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Conversion & Patrilineality

DECEMBER 2, 1983

Denver's internationally unique joint conversion program breaks down

This special section of the *Intermountain Jewish News* examines why Denver's internationally unique joint conversion program broke down.

For six years until this past summer, Denver was the only city in the world in which Traditional, Conservative, and Reform rabbis openly and officially cooperated on the conversion of non-Jews to Judaism. Under this arrangement, each rabbi recognized the validity of the conversion performed *de jure* by all of the rabbis collectively and *de facto* by any single rabbi preponderantly.

The program broke down with rabbis in open disagreement with each other. Most congregational rabbis in Denver devoted one of their High Holy Day sermons to the topic.

In this special section, the transcripts of interviews with the congregational rabbis in metro Denver — including both those who participated in the joint conversion program and those who did not — are presented.

These interviews were conducted by IJN staff members and simultaneously recorded. The transcripts from the tape recordings were

edited only for gross grammatical infelicities, repetitions, digressions, and certain commonly agreed upon facts, which constitute part of the summary below ("A summary of the IJN interviews").

These transcripts, besides illuminating the operation and the breakdown of the joint conversion program, provide a rare glimpse into the thinking, the motivations, and the style of Denver's rabbinical community as a whole.

In addition to the transcripts, this special section presents certain key documents written by Denver rabbis to their colleagues at the time of the breakdown, last summer (see pp. 11-12).

One main reason for the demise of the conversion program was the passage last spring by the Reform rabbinical body, the Central Conference of American Rabbis, of a resolution declaring that Jewishness is established by patrilineal descent in conjunction with "appropriate and timely public and formal acts of identification with the Jewish faith and people."

This means that babies born of Jewish fathers and non-Jewish mothers are con-

sidered to be Jewish by the Reform rabbinical body, if the child is raised Jewishly.

This breaks with the long-standing definition of a Jew as a person born of a Jewish mother ("matrilineal descent"), whether or not the child is actively raised as a Jew.

The debate over matrilineal and patrilineal descent in Judaism is a major bone of contention among rabbis today. Shortly after the Reform rabbinical body passed its patrilineal resolution, an Orthodox rabbinical body, the Rabbinical Council of America, "deplored and denounced" the resolution.

This debate is uniquely poignant in Denver because it was only in this city that rabbis of different philosophical and theological persuasions actually cooperated openly and officially in a joint conversion program — a program touching the heart of the issue of Jewish genealogy, as does the patrilineal-matrilineal debate. Because of its crucial role in American Judaism generally and in the breakdown of Denver's joint conversion program particularly, the issue of patrilineal descent was raised equally with that of the joint conversion program in the IJN's interviews

with Denver's rabbis.

The ground rules of the interviews stipulated that no type of rabbi would be asked to comment on any statement made by another type of rabbi in his respective interview with the IJN. Traditional, Reform, Conservative, Orthodox, and Reconstructionist rabbis were asked to comment on issues as they perceived them, and on any substantive conflicts — if any — with other groups of rabbis, but not on statements made to the IJN by the other groups of rabbis.

For technical reasons various IJN staff members participated in interviews with various groups of rabbis. The interviewers included Miriam Goldberg, IJN Editor and Publisher; Doris Sky, IJN Managing Editor; Rabbi Hillel Goldberg, IJN Senior Editor; Larry Hankin, IJN Assistant-to-the-Publisher, and, in one interview, Chris Leppek, IJN Special Assignments writer. The tape recordings were transcribed by Larry Hankin, who also coordinated the scheduling of the interviews. This Conversion and Patrilineal Descent special section was conceived, edited, and designed by Rabbi Hillel Goldberg.

A summary of the IJN interviews

The following is a summary of the published transcripts of interviews with Denver's rabbis, plus additional factual information revealed in the interviews but published only here, in summary form.

Who participated in Denver's joint conversion program?

Denver's Traditional, Conservative, and Reform rabbis. The Orthodox rabbis did not. The Reconstructionist rabbi would have participated had he been in Denver at the time.

How many converts went through the joint conversion program in its six years of existence?

Rabbi Stanley Wagner estimates: 750.

Who was chairman of the joint conversion program?

First, Rabbi Bernard Eisenman, for about five years; then Rabbi Steven Foster, until the program's demise.

What was the original impetus behind the program?

For Rabbi Jerome Lipsitz, it was the encouragement of Rabbi Steven Riskin, rabbi of the Lincoln Square Synagogue in New York City; for Rabbi Bernard Eisenman, it was the encouragement of Rabbis Riskin and Eliezer Berkovitz, emeritus professor of Jewish philosophy at Hebrew Theological College. Both Rabbis Riskin and Berkovitz are Orthodox rabbis.

Did all of the participating rabbis compromise?

Yes. All of the participating rabbis feel that they made significant compromises to accommodate opposing views and thus allow the joint conversion program to come into being.

What was the procedure of the joint conversion program?

Candidates who sought to be converted by individual rabbis in the community were referred by these rabbis to joint conversion classes, led by Max Frankel, Temple Emanuel's educational director. In addition to attending these 16-week classes, candidates had to meet inner congregational requirements imposed by the respective rabbis.

Then came the final steps. A joint *Bet Din* — an examining board of rabbis composed of one Traditional, one Conservative, and one Reform rabbi — examined the candidate.

If the *Bet Din* approved the candidate, he or she proceeded to the final ritual require-

ments, which were supervised by the Traditional rabbis alone. These requirements were immersion in the *mikveh* for a female convert, and either circumcision or *hatafat dam brit* — symbolic circumcision (see Glossary and Abbreviations) — for a male convert.

Six years ago, at the beginning of the program, the final ritual steps were to be supervised or witnessed by three Traditional laymen. This was quickly abandoned in favor of having three Traditional rabbis perform these final supervisory tasks.

Why did the joint conversion program break up?

Different reasons were offered by different rabbis, including: disagreement over substantive theological issues, mainly patrilineal descent; concern over the plan of the Union of American Hebrew Congregations — the national Reform congregational body — to introduce in Denver a formal attempt (an "outreach program") to convert unchurched gentiles; personality conflicts among the rabbis; a fight over who has the most power in the community; no reason that could not have been resolved; pressure from national rabbinical bodies; and concern over the high number of Reform-sponsored converts go-

ing through the program.

Will the joint conversion program be reestablished?

The Traditional rabbis describe the program retrospectively as a mistake. Other rabbis would like to see it reestablished, but do not expect that to happen, at least in the near future.

What is the status of the converts who passed through the joint program?

All of the rabbis who participated in the program regard these conversions as valid. At least one Orthodox rabbi regards virtually all of them as invalid.

Are these conversions recognized in Israel?

Yes, but the Israeli rabbinate does not know the special cooperative circumstances under which these converts were converted.

How will conversion now take place in Denver?

The Reform and Reconstructionist rabbis are planning a joint program. Other rabbis will perform conversions individually, though the Traditionally sponsored *Na'aseh V'nishmah* program might in some cases serve as a conversion class.

Will the break-up of the conversion program affect the unity of Denver's rabbinate?

Some rabbis say that the unity will be decreased because some rabbis will not accept the others' converts and thus in some cases not perform weddings jointly with other rabbis, or not permit weddings of congregational members with a non-accepted convert in that rabbi's and member's congregation.

Some rabbis say that the unity will be increased because the cessation of the joint conversion program removes a sore point between the rabbis and thus frees time and motivation for working together in other, neutral areas, such as Israel, Soviet Jewry, and the like.

All rabbis say that good personal relationships between them will not be affected.

Do Denver's Reform rabbis unanimously support the concept of patrilineal descent?

