on a lay level where substantial harmony prevails. Ofcourse, I am not taking about extremes on either side but about the solid center and not about the Lubavitch or even the Satmer but rather about Yeshiva University, HUC-JIR and JTS and the congregations that relate to them. In fact, there is a good deal more disputation within the movements than there is between them, note if you will the Satmer and Lubavitch cutting off each other's beards.

~~I~~ the past it was infinitely worse, note, for example, the disputes between Hassidism and Misnagdism when the antagonists had each other put into jail, denounced each other to public authorities and what not and still the Jewosh world held.

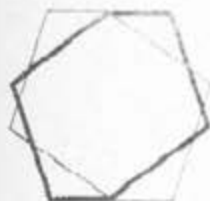
The real problems of Jewish unity have their locus elsewhere and center about the steps that Israel must take to resolve its dilemma and the conflict in Israel has absolutely nothing to do with Orthodox and Reform.

Again, Gabe, all this is for your private information.

With warm personal regards, I am

Sincerely,

Alexander M. Schindler

cc: MM  
RICHARD COHEN

The Graduate School and University Center  
of The City University of New York

Center for Jewish Studies / Box 465  
Graduate Center 33 West 42 Street, New York, N.Y. 10036-0099  
212 642-2180

Editor  
The Jewish Week  
1501 Broadway  
New York, N.Y. 10036

October 13, 1992

Dear Editor:

A letter last week (Oct. 9-15) from one of your readers (Matthew Persons "Patrilineality unacceptable"), masquerades personal opinions as though they were facts, and ridicules facts as if they were a matter of opinion. Mr. Persons chastises Rabbi Alexander Schindler for his reference to a survey finding that "85% of American Jews, including Orthodox Jews, accept patrilineality."

"I find this assertion utterly impossible to believe," he writes. "I have spoken to hundreds of Orthodox and Conservative Jews on this matter....I have never met a Jew who supported patrilineality and who was not part of the Reform movement. Not 85 percent, not 50 percent, not 10 percent. None."

As the author of the study referred to by Rabbi Schindler I feel obliged to set the record straight, at least for the benefit of those of your readers who might have a greater respect for the findings of social science research than Mr. Persons.

In the Spring of 1990 the Jewish Outreach Institute in cooperation with the Center for Jewish Studies at the CUNY Graduate School sent out a survey questionnaire to 9,000 American Jewish leaders, consisting of Orthodox, Conservative and Reform pulpit rabbis, synagogue presidents, executive directors and board chairmen of every federation in America and every major Jewish communal institution. It was by far the single largest survey of its kind. Over 2,000 people responded, proportionally representing all segments of American Jewish leadership as well as laity.

The survey addressed a series of questions dealing with the challenges of interfaith marriage. Included among the many questions was one that read as follows: "If your son was married to a non-Jewish woman and they were raising their children as Jewish even though the mother was not, would you consider your own grandchildren Jewish?" We did not ask people what their ideological position was on the issue of patrilineality. We asked them about their own grandchildren.

Sixty-seven percent of our respondents answered the question in the affirmative: yes, they would regard their own grandchildren as Jewish, even if the mother was not, so long as the children were raised Jewish. Forty percent of Conservative rabbis replied to this question in the affirmative and nearly 80 percent of Conservative lay people replied to the question in the affirmative. As one might expect, an affirmative response among Reform leaders and laity was nearly universal. Among the Orthodox just 7 percent of rabbis and 10 percent of the laity replied in the affirmative. It seems that as much as most American Jews want Judaism to survive they want even more to see their own families continue as Jewish.

Anyone is within his rights to assert, as does Mr. Persons, that "patrilineality is simply unacceptable," as a matter of religious principle. However, they should not delude themselves, much less others, that their opinions as are universally shared by their fellow Jews -- just because they themselves have not personally met anyone who disagrees with them -- even when well substantiated facts prove to the contrary. Indeed, the only point Mr. Persons seem to prove on the strength of his own words is that he speaks only to those people about the subject of "patrilineality" who share his opinion. Would we want to be led by rabbis who also only speak to those who agree with them?

I suppose the deeper and sadder question raised by Mr. Persons' letter is this: For someone who is so willing to write out of the Jewish fold so many of other people's grandchildren do facts matter at all? Or, does his own opinion reign supreme? How many Jews who do not share his views would Mr. Persons have to meet personally before recognizing their existence, much less the legitimacy of their views?

Egon Mayer, Ph.D.  
Professor of Sociology  
BROOKLYN COLLEGE &  
Senior Research Fellow  
Center for Jewish Studies  
CUNY Graduate School

# JUDAISM

A QUARTERLY JOURNAL

15 EAST 84th STREET · NEW YORK, N. Y. 10028 · TR 9-4500

DR. ROBERT GORDIS, Editor

DR. RUTH B. WAXMAN, Managing Editor

August 14, 1984

Dr. Alexander M. Schindler  
Union of American Hebrew Congregations  
838 Fifth Avenue  
New York, N. Y. 10021

Dear Dr. Schindler:

Thank you very much for sending us your contribution to the symposium on patrilineal descent. Yours is a very impressive, indeed eloquent, presentation of the problem and the solution being advanced by Reform Judaism today. It will prove a most valuable contribution to the symposium which is shaping up beautifully and which bids fair to becoming the prime source for the intelligent discussion of the issue.

I am pleased that you have expressed an interest in making additional copies of the issue of JUDAISM available to members of the Board of Trustees of the UAHHC. Recently the Rabbinical Assembly ordered a special printing of a thousand copies of the issue containing the symposium on the ordination of women, which was distributed to the entire membership. Should you wish a substantial number of copies of the new symposium issue, it would be best for us to know this in advance, so that arrangements can be made with the printer.

I appreciate your offer to discuss with me the possibility of a promotion of JUDAISM among your leadership. I may add that a recent survey of the reading habits of American rabbis disclosed that JUDAISM ranks first among all periodicals including COMMENTARY, MOMENT, HARPERS, ATLANTIC and down the list. We would, of course, be delighted to broaden the base of our readership.

I am now preparing to go abroad, but will be returning before Rosh Hashanah. If you will be good enough to communicate with me any time subsequent to the holidays, it will be a pleasure to meet with you here in New York at a mutually convenient time.

May I add a personal note? As long ago as 1955, in my book, JUDAISM FOR THE MODERN AGE, I strongly endorsed the idea of an active campaign to win non-Jews for Judaism, though not precisely on the same terms as your own program. This was, of course, in the days before the term "outreach" had come into vogue.

For many reasons it will be a pleasure to meet with you. Have a pleasant summer.

Sincerely,

Robert Gordis

RG:brs

*A. Schindler*

*Call him  
when he  
returns*

*Also  
please  
get  
me this  
book!*

# Redefining the boundaries of who is a Jew

IN 1983, the Central Conference of American Rabbis, the major organization of Reform rabbis, agreed in a declaration that "the child of one Jewish parent is under the presumption of Jewish descent. This presumption of the Jewish status of the offspring of any mixed marriage is to be established through appropriate and timely public and formal acts of identification with the Jewish faith and people."

In other words, the child of a Jewish father and a non-Jewish mother was to be accorded exactly the same status as the child of a Jewish mother — with the huge qualification that neither would be regarded as Jewish without evidence of active commitment to Judaism and the Jewish people.

The declaration sparked widespread concern in the Orthodox community across the globe. "The prospect was real of the greatest schism since Judaism and Christianity parted company," wrote Dr Jonathan Sacks, now British Chief Rabbi. "Will there be one Jewish people by the year 2000?" asked Rabbi Irving ("Vitz") Greenberg, of New York.

As far as the author of the declaration is concerned, it was never a question worth asking. Rabbi Alexander Schindler, the veteran president of the Union of American Hebrew Congregations, claims that acceptance today of the principle of patrilineality in the American Jewish community is very wide. Citing a 1991 study, it is, he says, over 85 per cent among the lay leadership, and as much as 25 per cent of the Orthodox rabbinate.

With all the seriousness of someone to whom the correctness of what he says is so self-evident that only a fool needs to hear it from him, Rabbi Schindler protests: "I didn't wake up in the middle of the night and say that we have got to pursue the patrilineal principle."

He had been speaking at a luncheon, "a fairly decent speech and reasonably well received." Then, in a question-and-answer session, someone asked him whether, in a case where a Jewish man married a non-Jew and they agreed to raise the children Jewishly, and there was a divorce in which custody of the children went to the mother, there should be safeguards for the right of the father to protect the religious education of the children.

"I said, 'Absolutely. We ought to provide legal counsel for that' — and I got a standing ovation, much better than I got for my set speech."

"On my way back, I began to think about it and I realised that what these people were concerned about was ensuring that their grandchildren were Jewish. That was their essential concern."

But another unanticipated problem emerged as he pushed forward his inquiries: the huge number of youngsters in religion schools, the products of mixed marriages where the parents had agreed to raise them Jewishly, only to be told that a real Jew was one whose mother was Jewish.

"I am also talking about hundreds of thousands of people in America today, the products of intermarriage, who having had it drummed into them that you can be a Jew only if your mother is Jewish, are bound to feel that somehow they are not quite Jewish."

"This compelling, overriding interest, together with the more limited issue of divorce and custody, led me to push for the patrilineal declaration."

Rabbi Schindler is resentful that the conditional part of his patrilineal declaration is overlooked. "It is even more stringent than is Orthodox. Orthodox designates Jewishness automatically. If the mother is Jewish, the child is Jewish, no matter what happens later on."



Rabbi Schindler: history on his side?

"We say that this racial designation is insufficient. Insofar as genealogy is a factor, either parent will do. But there has to be something else."

"We insist on genealogy-plus, is the case of a father or a mother. Jewishness has to be expressed in an overt way, through Jewish education, through a commitment to Jewish life, through brit milah, through — at the very least — a determination to share the destiny of the Jewish people, and that before marriage."

Schindler claims to have history on his side, if not the sages who compiled the Talmud.

Jewishness in the days of the

Torah, he points out, was patrilineal. "Somewhere along the line, it switched to matrilineal. No one is in agreement as to when it took place. Some say as early as Ezra, some say later."

"The consensus of scholarship is that, at a time of travail when Jewish women were raped and the question was whether or not the father of the child was Jewish, a compassionate law ruled that, if the mother was Jewish, the child was Jewish."

"An outside factor determined a change in a law which was crystal clear from the Torah. We have outside factors today which are also important and which should allow us to evolve Judaism to meet the needs of the day."

Look at the Ethiopian Jews, he suggests. Because they are not bound by rabbinic Judaism and their roots are in the Torah, their descent is absolutely patrilineal.

Where there is any question about their Jewishness, the Jewish Agency accepts proof that the father was a Jew to establish their status, and with the acquiescence of the Orthodox rabbinate.

Schindler makes a prediction. "I am confident that the time will come, especially if there is electoral reform in Israel, when opposition will break and when, if not *de jure* — I am telling you they are not going to convert all these Russian Jews — they are, *de facto*, going to accept patrilineality."

Surprisingly, he does not have statistics to demonstrate the impact of the declaration on the size of Reform Jewry, which is, he claims, the largest synagogue movement in the US, having increased by 25 per cent since 1975.

"But don't believe for a moment that there is a triumphalism that fuels my attitude. I want all Jewish movements to grow. A Jew without religion is like a lifeless body."

A confession: "I will admit that when you bring the intermarried in, when you make them a part of the community, when you say, 'Let the non-Jewish partner come into the synagogue, there is the risk of making intermarriage more respectable and more acceptable."

"But that's a price I am willing to pay, because I know that the cost is infinitely greater. It will lead not to more Jewish marriages, but to more alienated intermarriages and a fracture in Jewish life, in Jewish families. Terrible! We start seeing shiv'ah over our children — and then what?"

"Some among the Orthodox say they would rather have 500,000 perfect Jews. I would rather have six million in America some of whom, maybe, are not perfect."

"One thing I do know is that we have lost a big slice of the Jewish community. But you are not going to prevent intermarriage unless you are prepared to withdraw from the American way of life."

"We want Jews to marry Jews. We are not for intermarriage — that's a misconception on the part of the general Jewish community, particularly the traditional community."

"We do not want intermarriage on human grounds, because of divorce. We do not want intermarriage on Jewish grounds, because of the fierce attenuation of Jewish identity. And we do everything we can to have Jews marry Jews."

"We have two choices: we can include or exclude. We can sit shiv'ah over our children, or we can reach out, try to bring their partners in, and hope that our grandchildren will be Jews."

"In the final analysis, that is the highest priority for American Jews who identify themselves as Jews."

GEORGE D. PAUL  
US Affairs Editor, New York

London Jewish Chronicle May 20 1992

## Fighting assimilation is no game but playing 'Target 613' may help

NEW YORK — "Today we ty.  
have thousands of children who discard their Jewish identity," sadly observed Simcha Friedman, president of Friedman Enterprises. In a nationwide campaign to help fight assimilation through games, Friedman Enterprises has donated hundreds of its "Target 613" nationwide, (the game is about Jewish holidays and values) and its "Piece to Jerusalem," a puzzle of a map of modern-day Jerusalem with a vision of the future — the 3rd Holy Temple. Acclaimed by children, parents and educators, this game and puzzle provide fun while helping to teach Jewish values and thus promote Jewish identi-

Recently Friedman Enterprises has established a special program in which donors designate specific organizations throughout the country to receive "Target 613" and "Piece to Jerusalem." Among the recipients in the program are: Central Queens YMHA which has an outreach program to Russian immigrants, the Jewish Education Program (JEP), Machne Israel Camps.

For more information and to become a recipient or join the program as a donor, write to Friedman Enterprises at Room 125, 254 Kingston Avenue, Brooklyn, New York 11213.

# Emanuel Congregation

5959 Sheridan Road  
at Thorndale Avenue  
Chicago 60660

HERMAN E. SCHAALMAN  
Rabbi

April 26, 1984

## MEMORANDUM

TO: PATRILINEAL COMMITTEE  
FROM: RABBI HERMAN E. SCHAALMAN

I made the mistake of not adding the name of the author of the recently proposed resolution. It is Philip Bentley.

Some of you have already indicated that you think this resolution is either premature or redundant or both. A recommendation will be made to have that resolution transferred to our Committee for disposition.

I will keep you informed of any developments.

HES:sgk



COPY

*Alexander M. Schindler*  
RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, NY 10021-7064 (212)249-0100

July 29, 1994  
21 Av 5754

Rabbi Helen Freeman  
The Liberal Jewish Synagogue  
28 St. John's Wood Road  
London NW8 7HA England

Dear Rabbi Freeman:

I received your letter in England just prior to my departure, and when I returned to the States, an avalanche of letters and other matters to be considered poured over me. Before long, I had to be off again on several shorter journeys.

I write you this note merely to assure you that your letter was not ignored. I read it with a good deal of care and I thank you for the information which it provides.

Hopefully, we will have a chance to meet with one another in the not too distant future.

Cordially,

Alexander M. Schindler



COPY

RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
• PRESIDENT 838 FIFTH AVENUE NEW YORK, N.Y. 10021 (212) 249-0100

December 17, 1990  
30 Kislev 5751

Bernard Chiert, Esq.  
1090 Furth Road  
Valley Stream, NY 11581

Dear Mr. Chiert:

It was good of you to write and share your thoughts  
with me in regard to patrilineal descent.

I am grateful to you and know that you will be happy to  
learn that the patrilineal principle has been well  
accepted, not alone within the Reform Jewish community,  
but among some sectors of Conservative Judaism and the  
Reconstructionist community. Some very fine strides  
have been made in regard to this matter.

With repeated thanks and every good wish, I am

Sincerely,

Alexander M. Schindler



RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, N.Y. 10021 (212) 249-0100

*Gabriel*

July 26, 1989  
23 Tammuz 5749

Mr. Gabriel Cohen  
Publisher  
The Jewish Post and Opinion  
2120 N. Meridian Street  
P.O. Box 449097  
Indianapolis, IN 46202

Dear Gabe:

By now you must have received a copy of my letter. I mailed it out by overnight mail when we talked last week.

I enclose of my original letter which you may publish in the manner you described without identifying my source. I think that points A,B,C and D are cogent, but choose whatever you will. If you want to make some editorial changes - I dictated it quickly, and the English is not as elegant as I might have wanted - feel free to do and you certainly don't have to check with me.

It occurs to me that you might never have seen my fuller statement on this whole issue which I delivered some years ago at a CLAL Conference. It is really not dated, though many events and waters have gone under the bridge since then. It might interest you and stimulate you thoughts in this sphere.

With warm good wishes, I am

Sincerely,

Alexander M. Schindler

enc.

FROM THE DESK OF  
GABRIEL COHEN

July 20, 1989

Dear Alex,

Here's a suggestion.

You make some cogent points that should be said and recognized.

Consequently, since I'll be publishing the responses I've received, let me add yours without identifying it. In this way, certain ground will be covered that so far has not been recognized, since your presentation does so well.

I sent you the taped interview with Gottschalk, and you're sending me the text of your sermon.

Sorry, I won't be covering the CCAR conventions from now on.

Best regards

Gabriel

FROM THE DESK OF  
GABRIEL COHEN

XX 2  
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Best regards

*Gabriel*



RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, N.Y. 10021 (212) 249-0100

July 17, 1989  
14 Tammuz 5749

Gabriel Cohen, Publisher  
The Jewish Post and Opinion  
2120 N. Meridian Street  
P.O. Box 449097  
Indianapolis, IN 46202

Dear Gabe:

I really don't want to engage in a public disputation with a colleague. It seems unseemly to me and I do hope that you understand my position and in understanding, forgive. But, on a personal level and not for publication but for your information, let me make the following points:

A ✓  
A) Patrilineality is not as consequential from a halachic point of view than is Reform's decision made over a hundred years ago not to require religious divorce. The former can be remedied through a halachic conversion, the latter is halachically irremediable since its consequence is bastardy. In other words, patrilineality is only one of scores of changes that Reform made over the decades which we would have to change in order to be accepted by the Orthodox, not in the least among which is men and women sitting together at services, women reading from the Torah, which halacha can never countenance.

B ✓  
B) The Conservative movement hasn't adopted Patrilineality, not yet anyway, then why isn't the Conservative movement accepted by the Orthodox?

C ✓  
C) In a recent public statement, ~~made after my CCAR Conference speech~~, Rabbi Moshe Sherer declared that even if we were to change our position on patrilineality we would never be accepted by the Orthodox.

C ✓  
~~To all of this I only want to add that~~ According to Steve Cohen's studies some 85% of American Jews - lay leaders and many rabbis - ~~are now accepting of the patrilineal principle and would not bar their children from marrying someone who is defined as a Jew through the paternal line providing he or she lived as a Jew.~~ <sup>these who are</sup> <sup>the</sup>

Gabriel Cohen  
Page -2-  
July 17, 1989

9

Lastly, I don't think that there is <sup>really</sup> a substantial rift between Orthodox and Reform except on a professional level, rabbi vs. rabbi, and ~~certainly not~~ on a lay level where substantial harmony prevails. Ofcourse, I am not taking about extremes on either side but about the solid center, ~~and not about the Lubavitch or even the Satmar but rather about~~ Yeshiva University, HUC-JIR and JTS and the congregations that relate to them. In fact, there is a good deal more disputation within the movements than there is between them, note if you will the Satmar and Lubavitch cutting off each other's beards.

In the past it was infinitely worse; note, for example, the disputes between Hassidism and Misnagdism when the antagonists had each other put into jail, denounced each other to public authorities and what not and still the Jewish world held.

The real problems of Jewish unity have their locus elsewhere and center about the steps that Israel must take to resolve its dilemma, and the conflict in Israel has absolutely nothing to do with Orthodox and Reform.

Again, Gabe, all this ~~is~~ for your private information.

With warm personal regards, I am

Sincerely,



Alexander M. Schindler

July 5, 1989  
2 Tammuz 5749

*Pick and send him  
any speech  
CAB*

Gabriel Cohen, Publisher  
The Jewish Post & Opinion  
2120 N. Meridian Street  
P.O. Box 449097  
Indianapolis, IN 46202

Dear Mr. Cohen:

Your letter of June 29 and the materials attached thereto reached our office during the absence of Rabbi Schindler. He's out-of-the-country and not expected back for another week or so. But, of course I will bring the interview with Rabbi Gottschalk and your editorial to his attention just as soon as he is back. I know Rabbi Schindler will be grateful to you for calling these items to his attention.

With all good wishes, I am

Sincerely,

Edith J. Miller  
Assistant to the President

## Rabbi Schindler's sermon

Although it is treacherous to compose editorials based on news reports of speeches without having the full text available, yet from what we can read about the sermon of Rabbi Alexander Schindler at the Friday night services of the the Central Conference of American Rabbis in Cincinnati, he was issuing a warning over the seeming return of Reform to the center in American Judaism. That means, if we interpret Rabbi Schindler correctly, that he sees and issues a caution against, as would any acute observer of American Judaism, Reform beginning to institutionalize a return to greater observance of ritual. The pendulum has swung from the perimeter towards the center. One evidence of it at the centennial convention of the CCAR was the speech by the retiring president, Eugene Lipman, who happens to be opposed to patrilineal descent and would repeal it did he have such power, although as president he was obligated to support it.

It was only a few years ago that Rabbi Schindler in a major address to his own Union of American Hebrew Congregations called for a return to assumption by Reform of basics of Judaism. That cry came from his heart, but it did not lead to any abrupt action on the part of his constituents, although it most assuredly did add weight to the continuing accommodation to more ritual as attendance today at any Reform service almost anywhere in America will testify. In fact, Hebrew now occupies as much a role in the Reform service as its absence a few years ago revealed exactly the opposite. When Hebrew was almost non-existent in the Reform service, Reform had a need, which was to validate its position of modernizing Judaism. That need not only no longer exists, but the extremes to which Reform went — there were a few large temples which dropped Saturday services in favor of Sunday services — have long been recognized as inimical to Jewish continuity.

In Indianapolis, which is hardly atypical, any member of the city's Conservative-Reconstructionist congregation can feel very much at home at services at the Indianapolis Hebrew Congregation, which is Reform and which has, with only minimal criticism, introduced Hebrew throughout the service.

There are valid concerns about the future of Judaism in America, but there is hardly any problem with a return to observance. At one time, it was practically a crusade among the intelligentsia to divest Judaism of "superstitions" and outmoded beliefs. Today there is no place in American Jewish life where such a view has any currency and in fact it probably never occurs to present-day Reform Jews to challenge the reinstitution, if not the actual institutionalizing, of ritual.

Does that make Reform now Orthodox?

Of course not.

In fact, the Orthodox have not as yet recognized what is taking place in Reform and still harbor the bitterness against Reform as if we were still in the 1930s when God was being ridiculed everywhere and not only in Jewish circles.

But that is aside from the point.

There is a trend in Reform, and it is undeniable. It also is a sign of strength, not weakness.

We would be happy to consider publishing the full text of Rabbi Schindler's sermon, for it well could be that the reports of it do a disservice to both him and to the wing of Judaism he so ably represents.

Robert Collier

2120 North Linden  
Indianapolis

4620 ✓

219 Lombardy  
Sugar Land, TX, 77478  
August 17, 1987

Rabbi Alexander Schindler  
UAHC  
838 5th Avenue  
New York, New York 10021

Dear Rabbi Schindler,

Please send me a statement of the current position on patrilineal descent as adopted by the UAHC.

Thank you in advance for your attention to this matter.

Very truly yours,

  
Barbara C. Rosenberg

Rabbi Alexander M. Schindler

January 22, 1987

Rabbi Bernard M. Zlotowitz ✓

PATRILINEAL

I have been asked to comment on the enclosed statement by Joe Klein, not too long a statement but a page or so, typewritten. Would you please share your thoughts on how you would ~~comment~~.

Thanks.