Yes and no. Rabbis Foster and Richard Shapiro voted for the resolution. Rabbi Raymond Zwerin abstained. Rabbi Herbert Rose would have voted against it if he had been present.

However, the abstention and would-be negative vote entailed objections not relating to the concept of patrilineal per se. All of these Reform rabbis support the concept substantively.

What is the basis of matrilineal descent?

Reform rabbis say that it is a historically conditioned law rooted in the structure of Jewish society in the Middle Ages. Traditional and, especially, Orthodox rabbis say that its authority is not sociological but theological, rooted in the Talmud and Bible itself.

Is there a divergence in attitude toward conversion generally?

Yes. The Reform and Reconstructionist rabbis favor conversion intrinsically, and as a good way to cope with assimilation, which these rabbis see as inevitable when Jews do not live behind ghetto walls.

The Conservative, Traditional, and Orthodox rabbis view conversion with trepidation on account of the salient break with the past that it creates — or should create — for the convert. Also, these rabbis regard only some — not the present proportion — of assimilation as inevitable. It could be countered if the line were held on issues such as the traditional stance of initially discouraging converts.

Glossary and Abbreviations

CCAR — Central Conference of American Rabbis; Reform rabbinical body

RCA — Rabbinical Council of America; Orthodox rabbinical body

UHAC — Union of American Hebrew Congregations; the national Reform congregational body

Bet Din — a rabbinical court; in the context of conversion, the final Jewish body which examines a potential convert prior to the final ritual requirement of conversion (see *mikveh* and *hatafat dam brit*)

Ed — (plural, *edim*) — a witness

Ger (plural, *gerim*) — a convert

Get (plural, *gittin*) — a Jewish bill of divorce as required by Jewish law (Halachah)

Halachah — Jewish law

Halachic — adjectival form of Halachah

Hatafat dam brit — "covenantal ceremony"; the drawing of a drop of blood, by a Jewish ritual circumcizer (*mohel*), from a potential male convert who has previously been circumcised, as

one final, ritual requirement of conversion, according to Jewish law (Halachah); see *mikveh*

Hechsher — rabbinical stamp of approval

Kabbalas mitzvos — "acceptance of the commandments" (of the Torah), the basic non-ritual requirement of conversion to Judaism

Kashruth — the Jewish dietary laws

Klal Yisroel — a term denoting "the community of Israel" — the entire Jewish people — and connoting a concern for the Jewish community as a whole

Mikveh — body of undrawn rain water in which the potential male and female convert is immersed, as the final, ritual requirement of conversion, according to Jewish law (Halachah); see *hatafat dam*

Musaf — the last of two Silent Prayers (the major Jewish prayer), recited on Sabbaths and Jewish holidays

Shalom bayit — peace

Tevilah — immersion (in the *mikveh*)

Traditional Rabbis

Rabbi Stanley Wagner, BMH

Rabbi Daniel Goldberger, HEBREW EDUCATIONAL ALLIANCE

Rabbi Jerome Lipsitz, BETH JOSEPH

IJN interviewers: MIRIAM GOLDBERG, DORIS SKY, RABBI HILLEL GOLDBERG, LARRY HANKIN, CHRIS LEPPEK

IJN: Was Rabbi Laderman involved in the beginning, representing the Alliance?

Rabbi Goldberger: Rabbi Laderman was never involved.

IJN: If Rabbi Laderman was not involved, and since Rabbi Goldberger wasn't at the Alliance at that time, what if someone wanted to convert from the Alliance? Who could he go to? Either one of you?

Rabbi Lipsitz: Rabbi Laderman referred them either to Rabbi Wagner or to myself. IJN: Was it that Rabbi Laderman couldn't go along with this?

Rabbi Lipsitz: He just never did conversions.

Rabbi Wagner: But he was very, very much in favor of this entire program.

IJN: Now, everybody knows that really, the whole Jewish world was looking to Denver to see how this process was going to proceed. Now that you are out of it, do you think this was a six-year mistake?

Rabbi Goldberger: It has to be stressed that for a long period of time, in America and in Denver, conversions were done for all denominations, with no fights and no uproar. Many people have said that we are taking a step back. We say, no, we haven't gone backwards. We have just gone back to a position that existed very favorably and very smoothly for a number of years.

Rabbi Wagner: This is also very important. During the six years, we were importuned by many people to let people know about it.

IJN: Who were "we"?

Rabbi Wagner: The entire Denver Rabbinical Council. [There was pressure] on us by rabbis all over the country, by leaders to know exactly what we were doing. I must tell you that the Denver rabbinate refused to do so all along.

Rabbi Lipsitz: I think it's important to note that our national bodies of Reform, Conservative and Orthodox were really not enthralled with our project. They felt that it was too radical and they just wondered why we were doing what we were doing.

IJN: All three groups?

Rabbi Lipsitz: All three groups — Reform, Conservative and Orthodox. When we [rabbis in Denver] would sit together as a board, we would somehow relate [to each other] our experiences with our own rabbinic groups, we saw we had something in common as a form of cohesiveness, as we were all somehow in a very sensitive predicament.

There is no one in the history of this world that has ever tried a program like the one in which we were involved in Denver. Perhaps we did it because geographically we are somewhat isolated. Had we been in the throes of New York or Philadelphia, I think there, too, there would have been a reluctance. I think that this program, for the most part, for six years — even though there may have been some individual problems — that it worked out quite well.

IJN: Rabbi Lipsitz, on Yom Kippur you said from the pulpit that each of the three groups — Reform, Conservative and Traditional — had to make certain accommodations. I'd like you to repeat what some of those accommodations were.

Rabbi Lipsitz: Even though the Reform reject the Halachah, they agreed that they would insist that *kashruth* be taught as a concept. They would also say that Passover *Kashruth* should be instituted in the home. But of course they did not believe in immersion and *hatafat dam brit*. Their compromise was that their students too would go through the immersion process as well as the *hatafat dam brit*.

Rabbi Wagner: Wait a second. I want to make this clear. For me, this is a major point.

The Reform did not say that their candidates for conversion *must* go through the communal conversion process. Had they done that, incidentally, it might have been an entirely different picture.

They always had the option to say, even though they agreed to encourage their people, that those who didn't want to go through the immersion [and the *hatafat dam*] — the Reform had the option to convert them privately. So it must be clear that it was never thoroughly 100 percent communal conversion. It would have been so if all the rabbis had said, "Anybody who comes to us for conversion *must* go through the communal conversion program, otherwise we're not going to do it."

They never did that and, therefore, it was never a 100 percent communal conversion process. I want to make that clear.

IJN: Are you saying that in addition to the 300 or 700 or whatever it is that the community did as conversions, there may have been others?

Rabbi Wagner: Not *may* have been, there were. We don't know what the numbers are. The Reform never exactly revealed to us because they kept insisting that they were encouraging everybody and I am sure that they did but I merely am saying that it must be clear that it was never a 100 percent communal conversion process.

IJN: And you had problems with this?

Rabbi Wagner: I had problems with this because it always meant the compromises that the Reform made, which were real — still they had an out if the person didn't want to go through the communal conversion process. They could convert them anyway. Had they said that they wouldn't convert anybody except through the communal conversion program, it might have been different.

IJN: Did any of you have any potential converts who wanted to work one-on-one with their rabbis and not go through the communal program?

Rabbi Wagner: The only situation that I had was when, for example, a person who grew up as a Jew whose mother might have been converted by a Reform or Conservative rabbi. The person from the moment he grew up considered himself Jewish, went to our religious school, and so on and so forth, but because halachically he wasn't Jewish, I didn't go through any communal conversion process with people like that.

Rabbi Goldberger: We have all had cases of people who have been in the congregation for years whose mothers were not Jewish.

IJN: Let's go back to the question of compromises. What are your views of your accommodations?

Rabbi Lipsitz: I would say primarily that we were prepared to say that even though we knew that all of the students coming out of the general conversion process would not be authentic Orthodox functioning Jews, we were prepared to say as long as they were making a beginning, an effort, to learn Judaism and to aspire to be committed Jews, we were prepared to offer our signatures.

Essentially, as traditionalists, we could never recognize the conversion process of the Reform. They didn't go through the halachic process. So they were creating a dichotomy in the community — two separate sets of Jews. And this disturbed us [Traditional rabbis] greatly. We were saying to them, please, why have two separate types of Jews? We want to create a Jew that all of us can recognize as being Jewish. This is essentially why we went into the whole process. From our standpoint, the major area of compromise that usually requires *kabbalas mitzvot*. We were waiting to see a little bit how they progressed.

Rabbi Wagner: Let me see if I can qualify that a little bit, make it more clear. Our compromise was simply that we did not make the thorough investigation that we might have made with our own converts — whether the person, in practice, was prepared to embrace a larger measure of traditional Judaism. For example, we asked [the converts in the communal program] a series of questions. Number one, "Will you observe the dietary laws?" They had to answer in the affirmative. For the Reform, the dietary laws

may mean eating challah on Shabbos, and matzah on Passover. For us, dietary laws have a different meaning. Our compromise was not to inquire further and say, "Well, what do you mean by that? And we want to know how far you're prepared to . . ."

Our compromise was to ask the major questions which symbolized major commitments to Judaism, to the Jewish people. We said, "Do you commit yourself to the Torah?" General questions. Our compromise was not to get too specific about it.

I want to make it clear that it was left with a question as to how far they would go. We just gave the people the benefit of the doubt. This was the beginning of a process, as Rabbi Lipsitz said. We weren't prepared to say, ourselves, that this was the end.

IJN: It was a question of degree . . .

Rabbi Wagner: Degree, yes.

IJN: Does that mean that you had some sort of follow up structure here?

Rabbi Lipsitz: Not really.

Rabbi Wagner: It would have been on our agenda.

Rabbi Lipsitz: We couldn't have for the simple reason that, I would say, 90 percent of the converts were identified with the Reform movement. This is, where the sensitivity came in. We had no exposure to them. We had no way of coming to them and saying "What are you doing?" They were no longer within the framework of our institution. They were identified with Reform temples.

IJN: Was there a possibility, before the patrilineal issue and outreach program were raised, that this might be dissolved?

Rabbi Lipsitz: We were with our Reform colleagues and as brothers we pleaded with them, "Please do not introduce two new concepts into the community for the simple reason that they will threaten the entire program of conversion. We cannot as Traditional rabbis even begin to think to identify with what you are suggesting."

I would like to read this summary of the outreach program as was advocated by the Central Conference of American Rabbis. It stated explicitly: "The task force has concluded that seeking converts is entirely within historic traditions of Judaism."

This, of course, created the breach, and we couldn't even think in terms of going out and knocking on doors trying to seduce or entice those who are not Jewish into a program for the simple reason that this would be somehow entirely in opposition to our understanding of Halachah.

Rabbi Goldberger: So, the two things together — the patrilineal decision — which is making a major breach in American Judaism — because it is a deviation from something whose source is thousands of years . . . in *Moment Magazine*, Prof. Petuchowski, who is a professor at the [Reform] Hebrew Union College, [argued vehemently against it.] We thought that was one major breach. The second was to go into a national program in our community. We couldn't go along with the Reform outreach program. Rabbi Eisenman was with us on that 100 percent. That is a program of the Reform movement nationally. We thought it would spread our resources too thinly.

IJN: What kind of resources?

Rabbi Goldberger: There were many. Individual responsibility to our converts, follow through with people. Also, to be part of something that was sponsored by another movement was something we feel we could not do. So it's those things together with patrilineal, and that goes back to something mentioned earlier: why didn't we seek publicity for all those years? We were able to stay within certain boundaries when it was just a Denver project, but when national people came in to talk to the Denver Rabbinical Council . . .

IJN: Who were they?

Rabbi Wagner: Daniel Symes, who now is the assistant to [Rabbi Alexander] Schindler and a lay person, Lydia Kulkoff. IJN: So, you became upset prior to the patrilineal decision?

Rabbi Goldberger: Yes. As a matter of fact, we were becoming apprehensive before both of them.

IJN: Why?

Rabbi Wagner: Because of all the things we have said before and things we haven't said. There are two things that I want to add:

Number one, we became uncomfortable with the fact there was a conversion program in Denver: Anybody want to convert? Just go to a conversion program. The existence of a program began to open the doors further.

IJN: To?

Rabbi Wagner: To undermine all the



Rabbi Jerome Lipsitz

Jewish women in town. The Jewish women, especially, who are looking for Jewish men — the existence of a program made it easier for a man to say, "Well, I'll go out with a non-Jewish girl and she'll become converted."

Rabbi Goldberger: Because the Rabbis had a class for that. [In the past,] a couple would call, or an individual would call, and we'd say, "Come on in, we'll sit down with you." Not that that still isn't the case. That still is. But [recently] we would get calls into our offices, "When do the classes begin?" The attitude was, "The rabbis have a class in town to take care of that."

Rabbi Wagner: And now especially with the patrilineal. A man who might have been restrained — may have been — preferred to go out with a Jewish woman, wanted his children to be Jewish. We think that the patrilineal issue again, may, may encourage people who are borderline cases to say, "Listen, I'm marrying a non-Jewish person, but it doesn't make any difference, my children are going to be Jewish anyway. I'll see to it that they're raised Jewish." We felt that it will be subject to that interpretation and therefore exacerbate the problem of having Jews find Jews and marry Jews.

Rabbi Goldberger: We don't think we can stop the flow of American assimilation, but we don't have to give impetus to it.

IJN: But it's clear that prior to this conversion program — probably even during its existence — there were any number of people who were members of Temple Emanuel or other Reform synagogues or temples who were children of Jewish fathers and not Jewish mothers. And the patrilineal decision, in a sense, simply confirmed what existed already.

Rabbi Goldberger: Not "simply." It was a national public resolution.

IJN: You're saying that the mere existence of a conversion, together with the patrilineal decision, says that no matter who you are or what you are, you can end up Jewish without terribly much difficulty?

Rabbi Wagner: The whole process eases the way — which is specifically the orientation of the Reform movement — and is not the orientation of the traditional Jew.

Rabbi Lipsitz: I would say for myself, I do not have the great hesitation or reluctance that Rabbi Wagner manifests in terms of the class because from the beginning I saw this developing. That hasn't disturbed me as much as it has disturbed my Traditional colleagues.

What really disturbed me was when my Reform friends introduced the two new areas into the program which made me somehow feel that they were making a statement, that they themselves were unhappy with what was going on, that perhaps the time has come for the Reform to go at it alone and we should consider going with our own traditional program. This is what upset me.

It was so flagrant! It was so obvious what they were doing because they knew that both of these concepts we could not live with. So why introduce them? Why impose them upon us when they knew we were going to have to reject them? It was their way of saying to us: "Enough is enough. It's been nice for six years, enjoy yourselves and go into something new." This is essentially what happened.

IJN: Are you saying that the Reform group said, "We are definitely going to introduce the patrilineal as official"?