Rabbi Alexander M. Schindler

January 12, 1987

Rabbi Philip Hiat ✓

PATRILINEAL

I have been asked to comment on the enclosed statement by Joe Klein, not too long a statement but a page or so typewritten. Would you please share your thoughts on how you would response.

Thanks.

January 2, 1987

Rabbi Alexander Schindler  
HUC-JIR  
1 West 4th Street  
New York, New York 10012

Dear Alex:

I hope this finds you in good health.

The enclosed is self-explanatory.

We'd very much like to have a response from you for publication--not an article, but a page or so, typewritten, presenting your reaction. On the other hand, if you'd care to write an article, we'd be very happy to publish that.

Sincerely,

*Gabriel*

Gabriel Cohen  
Publisher

mm  
encl.

call him -  
Tell him I ~~would~~  
am enroute to Western Coast -  
will have comments for him  
in ~~four~~ <sup>three</sup> weeks - if  
that's too late - pity!  
(2) If he still wants it, send  
cc of Joe Klein article to  
Bernie + this - separately to  
ask how they would  
respond

317-927-7800  
317-634-1307

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UNION OF AMERICAN HEBREW CONGREGATIONS A  
SCHINDLER  
838 FIFTH AVE  
NEW YORK NY 10021

*Schindler*  
THIS IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

TDMT WESTPORT CT 110/107 03-22 0810P EST  
INT MR JOSEPH BRENDER  
KATIES  
10-14 WATERLOO ST  
SURRY-HILLS  
SYDNEY NSW (AUSTRALIA)

I FULLY SUPPORT RABBI FOX'S EFFORTS TO DRAW THE CHILDREN OF MIXED MARRAIGES INTO JEWISH LIFE EVEN IF ONLY THERE FATHER IS JEWISH. IN THIS MANNER, TENS OF THOUSANDS WHO WOULD OTHERWISE BE LOST TO OUR PEOPLE ARE RECLAIMED FOR US. IF THE FATHER IS GOOD ENOUGH TO TRANSMIT THE PRIESTLY STATUS OF COHEN OR LEVI, WHY IS HE NOT GOOD ENOUGH TO TRANSMIT JEWISHNESS. THE RIGHT OF JEWISH FATHERS TO DETERMINE THE JEWISH UPBRINGING OF THEIR CHILDREN MUST BE SAFEGUARDED. WE MUST REACH OUT, WE DARE NOT KEEP OUT, IF WE ARE TO PREVAIL.

RABBI ALEXANDER SCHINDLER

COL 10-14

20:12 EST

MGMCOMP



February 6, 1987  
7 Shevat 5747

Dear Gene:

It was good of you to respond to the Schulweis paper so quickly. I appreciate that as well as the spirit of your letter. In all my doings I seek to do the same, there are certainly times when we cannot voice a private opinion in representing our constituencies.

All is well with the Schindler family -- spread out around the world as it is these days I can only assume 100% A.O.K. I had a visit with my cardiologist this week and have been given permission to resume tennis, that pleases me very much.

Muchlove to you and Essie, from Rhea, too.

Sincerely,

Alexander M. Schindler

Rabbi Eugene J. Lipman  
3512 Woddbine Street  
Chevy Chase, MD 20815

Dear Gene:

Lynne

I just wanted you to  
know that ~~I have been~~ I  
was called by a reporter to  
comment on your statements on  
~~the~~ patrilineal descent & I  
felt compelled to ~~say~~ disagree  
with you. Needless to say,  
the last thing I want is a

public passing match with  
Gene Lipman. We  
need to talk. No  
doubt we have some  
differences on this issue but  
let's deal with them  
directly and not through  
media misfires. Please call &  
let's make a date of w/ to Essie

Schindler

October 3, 1984

Rabbi Seth L. Bernstein  
Congregation Rodeph Shalom  
7 West 83rd Street  
New York, New York 10024

Dear Seth:

In response to your request of October 1, I am pleased to enclose herewith information on Patrilineal Descent, including the report of the CCAR Committee which was adopted in March of 1983. I trust all of this data will be of assistance to you. I will be interested to know how the discussion goes when you meet with Rabbis Miller and Gillman.

With every good wish for a healthy, happy and fulfilling New Year,  
I am

Sincerely,

Alexander M. Schindler

CONGREGATION RODEPH SHOLOM  
SEVEN WEST EIGHTY-THIRD STREET  
NEW YORK, N. Y. 10024

October 1, 1984

RABBI SETH L. BERNSTEIN

Rabbi Alexander M. Schindler,  
President  
Union of American Hebrew Congregations  
838 Fifth Avenue  
New York, New York 10021

Dear Rabbi Schindler,

On December 2nd I will be part of a discussion on  
"Patrilineal Descent" at the Society for the Advancement  
of Judaism, along with Rabbi Schachter of the Jewish  
Center, Rabbi Alan Miller of SAJ and Rabbi Neil Gillman  
of the Jewish Theological Seminary.

Could you please send me any information on this  
subject which you would be willing to share. I'm  
especially interested in what you spoke about at Rodeph  
Sholom last December.

I would be most appreciative of any help you could  
give me. Best wishes for the New Year.

Sincerely yours,



Seth L. Bernstein,  
Associate Rabbi



March 12, 1985

Dr. Ruth Waxman  
Managing Editor  
Judaism  
15 East 84th Street  
New York, NY 10028

Dear Dr. Waxman:

Thank you for sharing with me the letter to The Editor in response to my article in the Winter 1985 issue of Judaism.

I think it best that at this time I not make a commitment to respond to this letter. My schedule is exceedingly heavy with meetings and travel and I really would not have the proper time to give to responding to Ms. Schwartz's letter.

I do, however, thank you for providing the opportunity to respond. It was thoughtful of you.

With warmest regards, I am

Sincerely,

Alexander M. Schindler

DR. ROBERT GORDIS, EDITOR

DR. RUTH B. WAXMAN, MANAGING EDITOR

March 8, 1985

Rabbi Alex Schindler  
Union of American Hebrew Congregations  
838 5th Avenue  
New York, New York 10021

Dear Rabbi Schindler:

We got the enclosed letter in response to your paper in our Winter 1985 issue. Space permitting, we might publish it in some forthcoming issue. Would you be interested in replying?

Sincerely,



Ruth Waxman  
Managing Editor

RW:aw

*tell him -  
not really -  
no time -  
let it go*

May 13, 1985

Mr. Joseph S. Noble  
5180 Copperleaf Circle  
Delray Beach, FL 33445

Dear Mr. Noble:

Thank you for sending me the comment by Rashi on the matter of  
Patrilineal versus Matrilineal. I am grateful to you for bringing  
this material to my attention. It was good of you to do so.

With thanks and warmest regards, I am

Sincerely,

Alexander M. Schindler

*Patrilineal*

April 29, 1986  
20 Nisan 5746

Mr. Leonard Fein  
MOMENT  
462 Boylston Street  
Boston, MA 02116

Dear Lenny:

I really have no innovative ideas as to how the pro-Patrilineal position can be articulated. All I can tell you is that when we have a chance to make our case the sheer logic of it all persuades the audience and especially if the audience is composed of those who are not institutionally committed. Interestingly enough, this applies to Israelis as well.

Maybe you should not present this as a Reform versus the rest of the world issue. You might invite a number of people across the line who are for it on an individual level, including Reform leaders such as me and then some Conservative leaders such as Kelman, Sakulweis, Gerson Golan (Kelman tells me he is for Patrilineal, although at the CLAL Conference he made sounds that were totally otherwise, but that may be his institutional voice rather than the voice of his conviction).

I think that a Panel idea is not bad, or a series of like questions addressed to three or four individuals.

You may recall the JUDAISM volume devoted to this issue. It will give you some ideas for participants but in all fairness, that issue, whatever it is, should not present a divided view since prior issues of MOMENT were devoted to the "yesh omrim" (from my perspective).

I hope you have been enjoying a sweet and Kosher Pesach.

Sincerely,

# Emanuel Congregation

5959 Sheridan Road  
at Thorndale Avenue  
Chicago 60660

HERMAN E. SCHAAUMAN  
Rabbi

April 26, 1984

## MEMORANDUM

TO: PATRILINEAL COMMITTEE

---

FROM: RABBI HERMAN E. SCHAAUMAN

I made the mistake of not adding the name of the author of the recently proposed resolution. It is Philip Bentley.

Some of you have already indicated that you think this resolution is either premature or redundant or both. A recommendation will be made to have that resolution transferred to our Committee for disposition.

I will keep you informed of any developments.

HES:sgk

# Emanuel Congregation

5959 Sheridan Road  
at Thorndale Avenue  
Chicago 60660

HERMAN E. SCHAAALMAN  
Rabbi

April 24, 1984

Dear Alex:

In reply to your question, the resolution was submitted by Philip Bentley. It got to me by way of Joe Glaser who apparently had a copy of it. As far as I know, it has been transferred to the CCAR Resolutions Committee.

I concur with your conclusions and will contact the Chairman of the Resolutions Committee, letting him know my own feelings in this matter as well as yours.

We had a very beautiful Pesach and assume that you did too. I look forward to seeing you probably in Washington.

In the meantime, every good wish,

Cordially,



Herman E. Schaalman  
Rabbi

HES:sgk

Rabbi Alexander M. Schindler  
President  
Union of American Hebrew Congregations  
838 Fifth Avenue  
New York, N. Y. 10021

*cc: A*

*We won this  
1st round*



February 8, 1984

Rabbi Herman E. Schaalman  
Emanuel Congregation  
5959 Sheridan Road  
Chicago, Illinois 60660

Dear Herman:

Just a note to let you know that I approve of the current wording endorsed by the Committee for numbers 5a to 5b, and 7a to 7b. You have my vote for approval and distribution of the statement.

Best regards from house to house.

Sincerely,

Alexander M. Schindler



February 8, 1984

Rabbi Herman E. Schaalman  
Emanuel Congregation  
5959 Sheridan Road  
Chicago, Illinois 60660

Dear Herman:

Just a note to let you know that I approve of the current wording endorsed by the Committee for numbers 5a to 5b, and 7a to 7b. You have my vote for approval and distribution of the statement.

Best regards from house to house.

Sincerely,

Alexander M. Schindler

February 8, 1984

Rabbi Samuel R. Weinstein  
Hebrew Benevolent Congregation  
1589 Peachtree Street  
Atlanta, GA 30367

Dear Sam:

Al Vorspan was kind enough to share with me your wonderful response to Rabbi Emanuel Feldman. I write to express my admiration of the superb response you provided to his condemnation of Reform Judaism on the patrilineal issue. You were great!

With thanks and with all good wishes, I am

Sincerely,

Alexander M. Schindler



August 4, 1994  
27 Av 5754

Ms. Evelyn Wilcock  
22 Luttrell Avenue  
London SW15 6PF  
England

Dear Ms. Wilcock:

While I received your note of July 29 when I was in London, the brevity of my visit and the press of meetings precluded making contacting with you. I do hope you understand my situation and thus forgive this very late response.

On my return to New York I found the various materials you were kind enough to share. I very much appreciate your thoughtfulness and have reviewed your words with care.

The passion you feel for your subject matter is evident in your writings. I do note, however, that you appear to be reacting to the stronger social stigma which obtains in Great Britain, rather than the situation here in the United States.

Be that as it may, you should know that I plan to share your materials with others in our community who are deeply involved in all aspects of Outreach, most especially in regard to patrilineality.

For your perusal, I enclose herewith the Spring 1994 edition of REFORM JUDAISM and call your particular attention to the cover story on Page 10. I am certain it will interest you. Note also the item on the 15 year old from Memphis, a child of an intermarriage, who chose to affirm her Jewishness at her Bat Mitzvah. As Reform Jews we are firm believers in choice and that attains as well in regard to Jewishly educated patrilineal Jews, be it via our Introduction to Judaism Classes for those who have had but a marginal Jewish education or a conversion ceremony for those who choose that formality.

Ms. Evelyn Wilcock  
August 4, 1994  
Page -2-

As to your comments on Outreach workers who have chosen Judaism, on the contrary, we have found they can be superb teachers for adult children of intermarriages. We do have to raise the consciousness of our constituents to the particular problems of this group and provide creative models for handling such an educational process. We are working towards that goal.

Again, thank you for sharing your writings and your concerns. I am deeply grateful for your interest and your input.

With every good wish for the coming New year, I am

Sincerely,

Alexander M. Schindler

Encl.



COPY

RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, NY 10021-7064 (212)249-0100

July 28, 1994  
20 Av 5754

Mrs. Rosita Rosenberg  
Union of Liberal & Progressive Synagogues  
Montagu Centre  
21 Maple Street  
London W1P 6DS. England

Dear Rosita:

I, too, enjoyed meeting you. Though we encountered each other before, this is really the first time that we had a chance to chat and I was much impressed by your ideas and your ability to articulate them.

I am glad that you are moving toward a unified position on the patrilineal issue. From every point of view, a united approach is better than a public or even a smoldering internal dispute.

I spoke to Don Day as promised. Hopefully, he will be able to be of help. Certainly from an ideological point of view he is committed to the patrilineal approach, although as President of the World Union, he is, to some extent, circumscribed by the view of his constituency, foremost among them, MARAM.

Again, my thanks for giving me the opportunity to get to know you all better.

Hopefully we will encounter each other again in the not too distant future.

Cordially,

Alexander M. Schindler

Edie -  
I received  
the letter  
while in  
London  
this may  
relate to  
the Dr  
Meekeid  
I got you.  
Have me  
response  
on Monday

Evelyn Wilcock  
22 Luttrell Avenue, London SW15 6PF  
081 789 8712

29 July 1994

Dear Rebbi Schindler,

Thank you for your letter. I want to welcome you to London  
and to thank you for coming + for meeting the Rebbis.

I would have loved to have met you myself even as I <sup>Sorry -</sup>  
have no contact address, I am giving this to Rebbi <sup>Justine -</sup>  
Solomon. <sup>an sh</sup>

If you did have a moment to spare, I can be available  
on Friday 1 July till 5.30pm and then again  
from Sunday evening onwards. Between these times  
we shall be in Manchester being entertained by

the family of my daughter's fiancé prior to their wedding  
on July 18<sup>th</sup> (in the liberal Synagogue you will not doubt be  
glad to know since it confirms the confidence with which  
you include us in the community.) The phone number in  
Manchester is 061 969 5245.

You will find copies of some of my work on children of  
one Jewish parent waiting for you in New York when you  
get back - it just missed you when you left. I hope it  
will interest you.

I am so glad you are here and hope you will have  
an enjoyable + constructive visit.

Yours sincerely

Betha Wilcock.

April 29, 1971

from Simcha Abeles Friedman

Dear Rabbi Schneider,

My wife and I traveled to Florida earlier this year, stopping off at motels on the way. I was pleased to see in phone directories that there were religious services in such places as Florence, S.C. for example. Only the Reform movement had any contact there.

My grandfather, Reb. Simcha Abeles, had ordination from Hungary. It pains me greatly, therefore, that a cousin who was named for him announced recently, "I don't care what your Rebbe, Rabbi Schneerson, says... I'm Jewish and my son is Jewish!" (My cousin's wife is NOT Jewish.) A Reform Rabbi married them about 8 years ago.

The pain is great again because of the marriage of our <sup>other</sup> cousin's son next Sunday, May 5<sup>th</sup> to a gentile woman. His brother is also engaged to marry a gentile woman.

Dear Rabbi Schneider, do you hold that children of these marriages are Jewish? If not, should a Reform Rabbi have performed the marriages...

Have we come so far... through pogroms and holocausts - to throw off the teachings of the TORAH? We need Moshiach!!

Enclosure - (P.S. &.)

Yours truly,

Simcha Friedman  
635 Montgomery St.  
Brooklyn 11225

April 29, 1991

from Simcha Abeles Friedman

P5. Dear Rabbi Scherdder, it is almost  
 Lag B'Omer when <sup>we</sup> remember that even  
 "215" <sup>is</sup> dies because they didn't show  
 each other proper respect...

My heart aches for the pain of  
 all mankind but especially for our  
 young Jewish adults - sons and daughters  
 of our holy King in Heaven - who  
 are throwing off the crowns and  
 robes of <sup>wisdom</sup> to externality...  
 The lineage of Aaron has to be  
 pure... no less the lineage of Jacob,  
 Israel, our father.

Let us follow the Torah; let us  
 lead other sons and daughters of Jacob  
 in following that Torah. Yours truly,

Mike Friedman  
 \*Awardee, Friedman Foundation  
 Classroom Teachers Medal.  
 \*Creator of Jewish Games  
 which had value...



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RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, NY 10021-7064 (212)249-0100

July 29, 1994  
21 Av 5754

Rabbi William Wolff  
Brighton & Hove Progressive Synagogue  
6 Lansdowne Road  
Hove, BN3 1FF England

Dear William:

I received your letter in England just prior to my departure and of course when I returned to the States an avalanche of letters and other matters to be considered poured over me. Before long, I had to be off again on several shorter journeys.

I write you this note merely to assure you that your letter was not ignored. I read it with a good deal of care and I thank you for the information which it provides.

Hopefully, we will have a chance to meet with one another in the not too distant future.

Cordially,

Alexander M. Schindler

*Calculated*

January 26, 1987  
25 Tevet 5747

Rabbi Harry A. Manhoff  
Congregation Beth David  
2932 Augusta Street  
San Luis Obispo, CA 93401

Dear Harry:

While I don't get the JEWISH HERITAGE, Lenny Thal was good enough to send me your open letter which appeared on January 2, 1987. I am pleased that he did so for it is a wonderful letter, indeed it is excellent!

I write to commend you and to express my appreciation for your taking time to respond to Rabbi Eliezrie. You did so with sensitivity, kindness and friendship. I hope your words were received in the spirit in which you wrote them.

With every good wish and warm regards, I am

Sincerely,

Alexander M. Schindler



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PRESIDENT 838 FIFTH AVENUE NEW YORK, NY 10021-7064 (212)249-0100

October 13, 1992  
16 Tishri 5753

Egon Mayer, Ph.D.  
Center for Jewish Studies  
Graduate Center City University of New York  
33 West 42nd St.  
New York, NY 10036

Dear Egon:

Thank you for your spirited defence of my claims concerning the acceptance of patrilineality. I hope the editors of the Jewish Week - who often exhibit an anti-Reform bias - have the decency to print it.

Once again, let me tell you how very good it was to have you at our various meetings several weeks ago. You always teach me a great deal.

With warm good wishes, I am

Sincerely,

Alexander M. Schindler

H. Ed.

Vues.

Jerusalem Report  
011. 972 -

Via  
For

2.291-050.

#

Gershon Borenberg;

O. 2-291.023.

H) 2.716.398

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750/800.

Patulneae.

Vues  
5/28

05/28/91

09:58

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# ACTIVITY REPORT

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ACTIVITY REPORT

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TRANSACTION # 5398

CONNECTION TEL 7558598

CONNECTION ID RICHARD COHEN

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PAGES 3

*Patricia Neal  
Descent*

05/29/91

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# ACTIVITY REPORT

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CONNECTION ID	G3
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PAGES	1

COPY

June 2, 1992  
1 Sivan 5752

Geoffrey D. Paul  
130 Dwight Place  
Englewood, NJ 07631

Dear Geoffrey:

I read your article on "Redefining the Boundaries of Who is a Jew." Richard Cohen faxed it to me and I am absolutely delighted with it. I much appreciate your capturing the essence of my thought.

As an aside and off the record, it may interest you that raised this issue at a recent meeting of the Memorial Foundation which, as you know, is headed by your former chief rabbi. The Orthodox, of course, pounced on me, even Lord Jacobovitz slapped me on the wrist for, "introducing a note of dissent into our discussions."

After the meeting, however, quite a number of people came up to me and said, you know, we agree with you. Among them was the present head of the British Board of Deputies, a judge. Marginally noted, he is one of the better lay leaders that you have had of recent vintage. He too, said to me after some brief discussion: "Here is one Orthodox Jew who is fully in harmony with your approach that it is better to include than to exclude."

Anyway, thanks.

Sincerely,

Alexander M. Schindler

cc: Richard Cohen



Temple Mt. Sinai

From the study of  
RABBI KENNETH J. WEISS, D.H.L.

Alex-

I'm forwarding the enclosed to  
you. It's been opened - I did not notice  
that it was addressed to you.

Shalom  
Ken



RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, N.Y. 10021 (212) 249-0100

May 13, 1991  
29 Iyar 5751

Mr. Simcha Abeles Friedman:  
638 Montgomery Street  
Brooklyn, NY 11225

Dear Simcha:

Unfortunately, you are not correct. In the Bible, only the patrilineal line is followed, the matrilineal was substituted many centuries later. Just as one example: How does one become a Kohen or Levi - only if the father is such. If it is good enough for passing down the status of priesthood, why not the status of Jewishness?

With warm good wishes, I am

Sincerely,

Alexander M. Schindler

May 8, 1991

from Simcha Abeles Friedman

Dear Rabbi Schindler,

Thank you so much for your detailed reply to my letter recently. It's much appreciated.

As you know, Rabbi Schindler, a Jew is not just a "person" who decides to learn the Bible... a proper conversion, etc., 'makes' a "person" a Jew... A Jewish <sup>אדם</sup> <sup>אדם</sup> is a God-given <sup>אדם</sup> <sup>אדם</sup>, and responsibility.

Our Torah does not advocate patrilineal descent. We cannot change Torah law, as you well know, Sir.

Changing God-given Torah laws, because it seems expedient - leads to more and more compromises and more changes until the Torah becomes just another book... choose to follow it if you will...

Unfortunately, the Conservative and Reform movements have aided and "encouraged" assimilation. I'm sorry to say, dear Rabbi Schindler.

We desperately need Moshaich! Yours truly,

Enclosures -

Simcha Friedman

from Simcha Abeles Friedman

PS The enclosed 'L'Chaim' features my wife who heads a group of ladies, who visit Riker's Island to bring some Jewish values to Jewish inmates there.

The enclosed 'Bringing Mosheach' will provide some quotations which will be useful, I hope, in your organizational pulpit, dear Rabbi Schendler.

Simcha Friedman



RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, N.Y. 10021 (212) 249 0100

VIA FAX

May 29, 1991  
16 Sivan 5751

TO: GERSHOM GORENBERG

Thanks for faxing the edited text. I approve of the final form. One reminder, however, in paragraph four which starts "The Reform decisions..." I would request that you either underline or italicize the last words: so long as the children were raised as Jews.

In response to your questions:

1/ The figures on acceptance of the patrilineal decision are based on a survey made by a prominent Jewish sociologist, Stephen Cohen, which was extensively reported on in the New York Times some months ago.

2/ By all means push the date back and make it 2000 years, that is to say, begin the paragraph by saying "True, for the past 2000 years or so Jewish identity..." although scholars are really not certain when the change from patrilineal to matrilineal in fact took place.

Warm regards, to Ze'ev too.

5/4/92 20 Dick Cohen

August 8, 1984

Dr. Robert Gordis  
JUDAISM  
15 East 84th Street  
New York, NY 10028

Dear Bob:

Enclosed herewith is my response to the paper by Shaye J.D. Cohen. I trust the timing is all right and that you will have no problem in regard to publication dates.

Recently I ran into Jacobovitz and he asked if I knew who the other contributions would come from. Since I don't have that information, I would be grateful if you would see that the information is shared with him.

If the Symposium works out, and I trust it will, I will want to have additional copies for distribution to the Board of Trustees of the UAHC and I hope that can be arranged. As a matter of fact, this might provide a good opportunity for a promotion of JUDAISM among our leadership. I would be more than happy to discuss this with you.

With every good wish add kindest greetings, I am

Sincerely,

Alexander M. Schindler

Encl.