Rabbi Wagner: The Reform movement, here in Denver, was open to the question of

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whether it would introduce patrilineal here. They can't openly repudiate their national movement and they personally may or may not identify with it, but they were willing to talk about how the patrilineal issue would affect Denver. But again, the point was, that they were always prepared to accept the patrilineal decision within their own congregations.

IJN: They never said to you, for the sake of the continuance of the . . .

Rabbi Lipsitz: After they saw that we were alienated, after they saw that we were meeting secretly amongst ourselves to try and do something separately, they felt that they were going to be somehow singled out for disturbing the program. They came back and said, "What if we sit down and somehow re-evaluate what we're saying vis-a-vis the program of national outreach and also patrilineal?"

IJN: What does that mean, "re-evaluate"?

Rabbi Wagner: Specifically, I can tell you. They said they were willing to discuss the implications of the national program for the Denver area, and they were prepared to say, "We cannot openly repudiate patrilineality, but we are prepared to encourage every non-Jewish woman to go through conversion, even though they are married. We are not going to simply say since we accept Jewish identity through the father, we are not going to bother non-Jewish wives to convert. For Denver, we are prepared to encourage every non-Jew to convert, no matter what."

We regarded that as not much of a concession.

IJN: Why is that?

Rabbi Lipsitz: The underpinnings of the entire structure, I believe, were removed with what they had suggested initially.

Rabbi Wagner: We just felt that the schism was created, but the fact is that they withdrew. Ideologically they were in favor of that statement that we have to start seeking converts, that we have to ease the way for converts into our community. Because they were not prepared to say, "No, we will not accept the children of Jewish fathers with non-Jewish mothers as Jews, that they must convert," because they weren't prepared to do that, we couldn't go along with it.

IJN: Are you saying they were prepared to renounce the outreach, but not prepared to renounce the patrilineal?

Rabbi Wagner: They were not prepared to renounce outreach; they were prepared to not to introduce . . . You see . . .

IJN: So they were prepared not to introduce the outreach in Denver, and also they were prepared not to go along, quietly or otherwise, with patrilineal decision?

Rabbi Wagner: They couldn't repudiate that, even quietly. The most they could say is that they would encourage everybody to convert.

IJN: So you are saying at that point, you could no longer go along . . .

Rabbi Wagner: No longer, because what Reform movement had done was to legalize a definition which went against everything that we believed in.

IJN: Is what Rabbi Wagner has been saying more or less representative of what you [Rabbi Goldberger and Lipsitz] believe?

[Nods of heads.]

Rabbi Lipsitz: Let me make just one more fundamental point.

Over the period of six years of working together with our Reform friends, I think we began to ascertain one basic distinction between the Reform and the Traditional. We came away with the conviction that they felt that it was good, that it was a definite asset, to attract as many converts as possible to the Jewish community. In this way, they would make up for the assimilational process that is taking place in Denver and throughout the country.

They were really excited about the converts.

For us, we were more pragmatic, realistic. We knew that in the liberal society in which we live there would be individuals coming into the community seeking out conversion, but not to the extent that we would get ecstatic about it and say, "Hey, we want you, we love you, we need more everyday."

This was the basic difference. I think this has to be understood.

Rabbi Wagner: One more thing, and this is really at the heart of it. The Reform in our community misinterpreted our pull-out and misinterpreted our rejection of Reform conversion as regarding Reform Jews as second class citizens.

IJN: In your decision to pull-out of this program, did you collectively or individually consult other rabbinical authorities?

Rabbi Lipsitz: It just so happened that the



Rabbi Daniel Goldberger

same week that we were meeting with the Reform [initially,] Rabbi Steven Riskin happened to be in Denver, six years ago. At that time, he was the one who offered us suggestions in terms of the various compromises, of how far we should go, because he felt that the program was a definite asset. He would like to have it introduced in many communities, but he knew that people would reject it.

He felt here we could do it.

He was the inspiration, at least as far as I'm concerned. He is definitely a national Orthodox leader who felt somehow inclined toward this program. In terms of the rejection [of the program], this was something that we wrestled with, we worked with, and we did meet with Rabbi Hopfer. We know his sentiments. We started it and we ended it.

Rabbi Wagner: We might say, that the real question was [not to get permission to pull out but to] get permission to involve ourselves. Rabbi Riskin may be Rabbi Lipsitz's inspiration, but he's not the *posek* *aharon* [the final halachic authority].

IJN: Did you consult with some higher rabbinical authorities?

Rabbi Wagner: We discussed, or I discussed, the matter with a number of Gedolim but I did not ask them for any *pesak* [decision] because I was not prepared to reject this *pesak* because I intuitively knew what they were going to say ["No."]

IJN: Were there consultations with others [on the decision to pull out]?

Rabbi Goldberger: Officially, no.

I think we have to address the issue of whether the decision made six years ago was correct because up until that time issues of ritual matters did not come before the Denver Rabbinical Council since there were subcommittees of Traditional rabbis. Things that had to do with mikveh, divorces *kashruth* — all the ritual matters — were handled by the subcommittee of Traditional rabbis. In retrospect, in hindsight, it may be that it should have been realized that when you get into the interpretation of Jewish law — it should have been kept separate. The conversion program was done because we felt there was a need for *Klal Yisroel*, for unity in the community and perhaps we went overboard in that particular area.

Rabbi Wagner: I want to add to this a very important point. I think the lesson that we learned from this six year experiment was that it's erroneous to build the idea of Jewish unity on religious or ideological compromises.

There are a hundred ways to build Jewish unity.

We can work together for Israel, Jewish education. We can talk about reaching out to the unaffiliated, we can talk about defense, honor of the Jewish people. There are a hundred ways to work for Jewish unity in love and in respect without calling upon the Reform to compromise its ideals and the Traditional to compromise. And therefore to build a Jewish unity on the basis of such compromises is a very shaky foundation. And what's more, it literally prevented us from exploring the other avenues of unity and how we can work together. So we feel, at least the Traditional rabbinate feels, that rather than having the break-up of the conversion procedure destroy Jewish unity, it was the beginning of a process of creating a firmer Jewish unity, based not on religious compromises but on a common assessment of the problems that face us as a community.

Rabbi Lipsitz: Rabbi Wagner stated it very clearly, but I think there's one area here which we have to go into. Our understanding

is still *Klal Yisroel* — Jewish unity. We have shared with our Reform colleagues that for the first time in 2000 years this unity is being threatened by patrilineal. Why? Because every Jew in the history of this world, whether he was observant or not observant, if he was halachically Jewish he was considered a Jew. The fact that he was a deviationist, didn't keep *kashruth*, Shabbat — that was another problem. He was, of course, a Jew.

Now the Reform, for the first time in 2000 years, is coming with a program saying that if the father's Jewish, the child is Jewish. We can never consider the child to be Jewish.

So for the very first time we are fragmented within the Jewish community. We have two kinds of Jews. It's a tragedy to have to single out individuals in the future and say, "Well, you're not Jewish because your mother is not Jewish, even though the Reform will say to you that you are Jewish if your father is Jewish." This is a very serious breach.

IJN: Do you feel that the patrilineal issue here in America will cause the same problem that the Reform Jew has in Israel?

Rabbi Lipsitz: In Israel, a Reform Jew is Jewish, one hundred percent. He is accepted as a Jew; he is recognized as a Jew. He is part of the Jewish community. Patrilineal will create the same situation as with the Karaites thousands of years ago. They somehow broke away, became a separate entity, and disappeared. This is the correct analogy perhaps.

A Reform Jew is Jewish. Under patrilineal, these are not going to be Reform Jews.

IJN: Has there never, never been patrilineal descent in Judaism?