August 8, 1984

Dr. Robert Gordis  
JUDAISM  
15 East 84th Street  
New York, NY 10028

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With every good wish add kindest greetings, I am

Sincerely,

Alexander M. Schindler

Encl.

Rabbi Alexander M. Schindler

July 9, 1984

Rabbis Philip Hiat and Bernard Zlotowitz

I'm grateful to the two of you for the outline and information you gave me which will be of great assistance to me in responding to the article by Shaye J.D. Cohen on "The Matrilineal Principle in Historical Perspective." I am deeply grateful to both of you.

Warm regards.

*David Sept*

We acknowledge with thanks your manuscript <sup>on</sup> entitled,

*Patril: uen Qloceul*

which you have submitted for publication in JUDAISM.

As soon as we have had the opportunity of examining it,  
we shall communicate with you.

Dr. Robert Gordis, Editor

Mrs. Ruth B. Waxman, Managing Editor



Rabb: H. M. Schindler  
UANC.  
838 Fifth Ave.  
New York, N.Y. 10021



COPY

June 2, 1992  
1 Sivan 5752

J.P. Morris  
15 Latches Lane  
Cherry Hill, NJ 08003

Dear Mr. Morris:

I have been travelling for the last few weeks, and returned to a mountain of mail on my desk. Thus, in response to your letter and query of May 25th, rather than give a detailed response in this letter, I enclose a copy of a speech which I delivered in 1986 at a CLAL Conference on Jewish Unity. You may be interested in the entire speech, but call your particular attention to my comments on patrilineality which begin on page 11. I do believe that you will find these comments to be of interest.

With every good wish, I am

Sincerely,

Alexander M. Schindler

751

# **BRINGING MOSHLACH**



***7 Iyar, 5751***

published by:

**Bais Chana Alumni Association**

**819 Montgomery Street**

**Brooklyn, New York**

**(718) 756-7352**

## PUBLISHER'S FOREWORD

This booklet has been compiled in response to the Rebbe, Shlita's urgent message that the coming of Moshiach depends upon our increased conscientiousness in learning Torah and in the performance of Mitzvos. It contains sources and references for the coming of Moshiach, from TaNaCH, Talmud and Chassidus.

As a general resolution from this evening – to help bring Moshiach, NOW – we would like to ask everyone present to learn through this booklet, preferably with someone else who was not here tonight. Included is a list of other references (far from exhaustive), should anyone wish to learn more on the topic.

In the merit of learning about Moshiach, may we instill in our hearts and minds the fervent desire for Moshiach, thereby bringing Moshiach, NOW.

**Bais Chana Alumni Association**

ד' אייר תשנ"א  
April 21, 1991

## I. PART ONE – HINTS TO MOSHIACH FROM THE TORAH

A. The reality of the coming of Moshiach has been present since man's creation. Beginning with creation and continuing throughout Chumash (and N'ach) there are P'sukim which hint at this reality. The following are some examples:

### MAN'S CREATION

ויצר ה' אלקים את האדם עפר מן האדמה (בראשית ב:ז)  
נשי: שתי יצירות. יצירה לעולם הזה ויצירה לתחיית המתים.

And G-d formed man (from) dust of the earth... (Gen. 2:7)

Rashi: [Why are there 2 yuds in the word "Vayyizar" when usually there is but one?] (G-d made) two "formations" (one) formation for this world and (one) formation for when the dead would be brought back to life.

B. Leaving this golus is compared to our leaving Egypt. In fact, in the account of Moshe and B'nai Yisroel singing praises after the splitting of the Red Sea, there is another hint to Moshiach.

### LEAVING EGYPT

אז ישיר משה ובני ישראל את השירה הזאת לה' (שמות טו:א)  
נשי: ...מדרשו, אמרו רז"ל מכאן לתחיית המתים מן התורה.

Then Moshe and B'nai Yisroel will sing this song to G-d (Ex. 15:1)

Rashi: [Why is the verb "to sing" in future tense when they sang it then?] Medrash: Our Rabbis said, from here there is a hint from the Torah of the resurrection of the dead (and at that time Moshe and B'nai Yisroel will again sing praises to H-shem).

C. The last major event mentioned in the Torah is B'nai Yisroel's preparations for entering the land of Israel. Here too there is a hint of the world to come.

למען ירבו ימיכם וימי בניכם על האדמה אשר נשבע ה' לאבותכם לתת להם  
(דברים יא; כא)  
רש"י: 'לתת לכם' אין כתיב כאן אלא 'לתת להם' מכאן מצינו למדים  
תחיית המתים מן התורה.

In order that your days and the days of your children will be lengthened on the land that G-d promised to your fathers to give to them. (Deu. 11:21)

Rashi: "To give to you" is not written here, but rather, "to give to them" (i.e. "your fathers"). From here we learn of the resurrection of the dead from the Torah.

## II. PART TWO – DESCRIPTION OF MOSHIACH AND HIS ACTIONS

The Rambam (Maimonides) takes this reality of Moshiach one step further – not only by quoting p'sukim as proving Moshiach's reality, but also by describing Moshiach and his accomplishments.

### פרק אחד עשר

א המלך המשיח עתיד לעמוד ולהחזיר מלכות דוד לישנה לממשלה הראשונה, ובונה המקדש ומקבץ נדחי ישראל. וחוזרין כל המשפטים בימיו כשהיו מקודם. מקריבין קרבנות ועושין שמטין ויובלות ככל מצותה האמורה בתורה. וכל מי שאינו מאמין בו, או מי שאינו מחכה לביאתו – לא בשאר נביאים בלבד הוא כופר, אלא בתורה ובמשה רבינו. שהרי התורה העידה עליו, שנאמר: ושב ה' אלמך את שבותך ורחמן ושב וקבצן וגו' אסיהיה נדחך בקצה השמים וגו' והביאך ה' ואלו הדברים המפורשים בתורה, הם כוללים כל הדברים שנאמרו על ידי כל הנביאים. אף בפרשת בלעם נאמר ושם נבא בשני המשיחים: במשיח הראשון שהוא דוד שהושיע את ישראל מיד צריהם, ובמשיח האחרון שעומד מבניו שמושיע את ישראל [באחרונה]. ושם הוא אומר: אראנו ולא עתה – זה דוד; אשורנו ולא קרוב – זה מלך המשיח; דרך כוכב מיעקב – זה דוד; וקם שבט מישאל – זה מלך המשיח; ומחץ פאתי מואב – זה דוד, וכן הוא אומר: ויך את מואב וימדדס בחבל; וקרקר כל בני שת – זה המלך המשיח, שנאמר בו: ומשלו מים עד ים; והיה אדום ירשה – זה דוד, שנאמר: ותהי אדום לדוד לעבדים וגו'; והיה ירשה וגו' – זה המלך המשיח, שנאמר: ועלו מושיעים בהר ציון וגו'.

ב אף בערי מקלט הוא אומר: ואם ירחיב ה' אלמך את גבולך [וגו'] ויספת לך עוד שלש ערים וגו' ומעולם לא היה דבר זה, ולא צוה הקב"ה לתוהו. אבל בדברי הנביאים אין הדבר צריך ראיה, שכל הספרים מלאים בדבר זה.

ג ואל יעלה על דעתך שהמלך המשיח צריך לעשות אותות ומופתים ומחדש דברים בעולם או מחיה מתים וכיוצא בדברים אלו – אין הדבר כך, שהרי רבי עקיבא חכם גדול מחכמי משנה היה, והוא היה

נושא כליו של בן כוזיבא המלך, והוא היה אומר עליו שהוא המלך המשיח עד שנהרג בעונות. כיון שנהרג – נודע להם שאינו, ולא שאלו ממנו חכמים לא אות ולא מופת. ועיקר הדברים ככה הם: שהתורה הזאת חקיה ומשפטיה לעולם ולעולמי עולמים, ואין מוסיפין עליהם ולא גורעין מהם.

ד ואם יעמוד מלך מבית דוד הוגה בתורה ועוסק במצות כדוד אביו, כפי תורה שבכתב ושבעל פה, ויכוף כל ישראל לילך בה ולחזק בדקה וילחם מלחמות ה' – הרי זה בחזקת שהוא משיח. אם עשה והצליח ובנה מקדש במקומו וקבץ נדחי ישראל – הרי זה משיח בודאי, ויתקן את העולם כולו לעבוד את ה' ביחד, שנאמר: כי אז אהפך על עמים שפה ברורה לקרוא כולם בשם ה' ולעבדו שכם אחד.

[ואם לא הצליח עד כה, או נהרג, בידוע שאינו זה שהבטיחה עליו תורה, והרי הוא ככל מלכי בית דוד השלמים והכשרים, שמתו. ולא העמידו הקב"ה אלא לנסות בו רבים, שנאמר: ומן המשכילים יכשלו, לצרור בהם, ולברר וללבן עד עת קץ, כי עוד למועד.]

### Code, Governments

(Yad, Melachim)

11:1 The Messiah will be a king who will restore the kingdom of David to its original state. He will rebuild the Temple (*Bais HaMikdash*), and gather together all Jews, no matter where they are scattered.

All the laws of the Torah will be fulfilled as they were originally. The sacrificial system as well as the practices of the Sabbatical Year (*Sbemita*) and the Jubilee (*Yovel*) will all be

restored. We will then be able to once again observe all the commandments of the Torah.

A person who does not believe in the Messiah, or does not await his coming, denies the most essential teachings of the prophets. Beyond that, he also denies the teachings of both Moses and the Torah.

The Torah itself testifies to the Messianic promise when it says (*Deuteronomy 30:3-5*), "G-d will restore your fortunes, have mercy on you, and gather you [again from all the countries where He has scattered you]. If He were to banish you to the ends of the heavens [the L-rd your G-d will gather you, and bring you, and bring you from there]. The L-rd your G-d will bring you [to the land that your fathers occupied. You will occupy it again, and He will make you even more prosperous and numerous than your fathers]." This passage in the Torah includes everything that was predicted by all the prophets [regarding the Messiah].

In the account of Baalam, we likewise find a prophecy regarding the two Messiahs (or anointed ones). The first one was King David, who liberated the Jews from all their initial oppressors. The second is his descendant, the Messiah, who will liberate all Jews in the end.

This is his prophecy (*Numbers 24:17*):

"I see him but not now" – King David.

"I behold him, but not near" the Messiah.

"A star shall come forth from Jacob" – King David.

"A scepter shall arise from Israel" – the Messiah.

"He shall smite the squadrons of Moab" – King David.

We thus find that he (*2 Samuel 8:2*), "smote Moab and measured them with a rope."

"He shall break down the sons of Seth" – the Messiah. We thus find that (*Zechariah 9:10*), "his rule shall be from sea to sea."

"Edom shall be his conquest" – King David. It is thus written (*2 Samuel 8:14*), "all Edom became servants to David."

"And Seir, his enemy, shall be his tribute" – the Messiah. It is thus foretold (*Obadiah 1:21*), "Saviors shall come up on

Mount Zion [and judge the mount of Esau, and the kingdom shall become that of G-d]."

11:2 We find further evidence [in the Torah] from the commandment concerning the Cities of Refuge *Arey Miklat*). [The Torah thus says Deuteronomy 19:8,9), "When G-d enlarges your borders...and you shall add three cities." This never took place, but it is certain that G-d would not give a commandment in vain. [We therefore see that this will have to take place in the Messianic Age].

We do not have to bring any proof, however, that the prophets speak of the Messiah, since all their writings are full of this concept.

11:3 Do not think that the Messiah will have to perform signs and miracles. He will not necessarily change the course of nature, bring the dead back to life, or anything else like that.

We thus find that Rabbi Akiba, the greatest sage of the Mishnah, was willing to accept Ben Kosiba as the Messiah, at least until he was killed because of his sins. It was only when he was killed that they realized that they had been wrong and he was not the true Messiah.

We see, however, that the sages did not ask for any sign or miracle.

The main thing, however, [is that the Messiah will not change our religion in any way]. The Torah that we now have, with all its laws and commandments, will remain the same forever. Nothing will be added to it nor subtracted from it.

11:4 We may assume that an individual is the Messiah if he fulfills the following conditions:

He must be a ruler, from the house of David, immersed in the Torah and its commandments like David his ancestor. He must also follow both the Written and the Oral Torah, lead all Jews back to the Torah, strengthen the observance of its laws,

and fight G-d's battles. If one fulfills these conditions, then we may assume that he is the Messiah.

If he does this successfully, and then rebuilds the Temple (*Bais HaMikdash*) on its original site and gathers all the dispersed Jews, then we may be certain that he is the Messiah.

He will then perfect the entire world and bring all men to serve G-d in unity. It has thus been predicted (*Zephania 3:9*), "I will then give all peoples a pure tongue, that they may call in the name of G-d, and all serve Him in one manner."

(Maimonides Principles, Rambam, Laws of Kings 11:1-4)

### III. PART THREE – BELIEF IN MOSHIACH AND YEARNING FOR HIS ARRIVAL

A. Knowing that Moshiach exists is not enough. We must believe that he is coming, and coming soon; we must yearn and pray for his arrival. The Rambam makes this clear in his 13 Principles of Faith, one of which (#12) is quoted below:

אני מאמין באמונה שלמה בביאת המשיח, ואף על פי שיתמהמה עם כל זה אחכה לו בכל יום שיבוא.  
(י"ג עיקרי אמונה).

I believe with a complete faith in the coming of Moshiach, even though he may delay, nevertheless I will await and search for him everyday.

(13 Principles of Faith)

B. The Rambam also explains in his Mishnah Torah that Jews throughout the ages have always wanted, prayed for and desired Moshiach's arrival. This would enable all to devote themselves to learning Torah and knowing H-shem.

ד לא נתאוו החמים והנביאים ימות המשיח, לא כדי שישלטו על כל העולם, ולא כדי שירדו בגוים, ולא כדי שינשאו אותם העמים, ולא כדי לאכול ולשתות ולשמוח – אלא כדי שיהיו פנויין בתורה וחכמה; ולא יהיה להם נוגש ומבטל – כדי שיזכו לחיי העולם הבא, כמו שבארנו בהלכות תשובה.

ה ובאותו הזמן לא יהיה שם לא רעב ולא מלחמה, ולא קנאה ותחרות – שהטובה תהיה מושפעת הרבה וכל המעדנים מצויין כעפר. ולא יהיה עסק כל העולם אלא לדעת את ה' בלבד. ולפיכך יהיו כל ישראל חכמים גדולים ויודעים דברים הסתומים וישיגו דעת בוראם כפי כח האדם, שנאמר: כי מלאה הארץ דעה את ה' כמים לים מכסים.

ושלמו הלכות מלכים והחיבור כולו, ברוך שאמר  
והיה העולם בפרטו ובכללו.

12:4 Our sages and prophets did not long for the Messianic Age in order that they might rule the world and dominate the gentiles. They did not desire that the nations should honor them, or that they should be able to eat, drink and be merry.

They only wanted one thing, and that was to be free to involve themselves in the Torah and its wisdom. They wanted nothing to disturb or distract them, in order that they should be able to strive to become worthy of life in the World to Come. This has already been discussed in my code of Repentance.

12:5 In the Messianic Age, there will be neither war nor famine. Jealousy or competition will cease to exist, for all things will be most plentiful, and all sorts of delicacies will be as common as dust.

The main occupation of humanity will only be to know G-d. The Jews will therefore become great sages, know many hidden things, and achieve the greatest understanding of G-d possible for a mortal human being. The Prophet thus predicted (*Isaiah 11:9*), "The earthy shall be full of the knowledge of G-d, as the waters cover the sea."

(Maimonides Principles, Rambam, Laws of Kings 12:4-5)

C. Jews of the past are not the only ones required to desire Moshiach. We need to yearn and pray for his immediate arrival as well. The most obvious way in which we do this is in our daily prayers. Three times a day we ask of H-shem:

ולירושלים עירך ברחמים תשוב ותשכון בתוכה כאשר דברת, וכסא דוד עבדך מהרה בתוכה תכין, ובנה אותה בקרוב בימינו בנין עולם.

(שמונה עשרה)

Return in mercy to Jerusalem Your city and dwell therein as you have promised; speedily establish therein the throne of David your servant, and rebuild it, soon in our days, as an everlasting edifice.

(English Siddur, The Amidah)

את צמח דוד עבדך מהרה תצמיח וקרנו תרום בישועתך כי לישועתך  
קוינו כל היום (שמונה עשרה)

Speedily cause the scion of David, Your servant to flourish, and increase his power by your salvation, for we hope for Your salvation all day.

(English Siddur, the Amidah)

D. The Radak, a commentator on the N'ach, explains why a plague broke out during King David's times: because the people did not yearn for Moshiach and the building of the Bais HaMikdash.

**רד"ק:** ובדרש, כל האלפים האלה שנפלו בימי דוד לא נפלו אלא על-ידי שלא תבעו בית המקדש. והרי דברים קל וחמר, ומה אם אלו שלא היה בימיהם ולא חרב בימיהם נפלו על שלא תבעו אותו, אנו שהיה בימינו וחרב בימינו על אחת כמה וכמה. לפיכך התקינו זקנים ונביאים ליטע בפיחם של ישראל להיות מתפללים שלשה פעמים בכל יום השב שכינתך ומלכותך לציון וסדר עבודתך לירושלים אכ"ר סלה.

(שמואל"ב כד; כה).

And the Midrash, all of these thousands who fell in the days of David fell because they did not demand the Bais HaMikdash. And this is a *kal v'chomer*, they, in whose day (the Bais HaMikdash) was not (yet built) and it was not destroyed fell because they did not demand it, we, in whose day it was and it was destroyed how much more so (must we demand it). Therefore, (our) sages and prophets enacted that we should pray three times a day to return Your Presence and Your kingdom to Zion, and Your Service to Jerusalem. Amen, may it be His Will, Selah.

E. The Rebbe Shlita takes our requirement to want and pray for Moshiach one step further by saying that the very wanting of Moshiach is considered a merit which will bring his arrival faster.

...בעמדנו בימים אלו, אשר הובטחנו שיהיו ויהפכו לששון ולשמחה  
בביאת משיחנו.

(בנוסח הידוע) אע"פ שיתמהמה עם כ"ז אחכה לו בכל יום שיבוא,  
וכמש"נ אם יתמהמה חכה לו.

— יהי רצון שיהי' כ"ז במהרה בימינו בקרוב ממש.

וע"פ המובא בל"מ יש לומר, אשר על ידי שמחכים לו, זה עצמו  
מקדים ביאת המשיח, ואלקים יעשה למחכה לו.

שהרי ע"ז מוסיפים ב"זכר", ובמילא מגדילים ומקדימים את  
המסובב — ה"אחישנה".

ויש עוד להוסיף בזה ע"פ פירוש חדל: למחכה לו איננו דוחקין  
למלה דחכמתא ודייקין לה ומחכאן לה למנדע בריא ואשתמודע  
למאריהון.

שמשתדלים ומתייגעים לברר אמתית מלה דחכמתא עד שיודעין  
את בוראן — ע"י שמתגברים על החושך, החושך מבפנים (בשכל או  
בהרגש הלב) או מבחוץ (העלם והסתר העולם) — לבטלו, ועוד יותר  
— להפכו למסייע, ועד דאתהפכא חשוכא לנהורא, ואלקים יעשה  
— שיהפכו הימים האלו לששון ולשמחה (בביאת משיח צדקנו).

ומיסוד דתנו השנים עשר — ביאת משיח — ליסוד השלשה עשר  
— תחיית המתים. והרי היום — הוא יום הסתלקותו של האריז"ל החי.

שיקויים היעוד אשר תחיינה העצמות האלה, כל בית ישראל המה,  
ע"י אשר יתן ה' רוחו בהם וחיו.

ויקויים היעוד — יחיו מתיך, הקיצו ורננו שוכני עפר, וקהל גדול  
ישובו הנה, כי כה אמר ה' רנו ליעקב שמחה, והפכתי אבלם לששון  
— נאום ה'.

(ממכתב ה' מנ"א, תשכ"ה)

In our standing in these days, which were promised to us that they will be changed over to joyous and happy [days] with the coming of our Moshiach.

And (in the well known wording) "Even though he may delay, nevertheless I will await and search for him every day", as it says, if he tarries, wait and search for him.

It should be His will that all this will be speedily in our days, actually.

And according to what is brought down in various places, one can say, that through waiting and searching for him, this itself bring closer the coming of Moshiach, and H-shem will do [the request] of those who search for him.

Because through adding to the "merits" [the possuk says if we merit than Moshiach will come sooner] than we automatically expatiate and bring closer the result – the "sooner" (of Moshiach's arrival).

And one can add to this [idea] through an explanation of a saying of our sages: "To search for him: those who pressure themselves [to understand something] in chochmah, and they are exacting in it and search for it to understand clearly, and to comprehend its complete illumination:

When we try to exert ourselves to clearly know the truth of something – through mastering the darkness, the inner darkness (in intellect or in feelings of the heart) or outer [darkness] (the hiddenness and darkness of the world) – to nullify it, or moreover – to change it [to become] a help, to [the extent] that darkness is changed over into light, then H-shem will make – that these days will be changed over to joy – happiness (with the coming of Moshiach Tzidkainu.

And from the 12th Principle [of Maimonides we will go immediately] to the 13th Principle, the resurrection of the dead... and the promise will be kept – "the ones lying in the earth will wake up and rejoice," and "a great congregation will return here because thus says H-shem, Yaakov rejoice, and I will change their mourning to joy – says H-shem."

(Likkutei Sichos XII, pgs. 292-293)

F. We can believe that Moshiach is coming now, today. The following story is from the Gemara:

אמר לי אימת אתי משיח, אמר לי זיל שיילי לדידי' . . . אמר לי שלום עליך רבי ומורי אמר לי שלום עליך בר ליואי, אמר לי לאימת אתי מר, א"ל היום . . . הכי אמר לך היום אם בקולו תשמעו

(סנהדרין צח:א)

He said to him, "When is Moshiach coming?" He said to him go ask him (Moshiach). He said to him (Moshiach) "Hello my teacher and master", He (Moshiach) said to him "Hello son of Liyoi". He said to him, "When is my master coming?" He said to him "Today"... Like it says: Today if you listen to His (H-shem's) voice.

(Sanhedrin 98:1)

*May it be His will that Moshiach  
will come today, actually!*

## FOR FURTHER READING

### I. P'sukim concerning Moshiach coming in the Torah:

- 1) Gen. 1:1
- 2) Gen. 49:10 – Rashi
- 3) Num. 24:17 – Ramban (Nachmanides)
- 4) Num. 24:19 – Rashi
- 5) Num. 24:40-43 – Ramban
- 6) Deut. 32:39 – Kli Yakar
- 7) Psalms 84:5 – Sanhedrin 9:2

### II. Prophecies concerning Moshiach's arrival:

- 1) Yeshayahu ch. 2, 10:32-11, 21, 26, 60
- 2) Yirmiyahu ch. 31
- 3) Yechezkel ch. 36

### III. Gemarah

Sanhedrin 88-90

### IV.

- 1) Yalkut Shimoni on Yeshayahu 60:1, Remez 599
- 2) Zohar on Parshas Va'eira 31b-32a

### V. Many Sichos and Ma'amarim from our Rebbeim:

# L'Chaim

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מועד תוך ימי השלושים

## LIVING WITH THE Times

This week we read two Torah portions, *Behar* and *Bechukotai*. *Behar* begins with the words "And G-d spoke to Moshe on Mount Sinai...and the land shall keep a Shabbat--*Shmitta*--to G-d." The commentator Rashi asks: "What does the subject of *Shmitta* have to do with Mount Sinai? Were not all of the commandments given at Sinai?" He then explains: "Just as all the details and minutiae of the laws of *shmitta* were given at Sinai, so were all the details and specifications of the other commandments given at Sinai."

Since the Torah has chosen the commandment of *shmitta* to illustrate that all the details of the other commandments were given at Sinai, this mitzva must express the Jewish approach to life in general.

A Jew is enjoined: "Six years shall you sow your field and ...prune your vineyard." A Jew must conduct himself and his affairs according to the laws of nature; one must plant and toil in order to eat. A Jew is not required to retreat from the world and sequester himself only in learning Torah and praying; on the contrary, he must fully participate in life.

At the same time, the Torah commands that every seventh year the Jew must abandon the land and allow it to have a Sabbath, and devote himself to learning, praying, and worshipping G-d. He then asks, "What will we eat during the seventh year, if we don't sow and reap our grain?" The Torah answers: "And I will command My blessing to be on you during the sixth year, and the land will produce enough grain to last for three years." Here the Jew is being asked to rely solely on G-d and not on natural law for his sustenance.

But, how can we be required to conduct ourselves according to the laws of nature, and in the same breath, be asked to refrain from doing things the natural way and rely on the supernatural? By synthesizing both approaches to life. We must do everything humanly possible according to natural law, at the same time believing in the supernatural power of G-d and His ability to sustain and help us.

The *shmitta* approach can be brought into every Jew's daily life. The "six years of work" emphasize the obligation we have to elevate the mundane, physical world by imbuing it with holiness through our actions. The "*shmitta* year" allows us to recognize that despite all of man's accomplishments, we are ultimately dependent upon the will of G-d for our sustenance and well-being, and that trust in man and nature is misplaced. Once in every seven years we sever ourselves from the natural world and rely solely on G-d. A Jew draws spiritual strength from the *shmitta* year, rededicating himself to the knowledge that our task is not to be subservient to nature, but rather to rule over the natural world and imbue it with holiness.

Adapted from the works of the Lubavitcher Rebbe.

## MOTHER'S DAY IS EVERY DAY

Have you heard the one about how many Jewish mothers it takes to change a light bulb? "That's O.K.," the Jewish mother says, "I'll sit in the dark."

This is our modern-day stereotype of the Jewish mother--self-sacrificing, a bit of a martyr and a little manipulative. And, your therapist might add, responsible for all your problems.

Though martyrdom and manipulation are not traits that we want to emulate, what about self-sacrifice and selflessness--two qualities that have been getting a lot of bad press over the last couple of decades?

Most of us would not be where we are today had it not been for our mothers' selflessness: waking up at all hours of the night, nursing us back to health when we were sick, putting their own needs and desires on hold in order to help fulfill ours. True, dear old mom might remind us of these things a little more often than we'd like to hear, but our mothers deserve our recognition, and more, for their self-sacrifice.

In fact, they deserve limitless appreciation and recognition. According to Jewish tradition, our debt of acknowledgment toward our parents can never be repaid. The commandment to show honor toward another is mentioned in the Torah only concerning our parents and G-d. The Torah does not even command us to honor a king or sage! The reason for the commandment to "Honor your father and your mother" is the fact that our parents were partners with G-d in giving life to us, though Mom probably had more sleepless nights from us than either of the others two partners.

Where would the Jewish people be

without the self-sacrifice of countless Jewish women throughout the ages?

Jewish tradition teaches that it was because of the self-sacrifice and righteousness of the women that the entire Jewish people were redeemed from Egypt. When Pharaoh enslaved the Jews, the men refused to have more children. "Why bring children into the world to be slaves and suffer like us?" they asked.

The Jewish women, however, though shouldering the same burden of slavery and suffering as their husbands, purposely sought out ways to endear themselves to their spouses. They were responsible for



the birth of a new generation, a generation fit to be redeemed. The women reasoned, "True, our children will suffer hardships like us, but, soon G-d will fulfill His promise to them and deliver them out of the land of Egypt."

In every generation, whenever all seemed hopeless, it was the righteous, self-sacrificing Jewish mothers who inspired their families and communities to have faith and look toward better times.

We shouldn't just set aside one day a year to honor mothers. We should remember them every day--it's a mitzva! ■

## SLICE OF LIFE

### JEWISH WOMEN BEHIND BARS



Feygah Sarah Friedman and her husband, Simcha

by Hilary Bluestein

Three years ago, Feygah Sarah Friedman, a vibrant woman who lives with her husband in Crown Heights, Brooklyn, went to a very special Purim party; it took place at a prison, and the party-goers were Jewish inmates. Since then, Mrs. Friedman has been coordinating a weekly program for visiting women prisoners.

When Rabbi Shmuel Spritzer and his wife Shterna, who started the program, invited Mrs. Friedman to the prison, she was glad to get involved with a project that would be both personally fulfilling and had already proven itself as being positive for the Jewish women she would encounter.

Most of the women Mrs. Friedman meets have no knowledge of Judaism. She teaches them Torah and Chasidic philosophy, and discusses with them Jewish holidays and what it is to be a Jewish woman. Although, perhaps, some of these women will spend the rest of their lives in and out of prison, the time spent with Mrs. Friedman and the other Lubavitch volunteers changes their lives by giving them a sense of meaning and uniqueness—the awareness of the Jewish heritage which binds them together.

The Jewish women are in prison for various crimes: drug-related felonies, armed robbery,

fraud and even murder. Mrs. Friedman remembers a dramatic moment when she asked one of the inmates for her mother's name and the woman ran out of the room crying. Later she found out the woman was being tried in a case regarding her mother's death.

People such as Feygah Sarah Friedman provide one of the only forms of rehabilitation available in prison. But even Mrs. Friedman admits she has to turn herself off when the responsibility gets to be too much, and even the legal system isn't helping out.

For instance, when the women are released from Riker's Island, a correctional facility off the coast of Queens, N.Y., they get three dollars and a bus ride to the subway station.

With few rehabilitation programs on the inside and no money or place to go when they get out of prison, most of the women end up returning to the lifestyle they had before they were in prison. Eventually they return to prison again. And again.

Mrs. Friedman doesn't go into the prison with any preconceived expectation that the women will totally turn their lives around and commit themselves to Torah. But, she believes that even the smallest change these women make in their lives is a tremendous victory both for them and their Jewish identity.

One woman, who had been in prison more than once, ended up in the hospital the last time she was out. She had returned, once again, to drugs. She was found in the street with no belongings: no purse, no wallet, nothing... except the prayer book that Mrs. Friedman had

given her.

Mrs. Friedman also spoke of one young woman from the Bronx, whose Hebrew name is Yankela. She had become very close with Yankela who was transferred from Riker's Island to Bedford, a state penitentiary in upstate New York.

Yankela got out of prison, went back to drugs, and soon Mrs. Friedman saw her back at Riker's. "Her face was no longer the face of the young girl I had seen one and a half years before. It was already the face of a woman who may spend her whole life in and out of prison, and it broke my heart. If there had been a place for her to go when she got out...maybe it would have been different for her."

When Yankela was in Bedford, she sent Mrs. Friedman a Chanuka card and signed it, "your friend Yankela." Mrs. Friedman was very touched that she had asserted her Jewish identity by calling herself by her Hebrew name.

"This is a very satisfying form of *tzedakah* (charity), when you give of your own time and your own energy," says Mrs. Friedman. "Being there and helping these women can give a sense of doing something beautiful and important for people who would otherwise never get this enrichment," said Feygah Sarah Friedman.

When they are together with the general prison population, they feel special because of their Jewishness. "We help create a sense of community, a sense of Jewish love," Mrs. Friedman says.

"And," she adds, "if any of my friends from the prisons are reading this I say 'hi' and I hope everything is well." ■

## WHAT'S NEWS

### LUBAVITCH INTERNATIONAL

The latest issue of *Lubavitch International*, a semi-annual magazine packed with news from the Chabad-Lubavitch global network, is hot off the presses. This new issue contains reports on the building of new Chabad Centers in New City, New York, Tulsa, Oklahoma and Phoenix, Arizona; new Lubavitch centers in Cordoba, Salzburg and Annapolis; an article about Chabad work at the University of Michigan at Ann Arbor; the story of Chabad's humble beginnings in Italy thirty years ago and it's network of centers and activities today. To receive *Lubavitch International* write to: *Lubavitch International*, 770 Eastern Parkway, Brooklyn, NY 11213.

Congressional District. Pictured (l. to r.) are Congressman Scheuer, Chabad Director Rabbi Yossi Geisinsky, and Chairman of the Board Philip Machnikoff.

### WE COME WITHOUT LABELS

A weekend Shabbaton entitled "We Come Without Labels" is being sponsored by the Lubavitch Youth Organization on May 24-26. Open to singles, couples and families regardless of affiliation, background, or Jewish observance, the weekend will explore the theme of Jewish Unity. Accommodations are available with families in the Lubavitcher community of Crown Heights or at the Crown Palace Hotel. For more information about this special weekend call the Lubavitch Youth Organization at (718) 953-1000.

### VISITING CHABAD



Congressman James Scheuer recently visited the Chabad House in Great Neck, Long Island, to learn about the Chabad activities in his



The name of our publication has special meaning. It stands for the name of Rebbetzin Chaya Mushka Schneerson (*obm*), wife of the Rebbe, *shlita*.

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# INSIGHTS

## MT. SINAI AND SHMITTA?

by Rabbi Berel Bell

The laws regarding the Sabbatical year (*Shmitta*) are presented in the Torah in great detail. But there is something puzzling about the Torah's presentation of this commandment.

The Torah writes that this mitzva was given at "Mt. Sinai." But since all the commandments were given at Mt. Sinai, why does it say so specifically here?

Rashi explains that this comes to teach us that *all* the commandments and *all* their details were actually given at Mt. Sinai.

But this explanation is not totally satisfying: why does the Torah convey this lesson specifically by the mitzva of *Shmitta* rather than by some other mitzva?

### Dual Goal

We can understand this by first examining the text of the blessing said before performing a mitzva: "Blessed are You, L-rd our G-d, King of the Universe, who has sanctified us with His commandments, and commanded us to..."

The blessing has two clearly distinguishable parts. The first part is identical regardless of which mitzva is being performed, and stresses the idea that G-d has given us the commandments. The end of the blessing changes according to the mitzva: "to eat matza," "to hear the shofar" and so on.

In other words, the end of the blessing stresses the action which is to be done. The beginning of the blessing stresses the fact that the action is commanded by G-d.

These two sections correspond to two of the functions of mitzvot: to connect the person to G-d and to purify the world. The end of the blessing stresses the actual action, which helps purify the world and transform it into a holy place. The beginning of the blessing emphasizes that by performing the mitzva we unite ourselves with G-d.

### Details, Details

We can discern two similar categories in

the end of the blessing itself, i.e., in the actual mitzva. First of all, we have the mitzva, in general, to eat matza, for example. Then we have the various details associated with the mitzva: one must eat a certain amount, in a certain time, the matza must be made a certain way, etc.

Here too, the details stress the actual action, for without knowing the detailed regulations, one cannot fulfill the mitzva. The mitzva, in general, places more stress on the fact that this is one of the ways of connecting oneself with G-d.

In summary, we have three dimensions in mitzvot. There is the idea of mitzvot in general, the specific mitzva (without the details) and the details of the specific mitzva. The first two dimensions primarily address a person's connection with G-d, and the last one, with the purification of the world.

### Something Doesn't Seem To Fit

At the Revelation on Mt. Sinai, the Jewish people felt their unity with G-d more than at any other time in history. At that moment of intense revelation, we were elevated beyond all worldly boundaries and concerns.

At such a time, it would seem somewhat inappropriate to address the details of the mitzvot. Since the details are associated with the purification of the world, one might think they would be better addressed at a later time.

The mitzva of *Shmitta* would seem to be a particularly incongruous subject, as *Shmitta* was: a) going to take effect only many years later, b) far away from Mt. Sinai, in the Land of Israel, and c) associated with working the land, a seemingly unholy endeavor.

It was for this reason that G-d discussed the details of the laws at Mt. Sinai, and taught us this fact in the mitzva of *Shmitta*. Once we know that even the details of *Shmitta* were discussed at Mt. Sinai, it is obvious that *all* the details of *all* the mitzvot were given there as well.

And why were the details given at such a holy gathering? Because this is the way that one connects with G-d—through fulfilling the details of the mitzvot. It is not enough to try to "connect" with Him in a general way; G-d's desire is that we purify the world through doing the mitzvot in all their details.

How important is the commandment of honoring one's parents?

"Honoring" and "fearing" one's mother and father is a positive commandment of primary importance. The honor and fear due to parents is equal to that due to G-d. The Torah even equates the two in the matter of penalties for violation. However, if one's parents tell him to transgress a commandment, he should not obey them.

## CUSTOMS CORNER

### A WORD from the Director

*This Shabbat we bless the new month of Sivan, the month in which the holiday of Shavuot falls. In addition, we read two Torah portions, the second one beginning with G-d's words, "If you follow in my statutes..." These words can be directly related to the upcoming holiday of Shavuot, the festival on which we celebrate receiving the Torah.*

*Interestingly, the Talmud interprets the first word, "If" ("im" in Hebrew) as a plea, an appeal, as it were, from G-d for us to follow the mitzvot which he has commanded us.*

*But, the Talmud also tells us, that G-d never imposes unreasonable or impossible obligations upon His creatures. Therefore, not only is G-d beseeching us to keep His Torah, he is also conferring upon us the ability to follow and uphold all of the Torah's commandments.*

*For us, this year, the lesson is clear. In preparation for receiving the Torah on Shavuot, we are assured by G-d (as we are every year and, in fact, each day) that we have the strength and ability to observe the Torah that we will be receiving.*

*But drawing on that G-d-given ability can, of course, be a very difficult job. So, to give us incentive, G-d promises us a reward, too: "I will give you rains in their season." This is both a material and spiritual reward: for rain connotes blessing in material matters and also refers to the Torah which we will learn when Moshiach comes.*

*May each and every one of us merit to draw on the strength and ability G-d has promised us, to allow us to fulfill our fullest potential. Then we will truly be prepared to receive the Torah anew on Shavuot and ultimately learn Torah together with Moshiach.*

*Shmuel Belman*

## TODAY IS...

26  
IYAR

The command "You shall rebuke" is preceded by "You shall not hate your brother," for this is a precondition for the rebuke. The Torah continues, "...and you shall not ascribe sin to him," for if the rebuke was ineffectual, you are certainly the one responsible, for yours were not words coming from the heart. ■

## It Happened ONCE



In the time of King Solomon there lived in the land of Israel a poor widow and her children. Their home was a wretched, tumble-down shack, and their sustenance was sparse and hard to come by. But the widow managed to keep spirits high and their poor existence was marked by the great joy they took in the simplest pleasures of life.

The widow and her children tended a small garden outside their little house and were able to harvest some meager vegetables, but their main meal consisted of the bread that the woman baked every day. For each day, she went to the fields and there gathered the wheat stalks which, according to the dictates of Jewish law, were reserved for the indigent; she then ground them into flour and baked it into three loaves.

One might think that a woman in these circumstances would jealously guard her hard-won food, but such was not the way of this woman. She was quite unusual, in that her greatest pleasure was performing the mitzva of receiving guests, and so, it was her daily custom to give away two of her three loaves of bread to people even poorer than herself.

One day, the widow had followed her usual routine and was removing the fragrant loaves from the oven with her hungry children standing around her in happy expectation. As the bread was cooling, a man knocked at the widow's door. He was a local beggar, well known to the good woman. As usual, he left her small hut with an entire loaf of fresh bread under his arm—food to quell his hunger a whole day.

Shortly after, the old beggar was followed by a woman, another frequent recipient. She, too, left with a whole loaf of bread in hand, blessing her benefactors.

Finally the children gathered around the table as their mother took a knife to divide the third loaf amongst them. Their anticipation as well as their hunger had peaked; how delicious it smelled!

But just at that moment there was another knock at their door. They opened it to see an emaciated young boy standing at the threshold. He had been directed to their door by one of the woman's customary "patrons," knowing that she would see to his needs. When she heard that he hadn't eaten in days, she gave him the last loaf of bread. To her disappointed children, she quietly said that she would get more grain and bake more bread.

The widow again headed to the fields where she picked some stalks from the corners reserved for the poor. She was headed home with her sack of wheat when, all of a sudden, a great gust of wind tore the sack from her hand and carried it off far into the air. This was too much for the exhausted woman to bear; she sat down on a tree stump and wept. How could she return to her starving children empty-handed?

Instead, she decided to go to the palace of King Solomon. His throne room was open to all of his subjects and he, the wisest of men, would surely have an answer for her. She entered the sumptuous palace and soon stood in a cavernous hall. Before her in the distance sat King Solomon, and he beckoned her to approach. She walked steadily toward the great king, emboldened by her pain. When she stood before him she related her whole story, leaving no detail untold.

As she reached the end of her tale, three merchants approached the king, carrying a heavy chest. And they, too, were eager to tell their tale. The leader of the three began: "We were sailing far out at sea, when a

sudden, violent storm arose. Our ship sprung a leak, quickly filled with water and was in danger of sinking. We began to pray to G-d to save us, and we made a vow that if we were allowed to come to dry land, we would give half of our treasure to charity. Praise be to G-d, we were saved, and now we are here to fulfill our vow.

King Solomon heard them out, and responded by telling them to return to their ship, look for the hole in the boards, and bring him whatever they would find.

They left and returned sometime later carrying a piece of material, very wet, but unmistakably a sack. The King turned to the widow who had been instructed to wait and said, "You see, it was your sack of grain that stopped the leak in their ship. This chest of gold belongs to you. Because you always helped others, G-d has helped you. Now, go home to your children in peace."

Back at the house, the hungry children waited and worried. When their mother arrived their concern turned first to relief and then to joy, as she related her wondrous experience. As she served them a festive meal, she quietly promised to honor the mitzva of receiving guests in a manner equal to her new circumstance. And her following of poor also had ample reason to celebrate and bless her forever after. ■

## THOUGHTS THAT COUNT

**When you come into the land which I am giving to you, then shall the land keep a Shabbat to G-d (Lev. 25:2)**

Shabbat is not only the prized "possession" of the Jews. The Jewish land also has a Shabbat. The same way that a Jewish servant serves his master for six years and goes free in the seventh, so does the land work and produce for the Jew for six years, reverting to its true Master on the seventh. The value of the Holy Land is not limited to how much she can produce agriculturally; the Land of Israel has an independent value and worth. During the *Shmitta* year we honor that essential value. (Rabbi Yitzchak Breur)

**For the Children of Israel are my servants (Lev 25:55)**

The Jews are called both "servants" and "children" of G-d. Each term reflects the nature of the Jew's relationship with G-d. As far as the body is concerned, a Jew is G-d's servant. One must accept the yoke of Heaven as a servant must accept the will of his master and be totally subservient to him. But our souls serve G-d only through love, as a son serves his beloved father. (*Sefer Hamaamarim Kuntreisim*)

**And the earth shall yield her produce (Lev. 26:4)**

There was once a group of merchants whose business was shipping and exporting grain all over the world. They came to Rabbi Yaakov of Radzimin and complained: "Rebbe, this year we are all going to become poorer. There is simply an excess of grain, and it will only fetch an extremely low-selling price—we're practically giving the stuff away for free. Why, it costs us more to export the grain than the price we can charge for it. We're afraid that we're going to lose all our money!"

The Rebbe answered with a smile: "The same G-d who can sustain the poor during years of famine and high prices can certainly sustain the rich during times of abundance and low prices!" (*Sichot Chulin*) ■

## CANDLE LIGHTING

NY Metro Area 7:41 p.m.  
Torah portions: Behar & Bechukotai  
Ethics of the Fathers: Ch. 5  
Blessing of the new month: Sivan  
Shabbat ends 8:48 p.m.



## Dedicated

### In Honor of the Wedding of

**TAMMY AND MICHAEL SIMON**

# MEMORANDUM

From Rabbis Phil Hiat & Bernard Zlotowitz  
To Rabbi Alexander M. Schindler  
Copies  
Subject Patrilineal Descent

Date June 1, 1982

As the halachah stands today regarding "inter marriage", the child of a Jewish mother and non Jewish father is Jewish; whereas in the reverse situation - a child of a non Jewish mother and Jewish father is not Jewish. The rule is based on the principle that the child follows the status of the mother:

הבא מישראלת קרוי בן ואין בן פהא נ / פהא קרוי  
בבבב קרוי בן אלא ק נפ (קדוש / ס"ח)

See also Kid. 3:12; Yad, Issur Biah 15:3,4; Schulchan Aruch,  
Even ha-Ezer 44:8 ( וכלל עבא אל אמת מאלו בולד )

(כמות וכלל עבא אל אמת מאלו בולד).

However, the Jewish law of determining the status of the child on the basis of the mother's religion is a rabbinic innovation and does not follow biblical practise or observance. A careful study of the Bible points up unmistakeably that the child followed the status of the father and rarely the mother.

Rebekah, later to become the wife of Isaac, was the daughter of Bethuel, "the son of Milcah, the wife of Nachor, Abraham's brother." (Gen. 24:15. Cf. Gen. 24:24,47). Bethuel's wife's name is unknown to us. We can safely assume that she was a heathen. Rebekah herself in mentioning her lineage does not mention her mother but only her father (Gen. 24:24,47). Note also that though she mentions her patrilineal descent for herself she emphasizes both the matrilineal and patrilineal descent of her father: "And she said unto him, I am the daughter of Bethuel the son of Milcah, whom she bore unto Nachor." (Gen. 24:24); and "...And she said, the daughter of Bethuel, Nachor's son, whom Milcah bore unto him..." (Gen. 24:47).



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Rachel's lineage is traced through her father, Laban."... when Jacob saw Rachel the daughter of Laban his mother's brother,..." (Gen. 29:10). The mention of "his mother's brother" is certainly in order as that would be an important frame of reference. Who the mother is, is not known.

Pharaoh gives Joseph "Asenath daughter of Poti-phaera, priest of On" for a wife. (Gen. 41:45). Asenath bore Joseph two sons, Manasseh and Ephraim: "Before the years of famine came Joseph became the father of two sons, whom Asenath daughter of Poti-phaera, a priest of On, bore to him ... Manasseh ... Ephraim." (Gen. 45:50-52). Both parents are mentioned. The heathen status of Asenath is reaffirmed. She is the daughter of the priest of On. She was certainly not a Jewess. Yet her children are so reckoned. Unto this day the male children of Israel are blessed so that they be like Ephraim and Manasseh. According to James Hastings, Dictionary of the Bible, p. 528b Asenath is the "daughter of one of the most important dignitaries of the realm, the priest of the great national temple of the Sun at On or Heliopolis, seven miles NE of Modern Cairo." What could be more avoda zoradik than this?

Moses marries Zipporah, a Midianitess, the daughter of the priest of Midian (Ex. 2:16, 21). She bears him two sons: Gershom and Eliezer (Ex. 2:22, 18:2-6; I Chron. 23:15-17). Zipporah is certainly not Jewish but her children and descendants are so considered, so much so that when Jonathan, the son of Gershom, and his descendants set up for themselves graven images it was looked upon with such horror by later generations that in Judges 18:30 a nun was suspended above the text to have Mose<sup>h</sup> read Menasheh in order not to attribute to the descendants of Moses idolatrous practises.

Samson asked his parents to get him a certain Philistine girl for his wife (Judg. 14:2). Gideon's concubine bore him a son whom he named Abimelech (Judg. 8:31). Scholars claim that the concubine was a Canaanite (IDB, vol. K-Q, p. 281 b). Who is to argue that Abimelech was not a Jew after the Bible singles Abimelech out by name, the only one of the 70 sons fathered by Gideon (Judg. 8:30). Solomon himself married foreign women in defiance of the biblical command forbidding marriages with the seven Canaanite nations (Deut. 7:1-4; IK 11:1-6, Neh. 13:26). Are we to assume that the children of Solomon from foreign wives were not Jewish? Of course not. Rehoboam's mother was an Ammonite by the name of Naamah (IK 14:21) and yet he ascends the throne upon his father's death. Ahaziah, the son of Ahab and Jezebel, a foreigner, succeeds his father on the throne of Israel (IK22:40). Though his mother, Jezebel is an idolatress, Ahaziah must have been considered a Jew. Sanballat, the *governor* Samaria at the time of Nehemiah and his bitterest enemy, gives his daughter in marriage to a grandson of the High Priest (Neh. 13:28) for which Nehemiah banishes him. Whether Nehemiah exiled the young man for marrying a foreign woman or because his enmity for Sanballat was so great is open to question. However, scholars are agreed ~~that~~ Sanballat worshipped God. Did this make him Jewish? If it did, and since we do not know who the mother is, we may conclude from this episode that it is not the mother who is crucial in determining status, but the father.