Rabbi Wagner: I would have to say that the sources are not so clear as to what constituted Jewish identity in antiquity.

IJN: What kind of sources?

Rabbi Wagner: Can you show me one source that specifically states that the child of a Jewish father and a non-Jewish mother is accepted as a Jew? You will never find one source to that effect.

IJN: What are the sources for the matrilineal?

Rabbi Wagner: We have sources for matrilineal — medieval sources.

IJN: The change came just prior to the Middle Ages?

Rabbi Wagner: No, we have every reason to believe it was always that way. The sources are not that clear. From my point of view, I would have to smile at a movement which has rejected so much of "historic tradition" [and yet says:] "Historically, the father was accepted as a source of Jewish identity."

It is rather ludicrous for me to hear that from a movement that has rejected so much of the tradition. You want to go back and see justification for the contemporary position on Jewish life from history? Well go back to Shabbas and *kashruth* and Jewish law, because that's really part of our history. So I can't quite understand seeking justification in history for a contemporary position when the Reform movement has for so long rejected so much of our history and the tradition which emerged out of that history.

IJN: What is the halachic status of the conversions that were done through this program?

Rabbi Goldberger: The halachic status is that we stand by those that have our signatures on them; they have been accepted in Israel — some of them have gone to Israel. When we had to co-officiate at marriages, we did so.

IJN: You say some of them have gone to Israel. What exactly does that mean?

Rabbi Goldberger: Some of them have gone and been married. Some have settled in Israel.

IJN: Of those who have gone and been married in Israel, do the people in Israel know the circumstances under which they converted?

Rabbi Goldberger: The letter comes from us which bears our signatures, and that was sufficient. They were accepted in both Israel and in the United States, based on the letters.

IJN: Are you saying the authorities in Israel knew full well . . .

Rabbi Goldberger: No, they didn't know full well.

Rabbi Wagner: We didn't sign certificates stating that the following candidate came from the Reform Movement and we supervised only the mikveh so we can't be responsible. Our certificate stated specifically that this person was *kasher le-khol davar shebi-kedushah*. And that's the certificate that they got. When I sent a letter to Israel stating that such-and-such was a Jew, whether through



Rabbi Stanley Wagner

conversion or I knew the family, which sometimes requires personal status documents, my letter was never questioned. So, we can't say the Israeli rabbinate knew the circumstances.

Rabbi Goldberger: I feel very strongly about having a personal responsibility for people who are converts. I feel uncomfortable signing a certificate for people with whom I did not have a personal relationship.

IJN: How are the three of you now going to handle converts? Are you going to have classes of your own? Are you going to work with them one-on-one?

Rabbi Goldberger: I don't think any of us has decided completely yet. But we have decided there would be no joint conversion class.

Rabbi Wagner: Among the Traditional rabbis.

Rabbi Goldberger: We will handle them individually. We are establishing the *Na'aseh V'Nishmah* program for Jewish people, and we may send them to it as it develops. Now, *Na'aseh V'Nishmah* are not conversion classes. There will be no regular conversion classes.

IJN: Were you satisfied with the level of education in the former conversion classes? Did you think they were getting enough basic information?

Rabbi Goldberger: Under that kind of system, yes.

Rabbi Wagner: I think that education that's *paveh*, that's nonideological, tends to create *paveh* Jews, people that lack strong ideological commitments.

I think that in general there is an ingredient missing from the American Jewish scene — commitment to ideologies. We would like to create Traditional Jews who are committed to Traditional Judaism as an ideology, who see Judaism as the strength of our people and the guarantor of Jewish survival.

IJN: Say the girl was Jewish and her husband converted. Perhaps she had not been deeply involved in the synagogue as a young person, although she went through a Bat Mitzvah and confirmation, but that was about it. Now, when he converted, and they perhaps went into the Reform movement, couldn't you say that they have come into the Jewish fold where they otherwise might not have?

Rabbi Wagner: We are certain that the Reform movement, conducting its program, will continue to have that kind of success. We are not saying that people should stop converting. Nothing is going to prevent the Reform movement from creating those kinds of converts . . .

IJN: Now, what if someone — a boy or girl from a family in any one of your congregations — comes and says, "I want to marry a girl who is not Jewish." They ask about the conversion. They come to you and you say to the girl, "Are you ready to accept right down the line according to Halachah?" She says yes, but you can tell it's with a great deal of reservation. Then they think they're not going to make it. Can they go to the Reform?

All three rabbis: Of course.

Rabbi Lipsitz: Reform converts don't have to learn Hebrew; they don't have to put in the hours that they have to with the rest of us, so it's always been much easier.

Here, too, you have to understand the tragedy that starting October, after six years, we, representing the Traditional community and the Orthodox community, and I believe Rabbi Eisenman will concur with us,

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Reform Rabbis

Rabbi Steven Foster, TEMPLE EMANUEL

Rabbi Richard Shapiro, TEMPLE EMANUEL

Rabbi Herbert Rose, HAR HASHEM (BOULDER)

Rabbi Raymond Zwerin, TEMPLE SINAI

IJN interviewers: MIRIAM GOLDBERG, DORIS SKY, RABBI HILLEL GOLDBERG, LARRY HANKIN

Editor's Note: Due to scheduling conflicts, Rabbi Raymond Zwerin of Temple Sinai was unable to be interviewed together with his Reform colleagues. His separate interview follows this one. Rabbi William Cohen was invited to respond.

IJN: One at a time, are you for or against the acceptance of the decision favoring patrilineal descent?

Rabbi Rose: I wasn't there to vote. My father was very sick at the time and eventually passed away, so I was in New York. If I were there, I would have voted against it.

The fact is the Reform rabbinate has been accepting children of a mixed marriage, of whether the mother or the father was Jewish — we have had a *de facto* acceptance of these youngsters all through the years. I think to make it *de jure* — we were not gaining very much more than we had. We were antagonizing our commitment to the community, to the *Klal Yisroel*.

In my own personal rabbinate, I never saw any instance where a child of a mixed marriage was denied by a Reform rabbi or Reform congregation his right to a Jewish education.

IJN: Are you saying that if you were there, you would have voted against it?

Rabbi Rose: I would have voted against it. I think it is significant that a minority did vote against it at the Los Angeles meeting.

Rabbi Foster: A small minority.

Rabbi Rose: On the other hand, I do want to say this. The Orthodox movement, in not recognizing our right to convert or marry is, *again, a sin against the sense of Klal Yisroel*. They have usurped the right, arrogated [to themselves] that they are the only ones that know Judaism, and have made us second class citizens. But I don't think two wrongs make a right, so I didn't want to go along on the patrilineal issue just to get back at the Orthodox. I think we lost more than we gained by it.

Rabbi Foster: I voted for it. And I reviewed some of the documents as a member of the CCAR committee on conversion and made some suggestions that eventually were adopted in the final resolution.

I voted for it precisely for the opposite reasons that Rabbi Rose would have voted against it. I think the time has come when we must stand up and say what we are, what we believe, what we think, and stop playing games with ourselves and with our own people.

For example, the 1947 and 1961 CCAR yearbooks make it very clear that it is true that a child born of a father who is Jewish and a mother who is not is entitled to a Jewish education, and so on and so forth, and they are then considered formally converted to Judaism at the time of confirmation. Well, I don't think there are too many rabbis, unless they read that, who even knew that that was the principle on which no patrilineal decision had ever been made. I don't think it's honest to say that on the *de facto* side we will accept these children but on the *de jure* side we will opt for *Klal Yisroel*. I think that patrilineal was an important decision — to say, finally, that this is what Reform Judaism stands for.