Furthermore, the genealogical tables in the Bible are overwhelmingly patrilineal e.g. Genesis, Chapters 5, 10, 11; I Chron Chapters 23 ff. Thus from the biblical account (until the time of Ezra) we may properly conclude that descent and status is determined through the male line. It was Ezra and Nehemiah who undertook to change this by issuing a series of decrees banishing foreign wives and their children. By foreign women they meant not only the seven Canaanite nations forbidden in the Torah, but Ammonites, Moabites and Egyptians as well (Ezra 9:1. See also Neh. 13:23-30).

It should be noted at this point that the law prohibiting intermarriage in Dt. 7:1ff with the Canaanite nations applied to both males and females: "Neither shalt thou make marriages with them; thy daughter shalt thou not give unto his son, and his daughter shalt thou not take unto thy son." (Dt. 7:3). This law prohibited fathers from giving their daughters in marriage to any of the sons of the Canaanite nations or taking any of their daughters for their sons because they would be led into idolatry (Dt. 7:4). In other words, if we are to interpret these words properly, the offspring of such marriages are not Jewish so long as one of the parents is not Jewish. However, we know from the data above that this was a law respected in theory, but not in practice and the children were considered Jewish regardless of the non-Jewishness of one of the parents. Ezra and Nehemiah interpreted the text by defining the Jewishness of a child on the basis of the mother's status (Otherwise, why drive out

the foreign wives and not the foreign husbands?), which the Mishnah reinforced. The Book of Ruth gives us an insight into the changes wrought by Ezra and Nehemiah. According to scholars, the Book of Ruth was written as a polemic against Ezra's decrees to cast out "foreign wives" and deliberately predated to the period of the Judges. The author(s) of the Book of Ruth contended that had Jews not been permitted to marry non-Israelite women, a David would never have been born. David is a descendant of Ruth, a Moabitess woman, and Boaz. If we accept this thesis advanced by scholars, then it is logical to assume that during the "reign" of Ezra and Nehemiah a transition took place in attitude and practice that matrilineal descent be the determining factor as to the status of the child: if the mother was Jewish, the child was also Jewish. (This new decree, however, did not affect the social status of the child, i.e. the priestly, levitic or Israelite designation -- which still followed that of the father -- provided the mother was a Jewess.) The probable reason for the new attitude and laws promulgated by Ezra and Nehemiah during the post Exilic period was to preserve the purity of the kehuna which is shortly afterwards expanded to include the Israelite people. This position is reinforced by the Talmud.

The Mishna in Kiddushin (3:12) develops the progression from patrilineal to matrilineal:

The first part of the Mishna points up patrilineal descent as a means of preserving the purity of the kehuna: "If the betrothal was valid and no transgression befell (by reason of the marriage) the standing of the offspring follows that of the male (parent). Such is the case when a woman that is a daughter of a priest, a levite, or an Israelite is married to a priest, a levite or an Israelite." (Note. Danby's translation of the Mishna is used throughout).

Having established the social status of the child through patrilineal descent, the same Mishna introduces another or new concept if there is a transgression, though the marriage is valid and at the same time still maintaining patrilineal descent under special circumstances:

"If the betrothal was valid but transgression befell (by reason of the marriage) the standing of the offspring follows that of the blemished party. Such is the case when a widow is married to a High Priest, or a divorced woman or one that had performed halitzah is married to a common priest, or a bastard or a Netinah to an Israelite, or the daughter of an Israelite to a bastard or a Nathin." Thus in this part of the Mishna where the marriage is valid ~~but~~ there is a transgression, patrilineal descent is maintained in the cases of a Nathin and a bastard, and matrilineal descent becomes a determining factor.

The latter part of the Mishnah is even more specific in developing the law of matrilineal descent regarding both social and religious status:

"If her betrothal with this man was not valid, but her betrothal with others would be valid, the offspring is bastard. Such is the case when a man has connexion with any of the forbidden degrees prescribed in the Law. If her betrothal with this man was not valid, and her betrothal with others would also not be valid, the offspring is of her own standing. This is the case when the offspring is by a bondwoman or gentile woman."

The Gemara in elucidating on the meaning, "If her betrothal with this man was not valid..." establishes a principle on justifying matrilineal descent:

"If her betrothal with this man was not valid... How do we know (it of) a Canaanitish bondmaid? Said R. Huna, Scripture teaches, 'Abide you here with (פֶּזַע) the ass, it is a people (פֶּזַע) like to an ass. We have thus found that kiddushin with her is invalid: how do we know that the issue takes her status? -- Because Scripture says, the wife and her children shall be her master's. How do we know (it of a freeborn) gentile woman? -- Scripture says, neither shall you make marriages with them. How do we know that her issue bears her status? -- R. Johanan said on the authority of R. Simeon b. Yohai, Because Scripture says, for he will turn away your son from following me: Your son by an Israelite woman is called your son, but your son by a heathen is not called your son. Rabina said: This proves that your daughter's son by a heathen is called your son.

Shall we say that Rabina holds that if a heathen or a (non-Jewish) slave cohabits with a Jewess the issue is a mamzer. (No). Granted that he is not (regarded as) fit he is not a mamzer either, but merely stigmatised as unfit." (Kidd, 68a & 69b. The above is from the Soncino translation).

Thus according to this gemara the term "Your son" in Deut. 7:4 is to be understood as "your grandson." If this be the case we may conclude that if a child is born of a non Jewish mother, the child is therefore Jewish. However in the case of a grandchild born from a non Jewish woman, the child would not be Jewish. Such a conclusion would be misleading for the intent of this gemara is to validate the Jewishness of the children of the biblical heroes. E.g. Joseph, Moses, Solomon, etc. by skipping a generation to preserve the Jewish people.. However since in subsequent generations there will always be a grandmother it therefore precludes that a child of a non Jewish mother but Jewish father is Jewish. This is the logical conclusion of the gemara.

#### CONCLUSION:

Originally patrilineal descent determined the status of the child. At a certain juncture in history, Ezra and Nehemiah made a decision to determine the status of the child in accordance with matrilineal descent. This decision was upheld by the Mishnah. The Gemara accepted the law of the Mishnah with but one proviso. It skipped one generation in the case of the biblical personalities in order not to make it appear that the great heroes of the Bible who married foreign wives had children were not Jewish. Thereafter,

matrilineal descent was to be the operative law. Since in every generation there are grandparents the interpretation of "your son" to mean "your grandson" applied to every generation. However, since we have established the legitimacy of patrilineal descent as the basis for lineage in the Bible and the rabbinic shift to matrilineal in order to preserve the kehuna and later expanded to include the total people of Israel, we are certainly on very legitimate grounds to justify the Jewishness of children on the basis of either parent being Jewish.

12/1/86

AV/ BEYOND PATRILINEALITY *from a ms* *Return to MS with these*

Alfred North Whitehead identified the concept of "simple location" as the fallacy which lay at the foundation of the 17th Century scheme of nature. To illustrate this fallacy, in his words, "to say that a piece of matter has simple location means that in expressing its spatiotemporal relations, it is adequate to state that it is where it is, in a definite region of space, and throughout a definite finite duration of time. This, apart from any essential reference to the relations of that bit of matter to other regions of space and to other durations of time." It occurs to me that much of the inner turmoil and confusion within the Conservative movement is generated by its own version of "simple location." In our case, it centers on a fixation with a too narrow and restrictive form of halachah. It is argued that if we only strengthen our halachic spine--declare unambiguously our halachic demands, and enforce their observance, the vitality of our movement and the fidelity of our constituency would be assured. The concreteness of the p'sak (rabbinic judgement), responds to the presenting question of the people. Theology, sociology, morality, psychology are, at best, peripheral elements irrelevant to the prescribed halachah. Concerns over the teleology of law are subjective and only detract from unambiguous and definitive judgements. So, the weakness of our movement, it is argued, is in its vacillation towards halachah, torn as it is between disciples of halachah and disciples of aggadah, or even worse, between rabbinic nomians and rabbinic anti-nomians.

Such an analysis of our condition, I suggest, mislocates the source of our malaise. Whitehead called it an instance of "misplaced concreteness." For

the heart of the issue is not whether or not we favor halachah, any more than it is whether or not we believe in divine revelation. The significant issue is what kind of halachah, or what kind of revelation is meant. Our weakness is not that we have too little but too small a vision of halachah. A larger view of halachah would include questions of the halachah's intent; to whom or what is the halachah accountable; what is the proper scope of halachah's domain, and what is included and what is excluded from the halachic process. These are issues that ought to be investigated and debated. But they are not being debated within our movement.

What we have in place of deliberation is "voting." There is excitement and the beguiling appearance of activity engendered by voting halachic resolutions up or down: But voting is not doing. Declarations do not alter situations. The kind of situations that give rise to the hard questions, including patrilineality, confronting us are too complex to be solved by a showing of hands, or by voting yes or no on approbations or proscriptions of committees on laws and standards.

There is a halachah voting mentality which manages to avoid the real crisis in our Jewish lives, and seduces us into believing that by voting alone the crisis is met, and the people persuaded.

The recent R.A. vote on patrilineality seems a fair illustration of the dangers of "simple location" and "misplaced concreteness." Why was I frustrated with what was touted to be a critical session on a crucial issue? Was it because of the outcome of the vote? Would I have been happier were the result of the outcome in favor of patrilineality?

Decidedly not. What was disconcerting about the deliberations was the fact that no deliberations took place. What was painfully evident was not what was said or was done, but precisely what was not said and what was not done--the scandal of repeated major omissions.

The R.A. protocol is symptomatic of a peculiar mentality towards the role of halachah in our time. How odd that a powerful significant movement confronting a halachic issue of status definition should be presented to rabbis for vote without a single prepared paper or the issuance of a tshuvah before, during or after a vote. A preliminary five or ten minutes extemporaneous presentation, followed by a line of impromptu speakers limited to two minutes each, can hardly be considered a serious debate on an issue of such moment and complexity - an issue which we are told affects the status of thousands of Jews, the unity of our people, and our institutional and personal relationships with our counterpart religious colleagues and movements. To my knowledge, until this day, no conservative rabbinic journal or rabbinic papers had been distributed for conservative rabbinate to study. The journal Judaism, edited by our learned and prolific colleague Robert Gordis, devoted an issue to the issue of patrilineal descent. The magazine is by no means reflection to conservative rabbinic thinking - sponsored by the American Jewish Congress and much of its content dealt with responses to the speculative rationale for the change to matrilineal descent by a distinguished seminary scholar, Professor Shaye Cohen, who properly disavowed any claim that his scholarly hypotheses are grounds for "halachah l'maaseh."

The toughness of the resolution would be enough. But it was further complexified by the entanglement of sanctions directed against the

Conservative Seminary's ordained rabbis, who, without fear of sanctions might act contrary to the majority vote. Such intimidating sanctions--to be administered by an entity ironically entitled Va'ad Hakavod--hardly create an atmosphere of thoughtful discussion.

The speed of the R.A. vote-taking evidenced an ad hoc public reaction to the initiate of the Reform movement. In my judgement, it was more a political than a halachic response. What else should one properly expect? I, for one, would expect:

a) That the issue should have enjoyed, at least, a sustained planned discussion during the three day R.A. conference with the presentation of papers pro and con; and, that a specific invitation be extended to the rabbinic leaders of the Reform movement who initiated the proposal.

b) I would expect at a Rabbinic Convention - that the consideration would be given to the present and future role of institutional pluralism. How is the Conservative movement to relate to the Reform movement, its leaders, ordaining institutions and its laity of over one million Jews? How do we within the ethos of pluralism to relate to their rabbinic decisions? Are we to relate to their decisions in the manner that the Orthodox rabbinate relates to our own innovations?...e.g., the permissability of marriage between Kohanim and divorcees, Kohanim and proselytes, the ordination of women? Have we not repeatedly been accused with the same arguments - that our innovative halachah threatens Jewish unity and runs counter to practical halachah? Do we commit the same "genetic fallacy" towards reform proposals that Orthodoxy continually exercises towards our own? Do we dismiss, without argument, the intrinsic

merits of the Reform argument because they are not bound by our understanding of the halachah in the fashion that our Orthodox brethren dismiss our religious proposals and ritual supervision because, in their view, our proposals do not live up to their halachic standards of orthodoxy and orthopraxy? Of this nothing was spoken.

c) I would expect that before the vote, we consider our role in rejecting patrilineality descended children and grandchildren who are regarded as Jews by temples and rabbis and Jewish institutions. Are we rabbis of the Conservative movement prepared to embarrass involved Jews who come to join our synagogue or ask us to be married - and who may be patrilineally descended. Are we ourselves prepared to serve as inquisitorial agents adding to the registry of "sefer yuchasin"? I have witnessed the humiliation of those long identified Jews recognized as such by the Jewish lay community who are told that they must submit to conversion because their fathers alone were Jews. No matter how tactfully we explain our position, many leave our studies hurt, out of a deeply felt insult. We know to what unusual lengths did our sages go to avoid shaming the other--from the introduction of Baalei K'riah, to eating and drinking the food and drink of the Am Ha-aretz during the three pilgrimage festivals, to rabbinic counsel not to search the genealogy that would reveal that someone was a mamzer. Parenthetically, I have discussed with mixed couples (he Jewish, she non-Jewish) how a rabbinic ruling accepting their child as Jewish would affect their own attitudes. Simply put, would the acceptance by the rabbinic community of the child as Jewish tend to encourage the mother's conversion to Judaism or discourage it? Would it tend to encourage the parents (Jewish father) to raise their child Jewishly or discourage it? The responses I receive indicate that rabbinic acceptance of the child as Jewish would encourage a deeper commitment to

Judaism itself. Sociologists Mayer and Sheingold report that a significant percentage of those spouses choosing Judaism do so after the wedding and after the birth of children. The door to conversion is not closed even to the mixed married. But, these, of course, are empirical matters and an important area for investigation. But to my mind they are not irrelevant to our halachic judgement.

In a recent paper, Robert Gordis has argued that halachah and sociology are not mortal foes. "Sociology supplies the data which halachah must examine in order to determine what steps should or should not be taken to meet a new situation."

d) I would expect of our movement to have more to say on this issue than "yes" or "no." Had we no other wisdom to offer than the rush to vote "no" to the Reform resolution? Could we have offered a "tertium aliquid," proposed a "Katuv Ha-Shlilshi" to moderate the Orthodox and Reform impasse? Surely there must be some advantage in walking the middle road of tradition and change.

Despite the catastrophic rhetoric, at no time in the history of the reform movement is its leadership more prepared to accept traditional ritual consonant with halachah than today. There are conspicuous loop-holes for adaptive concessions in the very formulation of the Reform resolution--e.g., "presumptive Jewishness" and those activities of overt Jewish identity. But voting is impatient of transaction.

e) I would expect that we have arranged for rabbinic meetings, without the glare of print, between our representatives and theirs, for the

purpose of deliberation, negotiation, adaptation, compromise. Or, do we respond to Reform with the same triadic negations of Orthodoxy: No meeting, no discussion, no negotiations? How sad that there exists no inter-denomination instrument for consolation, deliberation, even information between Conservative movement; that our information on the proposals of our religious counterparts comes to us ex post-facto from the revelations of the op-ed section of the New York Times.

~~f) Above all, I would expect~~ of our movement a greater respect for our Reform religious counterparts. ~~Respect - "respicere" - to look~~ again. After all, we are dealing with serious rabbinic colleagues of a major religious movement, responding to serious demographic erosions, e.g., low fertility rate, out-marriage, assimilation; with rabbis who seek ways to spread the Jewish net wider so that tens of thousands of potential Jews slip through the large loopholes of rabbinic definition. Their motivations are as honorable as ours. By their expanded definition they mean to hold a claim over the children of a Jewish father, to minimize losses to the gentile community. Is that intent so removed from what may plausibly lie beneath the matrilineal principle? ~~Whatever the speculative etiology of the principle of matrilineal descent may be, and we are in the dark here,~~ it seems apparent that our sages were quite lenient in allowing children of gentile fathers and Jewish mothers to be considered Jews and not dismissed as gentiles, ~~or unmarriageable "mamzerim", as the Mishnah ruled.~~ Moreover, this Jewish status so liberally conferred upon child, antecedent and independent to any theological or ritual test, suggests that such leniency was not unrelated to the sage's concern for the survival of our people. Why did the Rabbis of the Talmud not opt for "double or nothing"--insist that both father and mother must be Jewish?

Whether such conjectures are right or wrong, whether the vote was right or wrong, it seems to me that there were and are alternatives to the haste and glamour of a vote. But alternatives require painstaking patience, on-going deliberation and a broader conception of the halachic process. In contrast, the halachic vote is fast, definite, and over. Read the resolution. Count the hands. The session is closed "sine die."

The halachic vote in our movement has taken the place of deliberation. It has become an exercise of denominational power, not of persuasion. That politic will continue to erroneously divide us and distance us from each other and our real and potential constituency.

If we mean to be a relevant halachic movement, neither a pale reflection of orthodoxy or reform, we have to expand the role of halachah in a persuasive fashion and raise its credibility in the eyes of our constituency and in our own eyes. And this can be done by enlarging the halachic process so that it enters into the spiritual and emotional lives of our people and offers them Jewish wisdom.

Who is our constituency and how do they see us function halachicly? Halachah is encountered by our laity through the rites of passage--in birth and "brith," in adolescence and bar mitzvah, in marriage and the wedding, in divorce and the "get," in death and funeral. They see our rabbinic energies and talents concentrated on the halachah of the rite, not on the process of the passage. They see halachah dealing with the concrete and technical issue of the "milah," more than with the way in which "covenant" is to be lived; with the writing of the "ketubah," the rites of the

wedding, not the spiritual passage from single to married status; with prescriptions and proscriptions of the funeral and "shivah," not with the emotional and religious dynamic of grieving and mourning; with the "Tevilah" and "brith" of conversion, not with attention to the making of a Jew and the experience indispensable for his religious and ethnic identification. In short, rite and passage have been bifurcated and halachah given over to the rite alone. Riteless passage are countered with passageless rites. The rite is concrete, specific, objective, impersonal and thereby halachah gains its reputation as mechanical and legalistic. As experienced by the laity, rabbinic concern is not with the how and meaning of the passage but with the how of performing ritual acts. From that view, the rite is "the simple location" of the halachic mind. This "misplaced concreteness" of the rite deflects from the larger issues of the passage and trivializes the majesty of halachah. The bifurcation must be joined halachically.

Let me illustrate. My orthodox colleagues argue that the patrilineal issue is far less serious a concern, from the halachic view, than the marriage of Jews without a "get." For patrilineal children, the halachah offers one available remedy: Conversion. Forget for the moment "whose conversion" would be recognized by contemporary orthodoxy. But for the progeny of a remarried parent without the benefit of a "get," there is no halachic remedy. The stigma of the "mamzer" is tragic and calls for repair.

What has prevented the Conservative movement, on halachic and moral grounds from issuing a Takkanah calling for the abolition of the category of "mamzer" in accordance with the ethics of Ezekiel 18: "the sons should not bear the inequity of the father with him" - and the moral sentiment of the

midrash which admits the oppressiveness of the law and the "tears of the oppressed" because of the law. In the poignant midrash God declares: "It is for Me to comfort them." Has God no allies among us?

My Reform colleagues find the civil divorce adequate and find little advantage in the procedures of the Beth Din for attaining the Jewish divorce. They find the "get" superfluous, expensive, mechanical and embarrassing. This is not a Reform response alone. The lay people I have convinced to attain a "get" rarely report the experience as religiously meaningful or helpful. To the contrary, for them, the "get" procedure is concerned with the proper legal formulations of the twelve lines written on parchment by a scribe (sofer) in the presence of qualified witnesses. They experience the dissolution of marriage as a passageless rite, not unlike the scene from "Hester Street." This is no critique of the rite but a plea for broadening its province. Consider what has been left out of the halachic process of the "get" and what can be included. The Beth Din has had nothing to say to the couple coping with the trauma of dissolution. No Jewish wisdom is imparted to the troubled participants by the Beth Din. What does the rabbinic tribunal communicate to the severed couple concerning the ethics of separation and the parental responsibility towards the frightened children--children torn apart by the need to perform heart-rending "parent-dectomies," the need to choose one parent over the other? What help as the halachic process of Jewish divorce offered the grass-root rabbis who witness the vindictive acrimony between the former mates and present parents at B'nai Mitzvah? Who shall be invited, who shall receive an aliyah, who shall give the reception? Who shall rejoice and who will be rejected?

None of this is addressed by the Beth Din which, to most Jews, represent the quintessence act of the traditional halachic process. Is that wisdom to be transmitted elsewhere, by others, outside the experience of halachah?

Is halachah then to remain impersonal, pro forma, emotionally irrelevant to the lives of the family precariously balanced between holding on and letting go?

An expanded notion of halachah, in the instance of divorce, would include mandatory, personal meetings, rabbis with caring, trained representatives of Judaism, counseling the ethics and security to their child, providing connection with the pained and confused parents and children whose need is for spiritual guidance and direction and all considered indispensable elements of the halachic way. We who bemoan the emptiness of riteless passages must not settle for passageless rites that belittle the majesty of the halachah.

We may, of course, dismiss healing processes and ethical counseling as "aggadic," "extra-halachic." We may argue that this kind of caring is not within our halachic jurisdiction. We may send Jews in trouble elsewhere - and they may well go elsewhere. But we must understand how such bifurcation of rite and passage of halachah and healing is negatively experienced by the laity and by the rabbi as well. A larger view of the function and purpose of halachah may well entail the enlargement of the Beth Din, encouraging rabbis (Orthodox, Reform, Conservative, Reconstructionists) who are not trained to execute the legal details of the "get," to nevertheless play a vital, rabbinical role in dealing with the

passage of dissolution. Coincidental to its therapeutic role, the opening of the horizons of halachah may provide a way for establishments as ecumenical Beth Din, along the line of Denver Beth Din.

In my private conversations, I have found that such enlargement of the halachic process is greeted enthusiastically by Reform colleagues who see the Jewish "chidush" in such a procedure. There are creative ways to alleviate the moral scandal of "mamzeruth" without delegitimizing the reform, conservative and reconstructionist rabbinate by nullifying the validity of their marriage officiation.

The Conservative movement has a great contribution to make in forming a halachic community, but only if it persuades the community of the wisdom and ethics of religious law and enlarges the horizons of the four cubits of law. This is a plea for more, not less halachah. Halachah has to do more, not less. "Halachah" and "halichah" are not homiletic puns. Halachah must be exercised to meet the needs of our lay constituency.

To those who wonder if such rabbinic involvement in these so-called "secular areas" are the proper function of the rabbinate, I would refer to the classic exchange of the Amoraim! When Rabbi Huna asked his son Rabbah why he does not attend lectures of Rabbi Hisda, Rabbah explained that Rabbi Hisda treats only of secular matters such as hygiene. Rabbi Huna responded "he deals with matters of health and you call them secular discourses. All the more reason for going to him (T. Shabbat 82a). I think Rabbi Huna's response was right and relevant.

We have conceded too much to the secular world and narrowed too much of the halachic arena. The halachic process must regain its holistic approach to the guidance of a Jew. The rites of passage that punctuate the critical stages of our lives beg for halachic wisdom and morality. Precisely the types of issues which occupy the intellect and insight of the Erik Eriksons, Daniel Levinsons and Roger Goulds belong to us: The "virtues" of a growing self, the need for basic trust, the wisdom to balance the disharmonious of self, the need for commitment, the health in compassion and the blessings of generativity must be incorporated in the seminary training of the rabbi and in his congregational practice.

More is at stake than the vote on patrilineality. A great movement, grappling with the issues of tradition and modernity is challenged to synthesize halachah and aggadah, law and healing, rite and passage.

foremost to non-Jewish spouses and children of mixed marriages already in our congregations.

We are grateful to David Belin, chairman of the task force, for his commitment, sensitivity, and devotion.

Sheldon Zimmerman, Chair, CCAR Delegation

REPORT OF THE COMMITTEE ON PATRILINEAL DESCENT ON  
THE STATUS OF CHILDREN OF MIXED MARRIAGES

I. PRESENTATION

Peter S. Knobel

The Committee on Patrilineal Descent is chaired by Herman Schaalman and composed of the following members: Stanley Dreyfus, Joseph Edelheit, Jerome Folkman, Albert Friedlander, Joseph Glaser, Alfred Gottschalk, Joshua O. Haberman, Walter Jacob, Samuel Karff, Peter Knobel, Julius Kravetz, Leonard Kravitz, Jerome Malino, W. Gunther Plaut, Alexander Schindler, Robert Seltzer, Max Shapiro, Daniel Silver, Ben Zion Wacholder, and Isaiah Zeldin.

The committee has held numerous meetings over a three-year period and the report has been redrafted many times. The committee benefitted from the previous work that had been accomplished by the Gerut Committee as well as from extensive comments from many colleagues, both here and abroad.

The purpose of the document is to deal with a situation peculiar to our community, namely, to establish the Jewish status of the children of mixed marriage in the particular setting of the Reform Jewish community in North America. While we recognize that what we do here will have an impact on other communities, there are many historical examples of rabbinic pronouncements designed to address the specific situation of individual Jewish communities. It should be further emphasized that we are offering guidance to our colleagues on how we believe the problem should be resolved, specifically for those who come to us for help, but as is the case with all such CCAR resolutions, individual rabbis will have to make determinations in individual cases.

Although we will be voting on the operative paragraph only, the report stands as a whole—it details the historical situation, the Halacha, and past positions of the Conference. It is important to note that the problem with which we are dealing is not new but grows out of the same historic conditions which gave birth to the Reform Movement, and as the report makes clear, this is not the first time that we have attempted to clarify our position on the Jewish status of the children of a mixed marriage. The chidush of

this report is that we now believe that we can no longer assume, as the Halacha does, that biological descent alone is sufficient for the child of a Jewish mother and insufficient in the case of the child of a Jewish father; also, that the continued presence of the non-Jewish family in the case of mixed marriages requires that the additional step of the performance of appropriate and timely public and formal acts is necessary to affirm the intention of the parents and the child to indicate their commitment to the Jewishness of the child. The present report recognizes that both birth and the performance of mitzvot are necessary in all cases.

In response to those who would argue that the effect of this resolution is to make non-Jews of those whom the Halacha would recognize as Jews, we can only say that the Halacha is based on sociological assumptions which no longer obtain, namely, that the woman would return to her people and her offspring would be part of the Jewish community. It is now equally likely that the child of a Jewish mother or a Jewish father will be raised as a Jew or a non-Jew. Therefore, intention as actualized through action is necessary.

Another issue which has been raised is that the adoption of this report will lead to a weakening of our position on mixed marriage. I can only say that the committee believes this to be based on faulty assumptions. Our refusal to officiate at mixed marriages is not based on the halachic status of the children of such marriages, for if it were, we would be willing to perform them in the case where the mother is Jewish. Our opposition is based on the inappropriateness of such ceremonies and their effect on the viability and vitality of the Jewish community. Our concern is not lechatechila but bedi-avad.

While our adoption of this report may cause us some difficulty with our Orthodox and Conservative colleagues, I believe many will greet it with understanding, if not agreement. It is clear that those who differ from us need no new excuses. We do not seek confrontation for its own sake; rather we act within a framework in which we can ultimately promote Jewish survival by responding to the legitimate needs of our community.

The present resolution extends current CCAR practice. It will also strengthen the hand of the rabbinate to insist that parents who wish their children to be considered Jews must take positive steps in that direction and help children of mixed marriages with establishing Jewish identities and take their rightful place within the Jewish people.

This report is a major step forward for us and the Jewish people and represents the type of innovation which has made the Reform Movement a positive force for Jewish survival.

I move the adoption of this report.

## II. STATEMENT OF MARAM

Preceding the discussion, Rabbi Moses Cyrus Weiler (MARAM's Honorary Life Chairman) was permitted, by vote of the convention, to read the following statement on behalf of MARAM, the Israel Council of Progressive Rabbis:

Members of MARAM have had an opportunity to review the latest document of December 23, 1982, prepared by the Patrilineal Committee. We share with you the recognition that it is the duty of responsible leadership to make every effort to secure the identity of the Jewish people and to establish a process for facilitating formal identification for those who wish to consider themselves and be considered by others as Jews. In our wrestling with this problem we have tried to maintain a world-wide perspective, both in terms of the interdependence of Progressive Jewish communities throughout the world and in terms of the interdependence of the Reform Jewish community and Kelal Yisrael.

The document declares its purpose to be: "To establish the Jewish status of the children of mixed marriages in the Reform Jewish community of North America." However, the actions of the CCAR cannot be limited by geographical boundaries. In matters of Ishut, the policies and acts of the American rabbinate affect not only American Reform Jews but World Jewry. Nor can the issue be limited to the status of children of mixed marriages, for the patrilineal position will inevitably affect other issues. It may weaken the motivation for conversion among non-Jewish spouses and other potential converts. Furthermore, we are fearful that the proposed resolution will lead to an erosion of the CCAR position against mixed marriage and will further undermine the capacity of our colleagues to refuse to officiate at such ceremonies.

The committee's statement posits as the basis of our contemporary dilemma the Emancipation Era. It quotes from our colleague, Robert Seltzer: "The result of Emancipation was to make Jewish identity a private commitment rather than a legal status, leaving it a complex mix of destiny and choice." It should be noted that in the same paragraph Seltzer points to the consequence: the reduction of Jews to "a religious denomination only." However, the historical developments of the post-Emancipation era, particularly of the 20th century--the regeneration of Jewish ethnicity, the trauma of the Holocaust, and the emergence of the State of Israel--resulted in the reinjection of the peoplehood dimension within Reform Judaism. If we affirm that we are an integral part of the Jewish people, we cannot limit our horizons to the Reform Movement in North America alone. The adoption of a CCAR resolution has ramifications for the entire Jewish people. Whether we so intend or not, the term "Jewish status" is inseparable from the term "legal status" and goes far beyond "private commitment." Even though the motivation is to

resolve a pressing problem for our American movement, in effect we legislate for the entire Jewish people. The recognition that the Reform rabbi serves in these matters as an agent of the entire Jewish people imposes on us an obligation to give serious consideration to the positions of other Jews and to their potential reaction to our acts and judgments. This is a price we should be willing to pay for the privilege of belonging to the Jewish people and for maintaining unity wherever possible both within the Reform family and within Kelal Yisrael.

The statement now includes a recognition of the necessity for "appropriate and timely public and formal acts of identification with the Jewish faith and people." That being the case, why does the document not mention the most time-honored, sanctified "formal act of identification," namely conversion? Certainly, in the case of an infant, conversion is in tradition a simple process and can be certified by the granting of a certificate which will bind the child in a "formal act" to Jewishness which would be considered acceptable by both the State of Israel and Conservative Judaism. The proposed formulation might result not only in the alienation of the State of Israel and the Conservative Movement, but will not be acceptable and recognized by major sections of the Progressive Movement in the world.

We believe that the committee's document requires a fuller exploration of Jewish tradition. The document presents as the only rationale for matrimonial descent "the fact that the woman with her child had no recourse but to return to her own people." The centrality and sensitivity of this subject warrant explicit reference to the historical and halachic foundation of matrilineal descent. We should take cognizance of other scholarly and traditional rationales for matrilineal descent: the crisis over pagan wives; persistent periods of persecution; rape of Jewish women; and historic negative attitudes toward non-Jews.

The authors of the document determine, apparently rightly, that "in a vast majority of these cases the non-Jewish extended family is likely to be a functioning part of the child's world, and may be decisive in shaping the life of the child." It is the continuing influence of the non-Jewish extended family life which gives added strength to our call to the CCAR to refrain from acting on the basis of intuition or assumptions, but to initiate a comprehensive sociological study of Jewish identity among the progeny of mixed marriage couples. A hasty decision, before studying the matter in depth, will have irreparable consequence.

We, therefore, urge a more thorough study before adopting a change in policy so fundamental to Jewish continuity.

The world movements of Conservative and Reform Judaism have for years struggled successfully to prevent the amendment of the Law of Return which would invalidate conversions performed by non-Orthodox rabbis abroad. As of now, the State of Israel and its secular institutions recognize Reform converts as Jews in every

respect. However, the proposed CCAR resolution, which abandons the requirement of Giyur (conversion), would result in a situation whereby persons recognized by our movement in America as Jews would not, even under the present law, be recognized by the State of Israel as Jews. Furthermore, the resolution will undoubtedly weaken the determination of those forces in the State of Israel who stand with us in opposition to amending the Law of Return. It is one thing for us to demand that the State of Israel recognize, as it now does, conversions performed by all religious movements abroad; it is quite another thing to expect the State to recognize as a Jew someone who has not been converted at all. Our continuing concern is not motivated by political expediency. We know that the Orthodox establishment and the Chief Rabbinate may never recognize the religious acts performed by us as authentic. However, the State of Israel and the majority of Jews in the State have recognized our authenticity. In discussions which we have had with members of the Knesset and leading political figures we have been warned that passage of the resolution may well serve as a pretext for those who, until now, have supported our position, to change their vote. We believe that an amendment to the Law of Return invalidating conversions performed by Conservative and Reform rabbis abroad will prove extremely deleterious to Israel-Diaspora relations.

The document is at times ambiguous and obfuscating. The reader of the operative clause of the document will still be unclear as to the phrase "establishing the Jewish status." Is its purpose to confer Jewish identity on those who until now have not been considered Jews, or is it to strengthen the Jewish identity of those who already are considered Jews by virtue of birth? Moreover, is its intention to declare that persons born of a Jewish mother who are recognized as Jews even by the ultra-Orthodox Aguda should now be considered non-Jews unless they have performed "appropriate and timely public and formal acts of identification with the Jewish faith and People"?

We therefore recommend that the resolution be set aside for further consideration rather than that a statement be adopted which is subject to conflicting interpretation.

It would be precipitous to deviate from a time-honored tradition without a more thoroughgoing examination of the traditional sources, the sociological impact, and the internal and external consequences.

### III. DISCUSSION

Alexander Schindler: I rise to support the resolution which was offered, and I should tell you that I am primarily interested in that portion of it which provides for the full equality of men and

women insofar as genealogy is a factor in determining Jewishness. I support this motion for three essential reasons.

To begin with, I think it is vital for us as Reform Jews always to say what we believe and to assert what we do--to be honest, never to pretend, to be always proud to proclaim what we in fact practice. If we disagree with this resolution, let us offer a resolution recommending that we alter our practices. But so long as this practice is virtually universally accepted, let us say what we are and proclaim what we do.

Secondly, I am moved by the desire to speak up in order to help those fathers who wish to maintain the Jewishness of their children. I speak of those fathers where an intermarriage has taken place and where eventually a divorce occurs. If we are silent, the hitherto normative position of Judaism holds sway and could be invoked by the courts. In fact, it has on several occasions. The right of fathers to determine the religious character of their children must be protected.

And finally and most important of all: I am moved by the deep feelings of the many children of intermarriages who--barring a forthright declaration on our part that they are fully Jewish--are bound to feel that somehow they are less than Jewish.

Many principals and teachers and rabbis have spoken to me concerning that. Within five years, fully 50 percent of the children in our religious schools will be issuing from such marriages. Let us not make some of these children feel that they are somehow less Jewish.

As for those who fear that the Law of Return will be changed because of what we propose--my friends, the Law of Return may indeed be changed, but those changes are due to political facts on the Israeli scene; they will never be affected by what we do or fail to do right here. The pressures for the law's change come from the Lubavitcher, and the Lubavitcher will never accept us; he will accept only one thing--full surrender. We have a right to be accepted in Israel, fully and completely, but we have a right to be accepted for what we are and not for what we pretend to be or what others want us to be.

Ari Mark Cartun: I am speaking for the ad hoc committee which is opposed to the resolution.

We are opposed to the recommended resolution for the following reasons. It has the effect of disenfranchising the Jewish mother. Where traditional Jewish law recognizes the child of a Jewish mother as automatically Jewish, this new resolution makes such status dubious until the proper ceremonial participation of the child in Jewish life.

Since there is no way for a child in a mixed marriage to be Jewish by birth and the proper participation in quasi-sacramental acts is substituted, the resolution suggests that Judaism may be construed as a confessional rather than a birth community. The

position of the proposed resolution is that in mixed marriage neither parent can establish the Jewish status of the child through birth. Since in today's world there is no guarantee that even the child of two Jewish parents will in fact be raised as a Jew, logic would demand that even in the case of two Jewish parents participation in such life-cycle ceremonies should be required.

This resolution would result in a confusion rather than clarification of Jewish status. The criteria for Jewish status in the resolution are so vague that there will be several simultaneous lists of who is a Jew among our own movement.

A revision of the 1909 position in the Rabbi's Manual should bring increased clarification, not increased confusion. In such a crucial area as personal status, a position of the CCAR should be as clear and definitive as possible, otherwise it could result in individuals being more confused about their identity and thus do actual harm. It will turn Reform Judaism into a sect, creating born Jews recognized only by us and possibly born Jews recognized by everybody but us. It will undermine our movement in the rest of the world, especially in Israel. The CCAR is now an international movement by its own choice, and we must take account of the international ramifications of any position we take. This resolution will give pitchon peh to the Israeli Orthodoxy to change the Law of Return. They will be able to argue that Reform Judaism has created this schism through the definition of one who is a born Jew.

For all these reasons we recommend the rejection of this motion and a return to the position of 1909, which in 74 years has not created one unsolvable problem. We are dealing here with the most critical and sensitive issue--personal status. The resolution presupposes that the 1909 position has resulted in much hardship and many unsolvable problems, but this is not the case.

This resolution, we fear, will create more problems than it solves, result in serious internal differences within our movement, and undermine the position of non-American members of the CCAR. When dealing with personal status, caution is warranted. We believe that our best course of action is to remain within the position of 1909, which has stood the test of time and proven its workability.

Rav Soloff: I wish to propose an amendment. My apologies for not having done so in advance in writing, but this amendment represents a new conclusion in my own thinking reached only during the early hours of this morning.

Attorney Fallon pointed out the anomaly of a CCAR position which would deny Jewish status for lack of educational ritual to the child of a Jewish mother, a child who would be considered a Jew by both Halacha and the laws of Medinat Yisrael.

I am further concerned that the original challenge of patrilineal descent is being perverted into a series of prescriptions for ritual acts and mitzvot, so that the issue of descent is lost from

view. This might be misunderstood as a move toward a confessional definition of Jewish identity.

Therefore, while I entirely agree with the descriptive language [of the report], I believe that the following sentence should be added after the word "Therefore" [in the operative paragraph of the report]:

The CCAR declares that the child of one Jewish parent shall henceforth be under the same presumption of Jewish descent as the child of two Jewish parents.

Let me confess that this is--in part, at least--a reversal of the position I tried to express last year, because this blunt wording does presume that all, and not just a fair share, of the children of mixed marriages are Jews whenever their guardian or they themselves so choose, as described in the report. There is no way to untie the Gordian Knot; it must be cut through so that we have an initial premise on which to base claims in the absence of any parental decision or in case of conflict between parents regarding the status of their children. I see no other way to deal with the issue of patrilineal descent.

Rav Soloff's motion to amend was seconded.

Bruce Goldwasser: In speaking against the amendment, I am also speaking against the entire process of delineating a situation which has been dealt with for 74 years in a very carefully vague way by our Rabbi's Manual. And because we are dealing with the question of interfaith marriage, I would like to invoke a short secular agada. Many years ago, when I was in the hills of West Virginia, I learned the proverb, "If it ain't break, don't fix it." And that's exactly the way I feel about the statement in the Rabbi's Manual.

The wording that has been invoked in the amendment, I believe, will act as if it were Halacha, which does not exist in our movement. Our movement is not bound by Halacha. I think the wording is too specific, and I am arguing in favor of the positive obfuscation that will allow individual Reform rabbis to function, as we have been for 74 years. I think that any substitution, whether it be this amendment or anything else, for what we have in the Manual sows the seeds of doing damage that we have not yet even imagined to our relationship with Kelal Yisrael and to our functioning as autonomous Reform rabbis.

Herman Schaalmann: Let me only indicate--for the sake of the record--that the best information I have is that we are talking about the 1947, not the 1909, statement [in the Rabbi's Manual].

Neil Kominsky: I would like to thank Rav Soloff for having come up with a very good solution to what was to me the only

significant problem in the patrilineal resolution. I think our task in approaching this question is as far as possible to open doors, not to close them.

We are not in the business of trying to define as a Jew anybody who does not consider himself or herself as a Jew, regardless of their descent. We are not going out on the street "chapping" people; we are talking about a situation which occurs only when an individual approaches a rabbi wishing to be designated as a Jew. Under those circumstances, I think, it behooves us--in our interest regarding the future of the Jewish people and in the interest of the people involved--to be as mekelim as possible on both sides.

I think that to try to lay down specific standards of Jewish upbringing without which a person might not be recognized as a Jew, is again to deny the fact that there are a great many of our people who are fully of Jewish blood, but certainly of no Jewish practice whatever, and who do not have that difficulty.

I think Rav's wording does that job beautifully--it puts all individuals with one Jewish parent or two Jewish parents on an equal footing, so that when any individual approaches us we have a door open and we can say, "Yes, you are a part of us and we are glad to have you."

Michael Remson: Point of information. It is my understanding that Rav added his sentence before the last two parts [of the operative paragraph], but did not eliminate those two parts. If there is equal presumption of Jewishness, then what is the force of the following sentence, i.e., "The Jewish status of the offspring of any mixed marriage is established through appropriate and timely public and formal acts of identification with the Jewish faith and people"? That means to me that there is not the same presumption, and I would like clarification of that.

Herman Schaalman: I do believe that your point is well taken in pointing out that the amendment as offered might create an ambiguity both in the place in which it is put and with the language that follows. However, the chair is not in a position to clear up that point of information. I think we will take it into consideration as part of the total proposal that has been made.

Michael Stroh: Judaism has existed for 4,000 years. We have on the floor two diametrically opposed suggestions: one--to disenfranchise Jewish mothers and leave the Jewish father exactly as he was, in the old position; second--to enfranchise the Jewish father and to leave the Jewish mother in the exact position she was before. These are diametrically opposed. We have also those people who are opposed to both suggestions. I think it should be clear that this is an issue on which the CCAR itself is very divided. Anything we decide is going to leave a great portion of

our own membership in opposition and unhappiness. It is not true that a decision of this gravity has to be decided immediately. We have 4,000 years behind us. This afternoon will not make or break the Jewish religion or people. We have time to consider this. I recommend to the Conference and to my colleagues that on an issue this divisive we pause. This is not the time to make any decision. We should remain with the status quo and continue to study it as long as we really feel is necessary.

Sheldon Zimmerman: I rise to speak for the amendment, and I am grateful to Rav Soloff for having worded it and created it for us. It does not conflict with the latter part of this committee's report, for there is a difference between "presumption" and "establishment." We presume the child's Jewishness, which is later established through acts of positive identification. That is what we do now; and if Alex Schindler is calling us to honesty, that's the honest stance of the Reform Movement today.

In addition, I would like to inform this body that this is also the intent of the vast majority of those on the Task Force on Outreach, which has discussed this and which has patiently waited for this body to act. It is time to be daring, it is time to be bold. No longer shall they say in Israel, "The parents have eaten sour grapes and the children's teeth have been set on edge." Once and for all: children of at least one Jewish parent are presumed to be Jewish; let us then establish their Jewishness through education and positive acts of identification. That's what we do; that's what the vast majority of Reform rabbis do. I am not going to tell kids in my religious school, "Hey, kid, you're not Jewish because you haven't had your Bar Mitzvah yet." That's nonsense. I presume your Jewishness; we establish it thorough Bar Mitzvah and Confirmation.

Let us be honest, let us be daring, let us be authentic to our call as Reform Jews.

Jerome Malino: I would like to speak against the amendment and by implication on behalf of the resolution that has been presented.

Rav Soloff's amendment has one thing to recommend it. It removes the absurdity of drawing a distinction between the child of a Jewish mother and the child of a Jewish father. I think that under other geographical, psychological, and historical circumstances, it would have been fine. But I think it's some centuries late. It ignores completely those psychological and sociological elements that are alluded to in the resolution originally presented that have changed the whole relationship of child to parent where there is a mixed marriage. I think that is it absurd at this point to ignore those sociological and psychological implications, as this amendment does, and therefore I speak against it.

What are we uneasy about--being machmirim? We have been condemned over and over again because we have taken the easy way out

or have seemed to take the easy way out. If there is a safek about the Jewishness of a child who has one non-Jewish parent, then it applies equally and the safek has to be resolved.

And we are doing it in precisely the way it ought to be done: echad bapeh ve-echad balev. To suggest that we go on with the same precise obscurity that the language of our Manual has, is to fail to meet our responsibilities as rabbis in today's world.

A last comment: we had plenty of nourishment yesterday morning and this morning, pointing out the cataclysmic changes that have taken place in the Jewish family. To go on doing things exactly as we did them, even 30 or 40 years ago, is to ignore the realities of life.

Rav Soloff's motion to amend the report was put to a vote and passed.

Lawrence Colton: I would like to offer an additional amendment--to change the language [of the second sentence in the operative paragraph] to read as follows:

The offspring of any mixed marriage is encouraged to participate in appropriate and timely public and formal acts of identification with the Jewish faith and people. The performance of these mitzvot serves to confirm those who participate in them--both parent and child--to Jewish life.

I do so with one idea in mind. I want to be able to deal with a young child, who, before Bar Mitzvah, questions whether he is a "Chanuka" or a "Christmas" (i.e., the child who comes home and says, "Momma, am I a 'Chanuka' or a 'Christmas'?). This is a pressing problem for those of us who deal with young children when their parents are both Jewish. How much more so in the case of a mixed marriage. To have to wait until Bar Mitzvah does not answer what that child is up to that point. I believe the distinction between "presumption" and "establishment" is dangerous.

Lawrence Colton's motion to amend was seconded.

Eric Wisnia: I speak against the change in wording. The wording of the original amendment which says, "The Jewish status... is established..." is necessary.

I feel a little guilty in that I began much of these proceedings back in 1975 when I presented to the CCAR Committee on Gerut my original proposal to equate the offspring of a Jewish father with that of a Jewish mother. My intention was originally, and still remains, to discourage intermarriage. I feel that intermarriage is not a positive force. I fear that by changing the wording we will be saying that there is nothing that is required of

the child of a mixed marriage; we will be saying that by virtue of bloodline, this child is a Jew.

I will not accept the child as Jewish who does not profess Judaism. I do not accept Brother Daniel (Oswald Rufeisen)--who is a Catholic priest born of a Jewish mother--as a Jew.