We are not trying to separate ourselves from *Klal Yisroel* when, in effect, we are not because the issue is not all that difficult for Orthodox Judaism: If an Orthodox rabbi wants to marry a child who is Jewish by his standards and that child is raised in a Jewish home, and so on and so forth, all he has to do is convert the person if it comes to that. So I don't think it's all that big a deal.

I think the Orthodox have made a much bigger deal out of it than it really is.

And I think it's right. I'm really proud of the stand that the CCAR has taken. I think it certainly is in keeping with what we do and I think it is important to philosophize what it is that we do and not play games.

Rabbi Shapiro: I went to the CCAR convention last March with some mixed feelings, because while I supported the principle that

the resolution was setting forth, I was wondering why we were doing it at the time. I was wondering whether we were doing it only to throw down the gauntlet to our traditional colleagues. I voted for the resolution and since that time, my doubts have really disappeared.

I couldn't be more supportive of the stand that we have taken: that the child of a Jewish parent will be considered Jewish if that child is raised exclusively in the Jewish tradition. End of discussion.

I have seen more and more since March, as I have now talked about and dealt with it, that it is the only direction we can go in if we are going to be honest with ourselves and maintain any integrity.

I think it's healthy for the American Jewish movements to delineate the differences one from the other. Where those differences exist, let's make sure people know they exist and let them make their decisions based on that.

Rabbi Rose: I just want to respond. While my major concern was for *Klal Yisroel*, I also would have voted against it on the basis that there is a moral issue too.

The presumption of a child belonging to the mother is usually the court's decision. Only when the mother is incompetent is the child given to the father. And I think that is also part of the Jewish framework. We know the identity of the child very clearly comes from the mother. I would be reluctant to make a change where I have so many doubts. I can make a change when I have no doubts on a moral issue when it is very clear in my mind, as it is with the women rabbis. I think we are absolutely right in going ahead with that and I think history will justify itself. On this particular issue [patrilineal], there are enough doubts in my mind so that I would not have gone for a change.

Rabbi Foster: I would like to add, as long as you've brought up [the idea of presumption of Jewishness], that we are dealing with an issue here that really does change things. [Patrilineal entails the idea of] consciousness, which never really entered the picture before.

I think that the entrance of consciousness into religious identification was a terribly important part [of the patrilineal decision]. The notion that a child could be born of a Jewish mother, raised in the religion of the father, and still have Jewish identification is one that you [Rabbi Rose] and I would find repugnant and yet my more traditional colleagues would say that child has the presumption of Jewish descent. I just find that off the wall. I think there's a matter of consciousness involved. I think we've got to take that consciousness into account. And that's what this does.

Religious identification is not whose sperm and whose egg goes into the making of this particular child. It talks about the religiosity of an individual.

Rabbi Rose: I would agree with you that religious consciousness is probably more important. But there is an element in Judaism of ethnic kind. You are born into the Jewish family, *mispachat Avraham*. I would say the most important aspect of Judaism is belief, but there is an ethnic and descent aspect of it. **IJN:** Is the assumption correct that dealing with people born of one Jewish parent is not the situation that rabbis would like to find themselves in?

Rabbi Foster: I'm sorry, but that's not the issue. That's not the issue. The issue is that happens to be a fact in modern Jewish life, and the fact that there should or should not be mixed or intermarriages is room for another forum in your newspaper. It happens to be a fact of assimilation and intermarriage.

IJN: What does this decision say about what criteria young Jewish people ought to have when they seek a mate? If they know that they can seek a mate who is not Jewish, but the children will be considered Jewish, doesn't this constitute a . . .

Rabbi Foster: Excuse me, I think that is a misreading of the [patrilineal decision] document. That is the typical response that we, as Reform rabbis, get from more traditional people that that is what the document says: that you don't have to do anything, that all you have to do is have one Jewish parent and the child is Jewish. That is precisely the point that I was trying to make. It is not a matter of who is and who is not the Jewish parent. It is also a matter of how the child is raised so that a child born of a Jewish father and raised in the religion of the mother is clearly not any more Jewish, in my opinion, than a child born of a Jewish mother and raised in the religion of the father. It is a matter of consciousness.

IJN: So there is no presumption of the Jewishness of any Jewish child?

Rabbi Foster: You have to read the document. You know you can't just read the first sentence and that is the mistake that every traditional rabbi has made.

IJN: I am asking a question. Is there a presumption of Jewishness on the part of any child born of a Jewish father or mother?

Rabbi Shapiro: The presumption is there. The presumption is only established through appropriate and timely acts of identification. **IJN:** So that means that if a person is born of a Jewish mother or father or both, and if there is no Jewish identification with a temple or synagogue, no Bar or Bat Mitzvah, confirmation, then we do not have a Jew?

Rabbi Foster: That's a very difficult question.

Rabbi Rose: I think we do have a Jew and therefore I think this decision obfuscates the matter.

Rabbi Shapiro: It's a difficult term. We have a presumption yes. I'm not real comfortable.

Rabbi Foster: This is one of those things that cause pains and this is one of those situations that have to be dealt with on an individual basis.

Rabbi Shapiro: Let's say if someone comes to me to be married — let's use the example. A 23-year-old comes in here to be married. His parents are Jews by birth but that individual cannot do anything; never has set foot in a synagogue, never identified as anything, I have real trouble officiating at that wedding.

Rabbi Foster: But you'll do it?

Rabbi Shapiro: I'm not sure. I have to deal with it one-on-one.

IJN: Then why would you do it? If Jewish consciousness is the issue and there's no consciousness . . .

Rabbi Shapiro: It's one of the issues. It's not the only issue.

Rabbi Foster: It adds to, it doesn't become the only issue. It adds to.

IJN: Is there a presumption of Jewishness or not?

Rabbi Shapiro: It's a two-pronged thing. The presumption is not the only thing required. The establishment [of Jewishness through Bar and Bat Mitzvah, and the like] also — it plays on both hands. What we're saying is that both are important.

IJN: But if you have one without the other, you have a Jew?

Rabbi Shapiro: Sometimes, and sometimes not. It's not real clear that way.

IJN: But who is it up to, is it up to the decision of the individual rabbi?

Rabbi Shapiro: The individual rabbi. That's the way the Reform movement works.

Rabbi Foster: I wouldn't hesitate. I would do everything that I could in those situations when they come to us for marriage because that is the next time that it becomes an issue. I would do everything I could to get some Jewish education, some Jewish involvement and so forth from that individual. But yes, I would consider that person to be Jewish.

Rabbi Rose: I think there is a distinction here. Actually a person who is committed and who has studied is an authentic Jew. This one would still be a Jew, but would be inauthentic because there is no Jewish consciousness. We are people of the book, *am ha-sefer*, and it is true that a Jew, through study, will realize his potential, but he is a Jew anyway [without study] if not a particularly good Jew.

IJN: How is this going to affect members of your own congregations? Have you heard from people who perhaps in years past were not recognized as Jews who now would be? Or have you had this in practice anyway?

Rabbi Foster: We've had it in practice anyway. I'm not sure that just because the CCAR makes a declaration and the Jewish News does a forum — I'm not sure that there is any real consciousness on the parts of most people in our congregations in spite of the fact that we talked about it on the Holidays.



Rabbi Herbert Rose

I have to tell you that in the last six months, since the CCAR passed this patrilineal resolution, I have not had anybody from the congregation say anything to me about their own particular case that they're glad to know that finally they're Jewish. Because we already accepted them as Jews anyway. I think of one family in particular — the daughter had a Bat Mitzvah, the son had a Bar Mitzvah — there had been no conversion on the part of those kids — we've accepted those kids as Jews. The daughter is a confirmant of the congregation and the congregation accepts the family as a Jewish family in spite of the fact that the mother never converted to Judaism.