The intent of the resolution of the CCAR Committee on Gerut (which requires that the Jewishness of the child of a mixed marriage be established by participation in Jewish life) is to say that one must identify as a Jew and live as a Jew specifically in the case of a mixed marriage, because there is a blemished situation. Therefore, I feel that changing the wording is most detrimental, for it will then say that nothing is required of the child of a mixed marriage except the fact that he has Jewish blood. In my opinion, this is agreeing with Adolph Hitler that if one of your great grandparents is Jewish--as long as it is the right one--you are a Jew.

Lawrence Colton's motion to amend the report was put to a vote and lost.

Roland Gittelsohn: I would like to speak to the single point raised by Moshe Weiler. I do not presume to speak on behalf of all members of ARZA, though I am confident that this would represent a very substantial majority of the views of the leadership of ARZA. With great affection and respect for Moshe Weiler and great concern and understanding for the problems faced by the members of MARAM, I believe this is an instance in which we must recognize the need for religious pluralism within our own Central Conference of American Rabbis. I do not believe that we can speak on behalf of MARAM or force them to our view, but neither do I believe that they have the right to shackle us if our majority judgment is what I hope it will be, i.e., in favor of the resolution before us. The argument for Kelal Yisrael--if it is valid in this instance--would also be persuasive that we must accept kashrut from an authoritarian, not a selective, point of view; that we must accept being Shomerei Shabbat in the most literal traditional sense of the word; that we must accept the Orthodox status of the aguna; that we must accept the thoroughly unacceptable halachic view toward the nida and sexual ethics generally; that we must abolish mixed seating in our synagogues. And I submit to you that even if we were to do all of these things, we would accomplish only one objective: we would destroy the integrity of Reform Judaism, but we would be no more acceptable to the Orthodox authorities than we are now. I believe in Kelal Yisrael, but I have reluctantly, sadly, come to the conclusion that when our Orthodox brethren use the term Kelal Yisrael, they mean that it is valid only if we agree with them and abide by all of their rulings. That's their interpretation of Kelal Yisrael. My understanding of Reform Judaism is that we begin with utmost respect for Halacha, that we must have good reason to reject any part of

Halacha, but when we, as the result of much study, are convinced that the requirements of modern society, psychology, ethics, etc., conflict with a particular point in Halacha, we reject that point. And on this basis I strongly urge the adoption of the original resolution.

Karen Soria: I am pleasantly surprised at the number of people here who have evidenced that they are aware that there are Reform rabbis in other countries--not only in Israel, but in South Africa and Australia. The situation there is very different, and if we are going to talk about Kelal Yisrael, let's talk about Kelal Yisrael among Reform rabbis. There is a responsibility that this community here has to Reform rabbis in other countries. It's easy to forget--looking around this room--that there are a few out there.

More than that: I think we forget (and we shouldn't, after having heard the speaker of this morning) that the other responsibility is towards those children that are born of a Jewish father and a non-Jewish mother. Those children are told, "Don't worry, you're Jewish," and then they meet a nice Jewish boy or girl and they are told, "You are not Jewish." Let's be honest with them. We are not being fair to them; we are deceiving those people; we are being cruelly unfair to them.

I am against this resolution.

Gunther Plaut: A point of information. I think I have a sense of the way in which many of you will vote, but I would like to ask Peter Knobel and the committee whether, when we vote, we do not in fact vote on the operative clause in the context of the entire statement. Do we?

Herman Schaalman: We do so.

Gunther Plaut: If we do so, Mr. President, then is it not true, that the first sentence of this document must be taken into serious consideration? I will read it for you. "The purpose of this document [including the operative clause] is to establish the Jewish status of children of mixed marriages [apparently only] in the Reform Jewish community of North America." In other words, we are now dealing with Jewish children in North America, and only with Reform Jewish children. Is that the intent? I just want to know.

Herman Schaalman: That is the intent.

Gunther Plaut: If that's the intent, I think the members are to take this into consideration.

Jack Stern: I would like to propose an amendment. I propose that the sentences after the word "Therefore" [in the operative paragraph] read as follows:

The CCAR declares that the child of one Jewish parent is under the presumption of Jewish descent. This presumption of the Jewish status of the offspring of any mixed marriage is to be established through appropriate and timely public and formal acts of identification with the Jewish faith and people.

The reason for the amendment is so that those reading this afresh will not have the benefit of Shelly Zimmerman's Rashi and because we must make clear in the text of the motion the connection between presumption and establishment.

Jack Stern's motion to amend was seconded and put to a vote. The motion was carried.

A motion to adopt the report of the Committee on Patrilineal Descent, as amended, was made and seconded. The motion was carried.

#### IV. THE REPORT

Following is the final text of the Report of the Committee on Patrilineal Descent on the Status of Children of Mixed Marriages as adopted by the Central Conference of American Rabbis on March 15, 1983:

The purpose of this document is to establish the Jewish status of the children of mixed marriages in the Reform Jewish community of North America.

One of the most pressing human issues for the North American Jewish community is mixed marriage, with all its attendant implications. For our purpose, mixed marriage is defined as a union between a Jew and a non-Jew. A non-Jew who joins the Jewish people through conversion is recognized as a Jew in every respect. We deal here only with the Jewish identity of children born of a union in which one parent is Jewish and the other parent is non-Jewish.

This issue arises from the social forces set in motion by the Enlightenment and the Emancipation. They are the roots of our current struggle with mixed marriage. "Social change so drastic and far reaching could not but affect on several levels the psychology of being Jewish.... The result of Emancipation was to make Jewish identity a private commitment rather than a legal status, leaving it a complex mix of destiny and choice" (Robert Seltzer, Jewish People, Jewish Thought, p. 544). Since the Napoleonic Assembly of Notables of 1806, the Jewish community has struggled with the tension between modernity and tradition. This tension is now a major challenge, and it is within this specific context that the Reform Movement chooses...

to respond. Wherever there is ground to do so, our response seeks to establish Jewish identity of the children of mixed marriages.

According to the Halacha as interpreted by traditional Jews over many centuries, the offspring of a Jewish mother and a non-Jewish father is recognized as a Jew, while the offspring of a non-Jewish mother and a Jewish father is considered a non-Jew. To become a Jew, the child of a non-Jewish mother and a Jewish father must undergo conversion.

As a Reform community, the process of determining an appropriate response has taken us to an examination of the tradition, our own earlier responses, and the most current considerations. In doing so, we seek to be sensitive to the human dimensions of this issue.

Both the Biblical and the Rabbinical traditions take for granted that ordinarily the paternal line is decisive in the tracing of descent within the Jewish people. The Biblical genealogies in Genesis and elsewhere in the Bible attest to this point. In inter-tribal marriage in ancient Israel, paternal descent was decisive. Numbers 1:2, etc., says: "By their families, by their fathers' houses" (lemishpechotam leveit avotam), which for the Rabbis means, "The line [literally: 'family'] of the father is recognized; the line of the mother is not" (Mishpachat av keruya mishpacha; mishpachat em einah keruya mishpacha; Bava Batra 109b, Yevamot 54b; cf. Yad, Nachalat 1.6).

In the Rabbinic tradition, this tradition remains in force. The offspring of a male Kohen who marries a Levite or Israelite is considered a Kohen, and the child of an Israelite who marries a Kohenet is an Israelite. Thus: yichus, lineage, regards the male line as absolutely dominant. This ruling is stated succinctly in Mishna Kiddushin 3.12 that when kiddushin (marriage) is licit and no transgression (ein avera) is involved, the line follows the father. Furthermore, the most important parental responsibility to teach Torah rested with the father (Kiddushin 29a; cf. Shulchan Aruch, Yoreh De-a 245.1).

When, in the tradition, the marriage was considered not to be licit, the child of that marriage followed the status of the mother (Mishna Kiddushin 3.12, havalad kemotah). The decision of our ancestors thus to link the child inseparably to the mother, which makes the child of a Jewish mother Jewish and the child of a non-Jewish mother non-Jewish, regardless of the father, was based upon the fact that the woman with her child had no recourse but to return to her own people. A Jewish woman could not marry a non-Jewish man (cf. Shulchan Aruch, Even Ha-ezer 4.19, la tafsei kiddushin). A Jewish man could not marry a non-Jewish woman. The only recourse in Rabbinic law for the woman in either case was to return to her own community and people.

Since Emancipation, Jews have faced the problem of mixed marriage and the status of the offspring of mixed marriage. The

Reform Movement responded to the issue. In 1947 the CCAR adopted a proposal made by the Committee on Mixed Marriage and Inter-marriage:

With regard to infants, the declaration of the parents to raise them as Jews shall be deemed sufficient for conversion. This could apply, for example, to adopted children. This decision is in line with the traditional procedure in which, according to the Talmud, the parents bring young children (the Talmud speaks of children earlier than the age of three) to be converted, and the Talmud comments that although an infant cannot give its consent, it is permissible to benefit somebody without his consent (or presence). On the same page the Talmud also speaks of a father bringing his children for conversion, and says that the children will be satisfied with the action of their father. If the parents therefore will make a declaration to the rabbi that it is their intention to raise the child as a Jew, the child may, for the sake of impressive formality, be recorded in the Cradle-Roll of the religious school and thus be considered converted.

Children of religious school age should likewise not be required to undergo a special ceremony of conversion but should receive instruction as regular students in the school. The ceremony of Confirmation at the end of the school course shall be considered in lieu of a conversion ceremony.

Children older than confirmation age should not be converted without their own consent. The Talmudic law likewise gives the child who is converted in infancy by the court the right to reject the conversion when it becomes of religious age. Therefore the child above religious school age, if he or she consents sincerely to conversion, should receive regular instruction for that purpose and be converted in the regular conversion ceremony. (CCAR Yearbook, Vol. 57)

This issue was again addressed in the 1961 edition of the Rabbi's Manual:

Jewish law recognizes a person as Jewish if his mother was Jewish, even though the father was not a Jew. One born of such mixed parentage may be admitted to membership in the synagogue and enter into a marital relationship with a Jew, provided he has not been reared in or formally admitted into some other faith. The child of a Jewish father and a non-Jewish mother, according to traditional law, is a Gentile; such a person would have to be formally converted in order to marry a Jew or become a synagogue member.

Reform Judaism, however, accepts such a child as Jewish without a formal conversion, if he attends a Jewish school and follows a course of studies leading to Confirmation. Such procedure is regarded as sufficient evidence that the parents

and the child himself intend that he shall live as a Jew.  
(Rabbi's Manual, p. 112)

We face today an unprecedented situation due to the changed conditions in which decisions concerning the status of the child of a mixed marriage are to be made.

There are tens of thousands of mixed marriages. In a vast majority of these cases the non-Jewish extended family is a functioning part of the child's world, and may be decisive in shaping the life of the child. It can no longer be assumed a priori, therefore, that the child of a Jewish mother will be Jewish any more than that the child of a non-Jewish mother will not be.

This leads us to the conclusion that the same requirements must be applied to establish the status of a child of a mixed marriage, regardless of whether the mother or the father is Jewish.

Therefore:

The Central Conference of American Rabbis declares that the child of one Jewish parent is under the presumption of Jewish descent. This presumption of the Jewish status of the offspring of any mixed marriage is to be established through appropriate and timely public and formal acts of identification with the Jewish faith and people. The performance of these mitzvot serves to commit those who participate in them, both parent and child, to Jewish life.

Depending on circumstances, <sup>1</sup>mitzvot leading toward a positive and exclusive Jewish identity will include entry into the covenant, acquisition of a Hebrew name, Torah study, Bar/Bat Mitzvah, and Kabbalat Torah (Confirmation).<sup>2</sup> For those beyond childhood claiming Jewish identity, other public acts or declarations may be added or substituted after consultation with their rabbi.

<sup>1</sup>According to the age or setting, parents should consult a rabbi to determine the specific mitzvot which are necessary.

<sup>2</sup>A full description of these and other mitzvot can be found in Shaarei Mitzvah.

#### REPORT OF THE PLACEMENT COMMISSION

The activity of the Placement Commission is directed by an essential guiding principle. This is the principle of a balance that must continually be struck between, on the one hand, an orderly and equitable process that attends both to needs of congregations

and career aspirations of rabbis, and on the other hand, the preservation of an appropriate degree of autonomy for both congregations and rabbis. We submit panels to congregations with limited numbers of candidates, thus allowing a manageable interviewing process. The whole process of impanelment itself is conducted by the executive committee of the Commission, together with its director, always with an eye towards a maximum measure of fairness.

The very nature of this enterprise, however, is fraught with frustrations, which is perhaps the only ungratifying aspect of having served on the Commission. If 50 of our eligible colleagues expressed interest in a position, and that panel is limited to fifteen, the human arithmetic comes to 35 disappointed people. And when eventually one of those is chosen by a congregation and 14 are not (including some who, for whatever autonomous reasons of the congregation, are not even interviewed)--then disappointment becomes the order of the day.

I report to you then that the Placement Commission is continually seeking refinements of an imperfect process to make it become as fair and equitable as it can be--always keeping in mind that necessary balance between the need for a regulated procedure and the principle of autonomy, and always knowing that disappointment may be the order of the day.

I likewise report to you that all of these efforts toward balance and fairness would be unavailing without someone at the helm who by his philosophy is committed to the principle of balance and, perhaps more important, who by the quality of his character is a fair human being. I cannot sufficiently express our collective gratitude to Stanley Dreyfus, the fair one, for whom the position of Director of Placement is not a job, but a sacred, if sometimes painful, calling. The gratification of these years as chairman of your Commission has been, in greatest measure, the opportunity to serve at his side.

Together with the daily process of placement is the consideration by the Commission of newly emerging situations--new needs and new questions that call for new, sometimes experimental, answers. For example, when the need was recognized to educate and assist congregations in the procedure of their own interviewing and decision-making (at first, with an eye to equal consideration for all candidates regardless of sex, age, or marital status, but then with a larger eye to other factors in helping a congregation select a rabbi)--it was then that the system of Placement Assistance Teams was inaugurated.

I have reported in past years that a team is composed of rabbis and lay participants trained to assist congregations to identify some of their own needs and help guide them in the Derech Erets of interviewing. My progress report this year on Placement Assistance Teams is that the number of visits keeps increasing with approximately 16 having been made this year.

What invariably happens is that the initial weariness on the part of the congregation concerning what they fear may be an intrusion on their autonomy, turns out to be an enthusiastic expression of gratitude for the assistance which the team has rendered.

Another such project upon which we reported last year was the proposal for a career consultation program for rabbis who find themselves in a particular problem situation or who have begun to evidence a more extensive pattern of difficulty. Our report this year is that our beloved past president, Jerome Malino, has accepted the invitation to serve as coordinator of the project of career consultation. No one is more eminently qualified, by reason of experience and sechel and rachmanut, for such a key position in our Conference.

Just a few more Placement Commission explorations into newly emerging questions and concerns. Stanley has mentioned the phenomenon of two-career families, and the Commission is studying the connection between that phenomenon and the problem of filling pulpits in smaller communities where only limited opportunities are provided for the career of the non-rabbinic family member. Another issue concerns congregations that may, in their request for a panel, stipulate a rabbi who does or does not officiate at mixed marriages. The Commission has reaffirmed its position that such requests be disregarded, and the congregations are notified accordingly during the formation of the panel. The hope is that a congregation will interview and seriously consider all qualified candidates. Even though those congregations, during their interview, may make their own autonomous choices, the Commission and the Director of Placement do not accept officiating or not officiating in a mixed marriage as a matter of qualification.

As my term as chairman comes to an end and the leadership is assumed by Ronald Sobel, I wish to acknowledge again my gratitude to and admiration for Stanley. Thanks are also due to Bea Fox, who also cares; to Joe Glaser, who is ex-officio of everything, except he steers totally clear of the process of impanelment; to the entire CCAR staff; and finally, to the members of the Commission who represent our College, our Union, and our Conference. A wonderful thing happens at the meetings of the Commission, because in the course of the proceedings, one would be at a loss to identify who specifically represents College, Union, or Conference. The shared concern by laity and rabbis for the well-being of congregations and the well-being of rabbis and that ongoing attention to the delicate balance between procedure and autonomy, that spirit of cooperation and harmony, have a message to deliver to our entire movement. I thank you, my colleagues, for the opportunity of having served with you.

Jack Stern, Jr., Chair

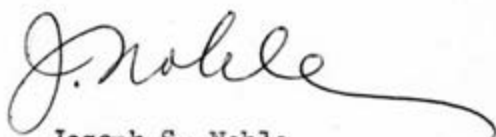
May 8, 1985.

Dear Rabbi Schindler:-

While the controversy continues - Patrilineal versus Matrilineal - I would like to submit an interesting comment by Rashi, who quotes the Talmud, regarding the identity of certain "slaves".

I am sending it to you because I have not seen it used in any articles regarding this issue. (Humbly, I do not claim to have read all the literature).

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Joseph S. Noble

5180 Copperleaf Circle

Delray Beach, FL 33445

Leviticus - 25

The Torah - JPS - 1962

ויקרא כ"ה

Such male and female slaves  
as you may have -

it is from the nations  
round about you

that you may acquire  
male and female slaves.

45 You may also buy them from  
among the children of aliens  
resident with you, or from the  
families that are among you  
whom they begot in your land.

These shall become your property.

46 You may keep them as a possession  
for your children after you  
for them to inherit as property  
for all time.

Such you may treat as slaves.

But as for your Israelite brothers,  
no one shall rule ruthlessly over the other.

מִן-וְעַבְדְּךָ וְאִמָּהֶךָ  
אֲשֶׁר יִהְיֶה לְךָ  
מִן הַגּוֹיִם  
① אֲשֶׁר סְבִיבוֹתֶיךָ  
מִן הָעַמִּים  
עַבְדֵּי וְאִמֹּתֵיהֶם.

מִן-וְעַבְדְּךָ מִבְּנֵי הַגֵּרִים  
② הַיֹּשְׁבִים עִמָּךְ  
③ מִן הָעַמִּים  
וְאִמֹּתֵיהֶם אֲשֶׁר עִמָּךְ  
וְאֵלֶּיךָ בָּאוּ מֵאֲרָצוֹת  
וְהוּא לְךָ לְאֻמָּה.

וְאִמֹּתֵיהֶם אֲשֶׁר עִמָּךְ  
וְאֵלֶּיךָ בָּאוּ מֵאֲרָצוֹת  
וְהוּא לְךָ לְאֻמָּה.  
וְאִמֹּתֵיהֶם אֲשֶׁר עִמָּךְ  
וְאֵלֶּיךָ בָּאוּ מֵאֲרָצוֹת  
וְהוּא לְךָ לְאֻמָּה.  
וְאִמֹּתֵיהֶם אֲשֶׁר עִמָּךְ  
וְאֵלֶּיךָ בָּאוּ מֵאֲרָצוֹת  
וְהוּא לְךָ לְאֻמָּה.

וְאִמֹּתֵיהֶם אֲשֶׁר עִמָּךְ  
וְאֵלֶּיךָ בָּאוּ מֵאֲרָצוֹת  
וְהוּא לְךָ לְאֻמָּה.  
וְאִמֹּתֵיהֶם אֲשֶׁר עִמָּךְ  
וְאֵלֶּיךָ בָּאוּ מֵאֲרָצוֹת  
וְהוּא לְךָ לְאֻמָּה.

① Rashi explains - not within your borders (these had to be totally destroyed)  
but outside your borders.

② Rashi - who came from "around you" to take wives from your country and had  
children. The child goes after the father and is not included in  
the command "to destroy the seven nations". You are permitted to  
acquire him as a slave. (check Kiddushin 67b).

② Cohen - Soncino - Quoting Rashi - Who came to marry Canaanite women and have  
settled in your land. As children of such a marriage adopt the  
nationality of the father, they are not regarded as Canaanite and  
may be acquired as slaves.

③ Ibn Ezra - who dwell in Eretz Canaan.....all nations except the seven which had  
to be annihilated.

(The seven nations are mentioned in Deuteronomy 7:1)

\* רבין הולך אחר הארץ

717 Riverside Drive  
Salisbury, MD. 21801  
January 24, 1985

TO THE EDITOR OF JUDAISM:

Without going into the question of patrilineal descent I find Dr. Alexander Schindler's arithmetic highly defective, in his article "Facing the Realities of Intermarriage" (Judaism 34:1 Winter 1985). He is guilty of gross exaggeration.

In his attempt to give "the single most important motive" for Patrilineal Descent he suggests that intermarriage with non-Jewish women will result in a loss of "four million Jews by the year 2000, and all this out of our present population of just under six million, in the United States alone."

How does he seek to prove his point? He suggests:

- 1) "A Jewish demographer estimates there is a total of 35,000 intermarriages annually. Of these two out of three involve a Jewish man and a non-Jewish woman, and only one in four of these wives converts to Judaism."
- 2) "We can expect at least 35,000 children each year from intermarriages. Taking parents and children together -- as they must be considered, for the family is the basic unit of Jewish identity -- some 100,000 individuals are threatened with exile or alienation from the Jewish community."
- 3) "A hundred thousand souls up or down each year -- a swing of two million in a decade -- four million more-or-less Jews by the year 2000 -- and all of this out of our present population of just under six million in the United States alone."

Beginning with the first part of the statement. He speaks of 35,000 intermarriages annually. However, he states that only "two out of three involve a Jewish man and a non-Jewish woman." This reduces the number to be considered, to two thirds of 35,000, which is less than 24,000. Then he further states that "one in four of these wives converts to Judaism". This further reduces the less than 24,000 by a quarter, leaving less than 18,000 -- half the number he suggested.

Continuing with his second part -- "We can expect at least 35,000 children each year from intermarriages, etc." The figures for those who are from non-Jewish mothers, should be revised to 18,000, as indicated above. Thus his statement that "some 100,000 are threatened by exile or alienation" should likewise be reduced to about half that number -- around 50,000.

In the third part of his statement he suggests "a hundred thousand souls each year -- a swing of two million in a decade". My arithmetic tells me ten times 100,000 is one million, not two million. When he suggests "four million by the year 2000", even using his figure of 100,000 a year, the total for fifteen years should be one and a half million -- NOT four million.

But, as I have pointed out, based on his own reckoning, the 100,000 per year should only be about half that number i.e. 50,000. This would be a half a million in a decade, and about 750,000 by the year 2000 -- a far cry from four million.

In reality, we know that many a Jewish man who marries a non-Jewish woman is not "threatened with exile or alienation from the Jewish community" as Dr. Schindler suggests. They are welcomed into Reform Congregations, and into many Conservative Congregations, and their non-Jewish, unconverted wives may even aspire to Sisterhood leadership in some Congregations.

It should also be noted that Rabbi Walter Jacob (in the same issue of Judaism, p. 52) states: "The vast majority of intermarried couples do intend to raise their children as Jews", so why the sudden urgency for Patrilineal Descent?

Sincerely yours,

*Leah Schwartz*  
Leah Schwartz

*Handwritten signature*

January 20, 1987  
19 Tevet 5747

Rabbi Eugene J. Lipman  
3512 Woodbine Street  
Chevy Chase, MD 20815

Dear Gene:

Lest you think I instigated anything, I write to advise that James Besser of the Baltimore Jewish Times called me for a comment on your statement regarding patrilineal descent. I felt compelled to disagree with you.

Needless to say, the last thing I want is a public pissin' match with Gene Lipman. We need to talk. No doubt we do have some differences on this issue but let's deal with them directly and not through any media mishigas. Please call and let's make a date to get together when next you are in New York.

Rhea and I join in sending love to you and Essie.

Sincerely,

Alexander M. Schindler

*Thank you  
for spirit of his  
letter which I  
appreciate*

RABBI EUGENE J. LIPMAN  
3512 Woodbine Street  
Chevy Chase, Maryland  
20815

Telephone  
301  
652-2474

*Shore  
Gee's  
letter  
5/12  
Don S.*

February 1, 1987

Dear Alex:

Many thanks for the Schulweis article. As always he is thoughtful, one of the most pluralistic rabbis I know, usually out in front of the rest of us--but not necessarily realistic for the present.