Rabbi Shapiro: I did hear from a couple of unaffiliated families who were happy to hear because they were not aware of it. I had done a *brit chayil* ceremony — there happened to be two baby girls that were born to Jewish fathers and non-Jewish mothers — because it was something they wanted and it was their commitment to raise that child as a Jew. Something that probably wouldn't have happened without the publicity of this.

Rabbi Rose: I haven't seen any visible difference in the reaction of the congregation. When we've discussed this whole issue, I would say that the majority of the congregants were not sympathetic to the patrilineal issue. I didn't see any great groundswell of support for patrilineal in my congregation. **IJN:** Is the resolution a quasi-approval of intermarriage? What message does this resolution transmit to children and singles as to criteria they should use in seeking a potential mate?

Rabbi Rose: First of all, CCAR has gone on record [opposing the performance of intermarriages by Reform rabbis] and I was one of the arch advocates condemning those rabbis who participated in intermarriage.

I read a recent survey in the *Jewish Week* (New York) of, I think, a thousand different Jewish kids. They found that roughly three percent of the children of mixed marriages were being raised Jewish. A terribly low number. Second of all, the birth rate of these marriages is considerably less than the average Jewish birth rate. Because they don't know which way to raise their kids, they cut down on having them altogether. So the Jewish birth rate, which is very low [anyway], is cut in half or less by these mixed marriages.

From the point of view of Jewish continuity and Jewish survival, the Reform rabbinate came out with a pretty decisive vote condemning mixed marriage as a way to go for any kind of Jewish future. I think this [patrilineal] resolution didn't have anything to do with [mixed marriage] although I see . . . The fact that you raise the question disturbs me.

IJN: Would the patrilineal resolution be viewed as a quasi-approval of intermarriage?

Rabbi Foster: It depends on who you ask. It seems to me that the same question could be asked if we republished the traditional statement that only the children of Jewish mothers are Jewish.

I think that whenever there's a limitation that seems to be placed on Jewish identification, that sends out a signal for something or another.

I don't believe personally that this particular resolution is going to make one bit of difference in people seeking out mates who are Jewish or not Jewish.

In all honesty, I don't think people go out to seek non-Jewish mates. I think that people who have been raised with Jewish identification, Jewish family life, if given their druthers, would choose a Jewish mate.

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Now we live in an assimilated world and the only way we are going to guarantee people marrying Jews is to go back to a ghetto mentality or go back to the ghetto. Since we clearly are not going to do that in this society, intermarriage is something that we are going to have to live with. I think what we've done here is rather than transmitting a negative message is transmit a positive message.

The message is that you can opt into Judaism: if you do marry someone who is not Jewish, regardless of who does the marrying, your children can be viewed as Jews when appropriate and timely [Jewish] acts [are performed], so on and so forth.

And maybe there are Jewish fathers out there who are marrying non-Jewish women and they hear about this and they say we never knew we had an opportunity to raise our kids as Jews. I think in the long run, we will gain numbers for our people, not lose numbers, although that is not the purpose of this resolution. I think that is a side effect. But I don't think that this resolution, passed by a group of rabbis in Los Angeles in 1983 — nobody is going to give a darn about whether or not they marry a Jew or a non-Jew because the CCAR made a statement on patrilineal descent. That's stretching it in my opinion.

IJN: Did you anticipate the outcry by Orthodoxy?

Rabbi Foster: Of course.

Rabbi Shapiro: That's why, by the way, you will notice the CCAR patrilineal resolution was limited to the Jews of North America. We have not presumed to speak for our Reform colleagues in areas where the Reform community has a much more tenuous relationship with the traditional community, where they don't have the numerical strength that we have here. We don't pretend to speak for Europe, or Australia or Israel or anywhere else where Jews live.

Rabbi Foster: I must say something to you on this whole issue, and that is it seems to me that *Klal Yisroel* is always called into question when Reform rabbis do something with which Orthodox rabbis disagree. But the things that go on between Orthodox and Reform rabbis when Orthodox rabbis may impose standards upon us that we are not prepared to accept — that's never called *Klal Yisroel*.

Let me just give you another example. We at this synagogue have been more than anxious to cooperate when we have a Traditional and Reform rabbi doing a marriage ceremony. From my own perspective, the requiring of a traditional *ketubah* [Jewish marriage contract] is hardly in keeping with Reform ideology. And yet if an Orthodox rabbi comes here, if he wants to bring his *kosher edim* [witnesses], if he wants to use a *ketubah*, we've kind of overlooked it, because the Traditional rabbi says unless you do it my way I won't come here. Now it seems to me that also raises the question, why don't you bend a little bit for *Klal Yisroel*?

IJN: Isn't the patrilineal issue qualitatively different from all of those others? Whether you believe in Divine Revelation or not, whether you observe Shabbat in this way or the other way — all of these theological and practical things — you have a *ketubah*, you don't have a *ketubah* — none of these issues determine the basic definition of who is a Jew. Wouldn't you agree that all of the previous and continuing disagreements nonetheless allow us to live and marry with each other, whereas the patrilineal decision does not?

Rabbi Shapiro: I know one that doesn't and I'll cite the perfect example — *gerut*, conversion. Even if I agree to take any *ger* or *giyyoret* [male or female convert] to mikveh, undergo immersion, *tevilla*, *hatafat dam brit*, according to Halachah, the *ger* will not be accepted.

IJN: That's the same issue.

Rabbi Shapiro: It is not the same issue. What I'm saying is I'm willing to adhere to Halachah and convert that individual, but because it is a foreign ideology in halachic terms, because the convert adheres to Reform Jewish ideas, that convert will not be accepted even if the conversion ceremony is according to Halachah — that is where the Orthodox, I think, are excluding us from *Klal Yisroel*. I'm willing to adhere to all of their standards but they still won't accept it because I'm not a member of the Rabbinical Council of America [Orthodox].

IJN: But the standards are not just ritual standards.



Rabbi Richard Shapiro

Rabbi Shapiro: That's correct, but that depends on who you read.

Rabbi Foster: Maimonides would opt for a more liberal standard . . .

IJN: Than?

Rabbi Foster: Than members of the RCA here. That's how we all got started on this whole joint conversion program to begin with. That's how we got started.

IJN: There is an issue here that is not being addressed. Isn't the definitional issue — who is or who is not a Jew — qualitatively different from any other issue that has divided . . .

Rabbi Foster: The Zionist issue is different from other issues, and in that respect, I would say yes, it is qualitatively different from other issues.

IJN: Doesn't that mean that you can't say we could give a little on that and you should give a little on that — you must be talking about the same issues when you talk about how people should be giving or should not be giving?

Rabbi Rose: I do think that the legitimacy or the right that a Conservative or Reform rabbi who wants to act on the Halachah to perform a conversion — and also, in Israel, to deny a rabbi of a Reform congregation, usually more observant than the average Reform rabbi in the US, the right to perform a marriage — is a very severe infringement on the recognition of the legitimacy of the whole movement.

While I don't agree with what went on here with patrilineal, I don't think it is qualitatively more severe than what has been legislated against the liberal rabbinate in Israel. I do think this is quite a severe issue — it is an important issue, but I don't think it is more important than the second-class citizenship put upon the liberal Jew and the liberal rabbi in the State of Israel.

IJN: Would it be safe to say your willingness to perform all ritual requirements with respect to conversion, and the unwillingness to accept this, led to the collapse of this joint conversion program in Denver? Why did this collapse?