How fine it would be if any of the movements could quietly and deliberately consider the implications of some issue, beyond the voting and the posturing. But none of us does much of that, and I have stopped being annoyed with this reality. Harold's paper could serve as a valuable resource in a consideration of how we do our decision-making--but I won't hold my breath until it is used.

I have no concern at all regarding disagreements between thee and me on any issue. I've known since 1979 that I did not agree with you on patrilineality. I decided then to play no role in the debate, and I didn't. In my talk with Besser of the Baltimore Times, I differentiated between the CCAR position and my duty to explicate it wherever and whenever, and my right to a private opinion. Since you were asked, you had an obligation to express your difference of opinion. I know I am not after points; I am confident you aren't either. That noncompetitive stance will be mine on all issues. Baruch ha'shem, I'm past ambition, turf battles, the need for points.. I trust you are, too. I shall uphold CCAR policies for the next two years as faithfully as I know how to do, but I have no intention of wasting time enhancing the institutional image of the CCAR at anyone's expense--and certainly not my own image. CCAR presidents come and go too fast for that kind of timewasting.

Genug. A PBS thing about Ingrid Bergman is coming on, and she has been my far-from-secret passion since 1945 when she was in a USO group in Czechoslovakia and I was their guide to Jewish DP camps and communities. Schindler, you can't compete!

Essie joins in best to you, Rhea and your gang.

*113137  
EJL*

August 20, 1987  
25 Av 5747

Ms. Barbara C. Rosenberg  
219 Lombardy  
Sugar Land, Texas 77478

Dear Ms. Rosenberg:

In your response to your request for the statement on patrilineal descent let me note that formal adoption was never taken by the UAHC. The matter was placed before our rabbinic organization, the Central Conference of American Rabbis and they adopted the report on patrilineal descent in 1983.

For your information, I am enclosing herewith a copy of my remarks to the CCAR in 1982 in support of patrilineal descent. I am also enclosing the ~~minutes~~ <sup>minutes</sup> of the 1983 CCAR Conference held in New York City, at which the decision was adopted on patrilineal descent.

I trust this information will be helpful to you. With every good wish, I am

Sincerely,

Alexander M. Schindler

J. P. Morris  
15 Latches Lane  
Cherry Hill, N.J. 08003-2233

25 May, 1992

*Send me  
copies of my  
Klal speech  
and write  
pages where I  
drop publication*

Rabbi Alexander M. Schindler  
President of the Reform Union of American Hebrew Congregations  
838 5th Avenue  
New York, N.Y.

Dear Rabbi Schindler,

I have been thinking of addressing myself to you ever since I read a book by Alan M. Dershowitz, and where a specific mention made about a subject matter that my wife, Gaby, and I have often discussed in the many happy years of our married life.

Just a little background on ourselves. Both of us were born in Germany but fortunately managed to get out of Berlin just shortly before Kristallnacht back in November 1938. When I left at the time in the company of my family, I had just turned 12. Both of my parents were Jewish. Both passed away several years ago.

In the case of my wife, Gaby, her Father was Jewish but her Mother is Lutheran.

Both of us think of ourselves as 100% Jewish. However while our two children are firm believers, they sometimes have expressed doubts as to their being Jewish because of my Mother in Law's Lutheran faith.

As I read a comment on this matter on page 182 of Alan M. Dershowitz's book, I felt reassured that our thinking is right and that yes, indeed, we are and will continue to rightly so know that we are Jewish.

May I ask you to please comment on this matter to us?

I sincerely hope that you will be so good and drop me a line.

Sincerely yours,

  
J. P. Morris

בתי הכנסת המאוחדים באמריקה  
**The United Synagogue of America**

The Association of Conservative Congregations

Rapaport House, 155 Fifth Avenue, New York, NY 10010-6802 • (212) 533-7800 • FAX: (212) 353-9439

November 29, 1991

Rabbi Alexander Schindler  
President  
Union of American Hebrew Congregations  
838 Fifth Avenue  
New York, NY 10021

Alan J. Tichnor  
*International President*  
104 Country Club Road  
Newton Centre, MA 02159-3022  
(617) 244-6146  
FAX: (617) 969-1934

Dear Rabbi Schindler:

As you know your Movement's acceptance of the principle of Patrilineal Descent has caused a great deal of controversy within the Jewish community. As you also know, the Conservative Movement has consistently opposed any such radical change.

While we fully respect the autonomy of the Reform Movement, we consider any change in the definition of Jewish identity to transcend the jurisdiction of any one movement and rather view it as a matter of concern for the Jewish community as a whole. It was for precisely this reason that we have joined with you in protesting any change in the "Who is a Jew" legislation in Israel.

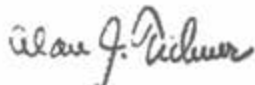
It is in this spirit that at our recent Biennial Convention, we passed the enclosed resolution and I respectfully ask that you consider taking appropriate measures.

Please feel free to call me or our Executive Vice President, Rabbi Jerome M. Epstein, if you would like to discuss this matter further.

We look forward to working with you and continuing the constructive relationship that has long existed between our movements.

With best wishes,

Sincerely,



Alan J. Tichnor  
President



## PATRILINEAL DESCENT

WHEREAS, the UNITED SYNAGOGUE OF AMERICA is committed to fostering working relationships between all Jews and among the various branches of Judaism; and

WHEREAS, the United Synagogue of America is committed to the unity of the Jewish people as manifested by the shared Jewish identity that embraces all Jews throughout the world; and

WHEREAS, the acceptance of patrilineal descent by the Reform and Reconstructionist Movements destroys the fabric of Jewish unity and affects marriage and family continuity in the entire Jewish community;

NOW, THEREFORE, BE IT RESOLVED that the UNITED SYNAGOGUE OF AMERICA reaffirms its position against patrilineal descent as a standard of the Conservative Movement; and

BE IT FURTHER RESOLVED that the UNITED SYNAGOGUE OF AMERICA urges the Reform and Reconstructionist Movements to reconsider their position on patrilineal descent in order to preserve the unity of Klal Yisrael; and

BE IT FURTHER RESOLVED that the UNITED SYNAGOGUE OF AMERICA calls upon the leaders and Rabbis of the Conservative Movement to explain the issues involved in patrilineal descent to their congregants.



COPY

CC: MR. M. MERIANS  
MR. R. COHEN  
~~MR. R. COHEN~~ HAROLD SCHULWEIS

RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, NY 10021-7064 (212)249-0100

*Patrilineal*

December 6, 1991  
29 Kislev 5752

Alan J. Tichnor  
President  
United Synagogue of America  
Rapaport House  
155 Fifth Avenue  
New York, NY 10010

Dear Mr. Tichnor:

Thank you for sending me your Association's resolution on Patrilineal Descent. This comes as no news, since representatives of the press contacted me concerning this resolution weeks ago.

As I told them, and as I tell you now, we have no intention to take what you call "appropriate measures," by which you mean, I suppose, that we ought to initiate steps to reverse our decision on this issue.

There are several reasons why we will not do so and let me list them ad seriatim:

- a. The resolution on patrilineal descent is well rooted in Reform Jewish practice spanning decades. Our recent resolution merely made explicit what has been implicit in our work. Being so well rooted both in word and in practice, there isn't a fiddler's chance of our reversing it even if we were to seek to do so.
- b. Patrilineal descent is firmly rooted in the Jewish tradition as well. There is no serious student of the Tanach who does not recognize that in Biblical times the patrilineal principle ruled.

The genealogical tables of the Torah are exclusively patrilineal.

The Laws of Inheritance proscribed in the Torah insisted that properties be transmitted from generation to generation along the patrilineal lines; daughters were excluded, with one notable exception.

Perhaps more to the point, all the children of Jewish fathers and non Jewish mothers are deemed Jewish by the Torah.

In rabbinic literature, the patrilineal strain continues. People are called to the Torah in their father's name and not in their mother's name. We are told that we exist primarily because of the merit of our fathers. The status of the priesthood to this day is transmitted exclusively through the patrilineal line, that is to say, one can become a cohen or a levi only if one's father is Jewish and never if only one's mother is Jewish. If the patrilineal line is good enough to transmit the status of priesthood, then why in heaven's name isn't it good enough to transmit Jewishness.

- c. Studies undertaken in the course of the past several years, demonstrate that the preponderant majority of American Jews are accepting of the patrilineal principle - some 85% in fact, including the overwhelming majority of Reform Jews, a substantial majority of the Conservative laity as well as even a not insignificant plurality of Conservative rabbis.
- d. There is increasing interest in the patrilineal principle in Israel, given the fact that so many of the male immigrants from the Soviet Union are married to non-Jewish women. The Jewish status of their children so far has not really been challenged by the Israeli Orthodox rabbinate.
- e. The Jewish lineage of the Ethiopian Jews is traced exclusively through the paternal line - understandably enough, since their Jewishness is rooted in the Chamishe Chumshe Torah and they were divorced from the subsequent development of the Jewish world. Let me be more specific. As you probably know, there are some questions

concerning the Jewishness of many of the Ethiopian Jews who are applying for admission to Israel. The Jewish Agency will accept only those Ethiopian Jews who can establish that their fathers were Jewish and not those who trace their lineage only through their mothers. Moreover, the Orthodox rabbinate supports this decision.

For all of these reasons, and more - and I speak now primarily of the present urgent needs of the American Jewish community given the high rate of intermarriage - I will respond to your appeal by appealing to you to move your religious community in the direction which you urge us to reverse, and to do this for the sake of the greater good of the Jewish people as a whole.

With every good wish, I am

Sincerely,

Alexander M. Schindler



RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, N.Y. 10021 (212) 249-0100

VIA FAX

May 29, 1991  
16 Sivan 5751

TO: GERSHOM GORENBERG

Thanks for faxing the edited text. I approve of the final form. One reminder, however, in paragraph four which starts "The Reform decisions..." I would request that you either underline or italicize the last words: so long as the children were raised as Jews.

In response to your questions:

1/ The figures on acceptance of the patrilineal decision are based on a survey made by a prominent Jewish sociologist, Stephen Cohen, which was extensively reported on in the New York Times some months ago.

2/ By all means push the date back and make it 2000 years, that is to say, begin the paragraph by saying "True, for the past 2000 years or so Jewish identity..." although scholars are really not certain when the change from patrilineal to matrilineal in fact took place.

Warm regards, to Ze'ev too.



RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS  
PRESIDENT 838 FIFTH AVENUE NEW YORK, N.Y. 10021 (212) 249-0100

VIA FAX (4 Pages)

May 28, 1991  
15 Sivan 5751

TO: Gershom Gorenberg  
Jerusalem Report

Enclosed my Op-Ed piece as requested. Please verify receipt  
by return FAX (212-570-0895).

Regards.

# Union of Liberal & Progressive Synagogues

The Montagu Centre, 21 Maple Street, London W1P 6DS Tel: 071-580 1663 Fax: 071-436 4184

MIN/4/41

22 July 1994

## Private and Confidential

Rabbi Alexander Schindler

Union of American Hebrew Congregations

838 Fifth Avenue

New York New York 10021-7064

Dear Alex

## RE: EUROPEAN BET DIN

I would like to thank you for the time you gave Rabbi Mark Solomon and me when we met at the Friedlanders on 1 July. We were both most appreciative that you took time out from your holiday to discuss our concerns, and in such a sympathetic manner.

I thought it might be helpful if I let you know the current situation. A new draft has been prepared by Rabbi Rodney Mariner which goes some considerable way to meeting ULPS concern, but not sufficiently to solve entirely the patrilineal issue, about which we feel so strongly. Our Rabbinic Conference has therefore now made some proposals for amendment in this area - and also in some others. We are hopeful that if these amendments can be accepted, ULPS can then give its agreement and support to an endeavour which would help the Jews and potential Jews of the former Soviet Union and Eastern bloc countries in a way which we feel is appropriate to the spirit and practice of Liberal Judaism.

We are also asking that the final ratification of the venture be dealt with in an open meeting of both Rabbinic and Lay Leaders at the European Region meeting here in October and not at a solely Rabbinic meeting. Our rabbis do not perceive this as a purely professional Rabbinic matter, but as one that should engage the concern of all who lead our Movements.

You kindly agreed that you would articulate the concern of the ULPS to the leadership of the World Union and we are very grateful for anything you can undertake in this area. Even if we are able to bring this particular issue to a satisfactory conclusion, it will have only been achieved as a result of enormous tenacity on the part of the British Liberal Rabbinate not to become sidelined in such an historic project. I personally believe that there is not sufficient appreciation outside Great Britain of the very real differences in principles, practice and style between the various sections of British and European Progressive Judaism. ULPS, as you know, is proud of its adherence to those same values that UAHC has.

Thanking you once again for your involvement

Yours sincerely



Mrs Rosita Rosenberg

Director



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1983-1987



## The Liberal Jewish Synagogue

28 St. John's Wood Road, London NW8 7HA Telephone 071-286 5181

From: Rabbi Helen Freeman

Rabbi Alex Schindler  
c/o Rabbi A H Friedlander  
Westminster Synagogue  
Rutland Gate  
Knightsbridge  
London SW7 1BX

29th June 1994

Dear Rabbi Schindler

I wanted to apologise to you for not being able to attend the informal meeting on Friday 1st July. I am particularly sorry not to be there as I am involved in the Outreach Programme of the ULPS and would have valued your input enormously.

I hope therefore you will allow me to convey my concerns to you in writing. The real crux of the matter is the setting up of the European Bet Din to deal with potential conversions and status cases in Eastern Europe.

I think that the World Union can do valuable work in this sphere to reintroduce people to a positive Jewish heritage that has been torn from them by many years of Communist rule.

However, if the ULPS rabbinate is to participate in such a Bet Din, our views on patrilineality need to be respected, and the status of individuals in Eastern Europe with one Jewish parent needs to be appropriately affirmed. This seems to be a vital point of principle, particularly as we are entirely in accordance with the UAHC, the largest constituent body of the World Union.

However, the European Bet Din as it has been promoted heretofore appears to have moved entirely and exclusively towards the position of the RSGB. It seems to me that as two constituent bodies of the World Union, we need to find some more successful way of respecting each others principles if we are to be able to work together.

You will appreciate that the news of the approach of the European Bet Din has caused great distress in Liberal congregations, which feel that our law on patrilineality and affirmation of status are a central tenet of Liberal Judaism. It is a particular concern to me as a rabbi involved in Outreach that we should contemplate making this retrograde step.

I therefore particularly appreciate the interest and concern that you are showing.

B'shalom

Rabbi Helen Freeman

# BRIGHTON & HOVE PROGRESSIVE SYNAGOGUE

6 LANSDOWNE ROAD, HOVE, BN3 1FF

TELEPHONE: BRIGHTON 737223

Minister: Rabbi William Wolff

28.6.1994

Dear Rabbi Schindler,

## European Beth Din

I am one of those who have been closely involved in getting this scheme off the ground.

I did some work with a number of communities in Europe last year while I was in between full-time jobs here, and I became convinced of its need and its urgency.

I therefore moved the motion at the European Board meeting in Zurich at the end of last October urging the establishment of such a Beth Din. And I attended, at my own expense, all the meetings at which the present scheme was worked out under the leadership of Rabbi Mariner, to whose insight, courtesy and consideration I am grateful.

I do not claim paternity, nor was I the obstetrician that brought it to birth, only one of the midwives --- in this post-feminist age a male midwife is surely perfectly kosher.

I am satisfied that the blueprint now before us safeguards the patrilineal principle to which I feel bound. In our discussions we were particularly concerned to safeguard it, and did so by the provision which enables the Beth Din to issue certificates that "recognise status" as well as grant conversion. The recognition of status is available especially to those who have Jewish fathers and non-Jewish mothers.

Secondly the procedures as now drafted provide for participation by local communities in every session of the Beth Din. This is designed to ensure the acceptance by the local communities of those to whom status is granted. I, and no doubt others, regard this as a key and essential element of the scheme. I am sure we are all agreed that to grant status without hope of acceptance by the communities in which the applicants ultimately live is, mostly, a pointless exercise.

I believe the scheme now before us commands wide support in continental communities, is consistent with progressive ideology, and is above all an expression of Ahavat Yisrael. For it is a desperately needed service to so many now left in limbo, and it brings redress and justice to a situation that is now arbitrary, chaotic and damaging to countless individuals.

I hope the European Board will be able to see to it that this new European Beth Din will be functioning by the autumn at the latest.



איחוד  
ליהדות  
מתקדמת  
באמריקה

# Commission on Reform Jewish Outreach

UNION OF AMERICAN HEBREW CONGREGATIONS — CENTRAL CONFERENCE OF AMERICAN RABBIS

## William & Lottie Daniel Department of Outreach

SERVING REFORM JUDAISM IN NORTH AMERICA

838 FIFTH AVENUE, NEW YORK, NY 10021-7064 (212) 249-0100

July 12, 1994

4 Av 5754

### MEMORANDUM

To: Rabbi Alexander Schindler

From: Dru Greenwood *Dru*

Re: Evelyn Wilcock

As you can see, Edie sent me Evelyn's materials to read while you were away. I had met her a number of years ago and was impressed at that time by her focused energy. Obviously she's kept it up. Her passion comes through strongly even with the scholarly emphasis of her work.

A couple of comments: Evelyn seems to be reacting to a stronger social stigma in England than I believe is current here. Perhaps it's just because she's taking on the British Reform. */// J. Gelfin*

She advocates at one point for accepting patrilineal Jews where they are as Jews without asking any questions or establishing any kind of special programming (particularly not programming that's aimed at non-Jews who are choosing Judaism), but then later points out the need for each person to be given the space to explore and affirm Judaism as needed. My experience is that for some adult children of intermarriage who have been only marginally educated as Jews, the Intro course works fine. Some also want a ceremony of affirmation, whether it's a conversion ceremony or some variation thereof. We may have some potential problems in this area (see enclosed letter to RJ) with differing expectations and requirements on the part of rabbis and/or individuals with one Jewish parent. We modeled a wonderful resolution in the Spring RJ with the 15-year-old from Harry Danziger's congregation who affirmed her Jewishness with her bat mitzvah.

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Director  
Dru Greenwood

I don't agree that Outreach workers who have converted can't do outreach to adult children of intermarriage. *✓* I do think it would be helpful to raise up the voices of this constituency and model good ways of handling the situation. We have made some minimal efforts in this direction on college campuses. There is also a man on the Outreach Committee at Temple Israel in Minneapolis who is an adult child of intermarriage who was going to pursue programming for this group. Taste of Judaism may very well pick up some adult children of intermarriage too. I'd like to follow up with them to find out their experiences and see if we need to do more.

I'll be interested to hear about your meeting in England.

*Superb!*

August 4, 1994  
27 Av 5754

Ms. Evelyn Wilcock  
22 Luttrell Avenue  
London SW15 6PF  
England

Dear Ms. Wilcock:

While I received your note of July 29 when I was in London, the brevity of my visit and the press of meetings precluded making contacting with you. I do hope you understand my situation and thus forgive this very late response.

On my return to New York I found the various materials you were kind enough to share. I very much appreciate your thoughtfulness and have reviewed your words with care.

The passion you feel for your subject matter is evident in your writings. I do note, however, that you appear to be reacting to the stronger social stigma which obtains in Great Britain, rather than the situation here in the United States.

Be that as it may, you should know that I plan to share your materials with others in our community who are deeply involved in all aspects of Outreach, most especially in regard to patrilineality.

For your perusal, I enclose herewith the Spring 1994 edition of REFORM JUDAISM and call your particular attention to the cover story on Page 10. I am certain it will interest you. Note also the item on the 15 year old from Memphis, a child of an intermarriage, who chose to affirm her Jewishness at her Bat Mitzvah. As Reform Jews we are firm believers in choice and that attains as well in regard to Jewishly educated patrilineal Jews, be it via our Introduction to Judaism Classes for those who have had but a marginal Jewish education or a conversion ceremony for those who choose that formality.

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As to your comments on Outreach workers who have chosen Judaism, on the contrary, we have found they can be superb teachers for adult children of intermarriages. We do have to raise the consciousness of our constituents to the particular problems of this group and provide creative models for handling such an educational process. We are working towards that goal.

Again, thank you for sharing your writings and your concerns. I am deeply grateful for your interest and your input.

June 29, 1989

Rabbi Alexander Schindler  
Union of American Hebrew Congregations  
838 Fifth Ave.  
New York, NY 10021

Dear Rabbi Schindler,

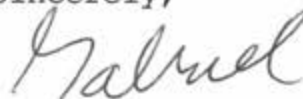
The enclosed interview with Rabbi Alfred Gottschalk and the editorial it elicited contains an offer to withdraw patrilineal descent by Reform if Orthodoxy thus in return will authenticate Reform.

While the answer may be clear as to Orthodoxy's response, nevertheless this may be an opening that possibly could lead to actual discussions, if not negotiations.

We are asking a number of personages, including you of course, for their reactions, suggestions or ideas, and will incorporate them into a round-up account in a forthcoming issue.

Looking forward to hearing from you I am.

Sincerely,



Gabriel Cohen  
Publisher

mm  
encl.

BERNARD CHIERT  
ATTORNEY AT LAW  
1090 FURTH ROAD  
VALLEY STREAM, N.Y. 11581  
516-791-5979

*Thank you  
for your thoughts.  
You will be  
pleased to learn  
that the patrilinear  
principles were  
accepted -  
not just in  
1990*

December 10, 1990

Rabbi Abraham Shindler  
Union of American Hebrew Congregations  
838 5th Avenue New York, New York

Dear Rabbi Shindler

This letter is written on the continuing controversy as to "Mi Yehudi". that is, whether the line of descent is Matrolinear or Patrolinear, or both.

I suggest that you have surrendered the high ground to the Orthodox and failed to adequately defend your philosophy with substantiation as to its validity.

Matrolinear descent is a new philosophy dated to about the 15th or 16th centuries proclaimed by a Rabbi who produced a tractate essentially misogynistic and who may have been reacting to the infidelities of his wife. Hence he revealed his inner thoughts about the parentage of his own children by throwing a cloud on the legitimacy of all Jewish children.

By this Philosophy-of Matrolinear descent- he attacks the character of all Jewish women including the characters of the mothers of Isreal, Sarah, Rachel and Rebecca. He makes of every Jewish woman a potential harlot and questions the honesty and integrity of all Jewish women. He makes of Abraham a potential cuckold.

I suggest that the next time the question comes to the fore that you aggressively point out the evil inherent in that approach.

Further in the Old Testament the line of descent is Patrolinear.

The line of Judah is descended from a union

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between Judah and a caananitish woman.

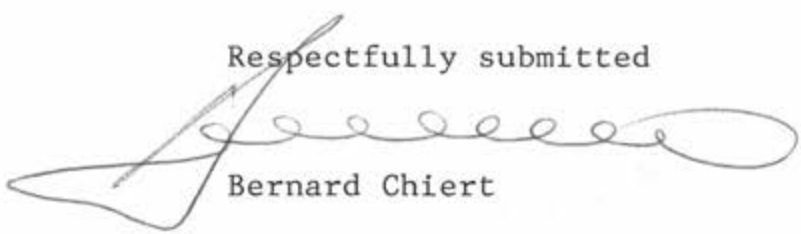
Solomon had many non Israelite wives and children resulting therefrom and there is no indication that such children were under any disability by reason of their parentage.

Was Bathsheba, Solomons mother an Iraelite?

Rehobothy, son of Solomon and an Ammonitish woman was king of Judea.

Under the law of the captured slave the women were after 30 days taken as wives and the offspring of such women were never under any disability.

Respectfully submitted



Bernard Chiert