Rabbi Shapiro: For one reason only, and it's reflected accurately in the minutes of the Denver Rabbinical Council meeting at which it collapsed.

Rabbi Foster: Before we get into that, I think what happened in terms of the demise of our program was a feeling — I can't speak for my Traditional colleagues, I can only guess at what their feelings were — that the patrilineal issue, coupled with the willingness of the UAHC to bring a new program of outreach to Denver — coupled with — and I think you have to take all three of them together — the tremendous numbers of people who are seeking Judaism and who have been finding a home within the liberal branches of Jewish life — because we have been more willing to accept and to teach and so on — I think if you take all three of those together, I think it became too much for my Traditional colleagues.

I think they could have dealt with the fact that we were doing a lot of conversions, but you have to understand that two years ago, we were already getting the first inkling that there were problems here because some of our colleagues were really kind of poking at us — you're doing too many, you're doing too many.

That became troublesome to them.

They have a different ideology and a different framework from which they begin. So I think if you take all three of those together, all at the same time or in a short period of time, that's what undid our program.

IJN: Are you saying that you don't blame them?

Rabbi Foster: I didn't say that. I think they made a terrible mistake. I personally think that what we had here was worth preserving. Worth preserving to the point that we as Reform rabbis wrote a letter to our traditional colleagues indicating to them that we were willing to forgo any program of the UAHC, that we were willing — as Rabbi Wagner has called it, the *status quo ante* — that we would go back to the *status quo ante* of last December, that we would do everything we could to heal whatever wounds seemed to have been caused by the Reform movement, that we would disavow any part and parcel with the outreach movement.

We had also made a pledge ourselves, which we did not put in writing, that when it came time for the issue of patrilineal descent, in our community, not in terms of the philosophy, we would do everything within our power with our own people to see to it that the children that were going to be raised as Jews would be taken to the mikveh as infants and converted according to Halachah. Not that I was going to stand up and disavow patrilineal descent, because I happen to believe it. I am not going to stand up and say to you or anyone else that it is wrong, because I happen to believe it's right.

That doesn't mean that I don't understand the point of view of my Traditional colleagues, and that I wouldn't do everything within my power to see to it that a child is converted according to Halachah, so that there is no question about the Jewish authenticity of that child vis-a-vis halachic approaches to Judaism. So we agreed to do everything we could, and they still couldn't go along with us.

IJN: You've identified three reasons: numbers, outreach, and patrilineal. In respect to two of them, you were willing to forgo. Then, why did the joint conversion program break up?

Rabbi Foster: You'll have to ask my Traditional colleagues.

Rabbi Shapiro: Rabbi Goldberger stated for the record that he regards the entering into this program as a mistake. Even if there was compromise, he regards the program from the beginning as a mistake — that they perhaps compromised too much.

Rabbi Rose: I was really surprised with the clear reference by our Orthodox colleagues as to numbers, and to the quality of our converts not being what they were before. You'll have to recognize that the Orthodox had to supervise the mikveh; they wouldn't allow any of us to do it. If they were getting as many as 30 to 40 a month . . .

Rabbi Foster: They weren't getting close to that many.

Rabbi Shapiro: The most they ever had in one *Bet Din* was 10, maximum.

Rabbi Rose: We had a large class here. The candidates that I had sent down were above-average people. From the point of view from what I've seen — I've been in the rabbinate for over 25 years — the converts that I sent down there, the quality of our converts was of a very high nature; they were sincere. I've only been in Boulder about a year-and-a-half and some of my best, enthusiastic congregants have come out of this program.

IJN: Then there really isn't much of an agreement between all three.

Rabbi Foster: Wait a minute. There is very much of an agreement. It was really an insult to us to say that qualitatively their converts were better than ours and therefore they didn't want to participate with us any longer. You'll see that in another letter that goes with this. It's really unfair. The quality of our conversions was high caliber, high quality people.

And the question is, what do you mean by high quality? By my standards, it means that the commitments that we have adhered to, the standards of what we have asked people to do in terms of their own practice, were going to be met.

I can only give you one example of — it's an exception perhaps — I sat in on one *Bet Din* for one convert of one of my traditional colleagues right here in town and we asked her if she was going to light Shabbat candles and she didn't even know what they were.

IJN: By *Bet Din*, you mean . . .

Rabbi Foster: We had a *Bet Din* made up of a Traditional, Conservative and Reform rabbi. And every person who was converted through the community system came to that *Bet Din* and then the Orthodox rabbi would take that person with two kosher witnesses to the mikveh. That was the compromise. But I remember this one case — it stands out in my mind very clearly. She hadn't the foggiest notion of what Shabbat candles were.



Rabbi Steven Foster

This came out of an Orthodox rabbi. She's not Shomeret Shabbat [Sabbath observant], she doesn't keep kashruth, she doesn't do anything.

I would not bring to a *Bet Din* a woman, for example, who wasn't committed to lighting Shabbat candles, and who wasn't using Shabbat candles, at least as an entry point for Shabbat. I would have insulted the compromise.

IJN: This was the first, really the only community, in which such a community-wide conversion program was held. Do you see that it could succeed somewhere else?

Rabbi Foster: I think that it will succeed here eventually. I do. I think that after all of this is said and done — give it some time . . .

IJN: First you said "eventually." Now you say "give it some time." Have you got any time frame?

Rabbi Foster: Eventually.

IJN: What will happen with your converts starting now?

Rabbi Foster: Our converts now must be told that their conversions — just as it used to be — will be accepted certainly by us, by most Conservative rabbis, because most of the Conservative rabbis will accept the conversions of any colleague, but they will not be accepted by the Orthodox movement. We tell them that right up front. We don't play games with this business.

I think that eventually, when things cool down, it is my hope, it is my prayer — I really believe . . .

IJN: You feel that the community is poorer for not having this program?

Rabbi Foster: Poorer, yes.

Rabbi Rose: I really think that when all is said and done the Reform rabbinate did everything to reconcile it after the events took place.

In all deference to my Orthodox colleagues, they evidently had initial reservations about it, and some of these things that occurred — the Reform outreach program and the patrilineal — sort of pushed them on the other side. This confirmed some of their reservations. When we tried to reconcile — we said we aren't going to do this, we weren't going to do that — in the interest of maintaining the program, it wasn't enough. It had already reached a point of decision.

I would hope that there could be some reconciliation.

I want to say this on behalf of the Orthodox rabbis. We do have a good rapport with them and I hope that we will continue on other issues to maintain a common concern for Israel, Soviet Jewry, Jewish rights here in the US.

Perhaps when tempers simmer down we can work together even on this program. The people in the classes — the converts themselves — wanted the joint efforts to continue. This goes across the board, whether they're Conservative, Orthodox or Reform candidates. In fact they wrote a petition and presented it to some of the rabbis to maintain it.

IJN: How, then, would you characterize the rabbinical unity in the Denver area?

Rabbi Foster: I think personally we are still friends. There isn't any question about that. We disagree about a fundamental issue and we're sorry that the program is no more, but that doesn't mean that we are not personally committed to one another, committed to many of the programs that Rabbi Rose has already expressed.

IJN: Could we go back for just a moment to something that Rabbi Shapiro said earlier regarding the patrilineal resolution? You said

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Conservative Rabbi

Rabbi Bernard Eisenman, RODEF SHALOM

IJN interviewers: RABBI HILLEL GOLDBERG, LARRY HANKIN

IJN: Were there cases in which potential converts had been sponsored by individual rabbis, had completed the 16 week course, had come back and fulfilled the inner congregational requirements, but nonetheless were rejected by the joint board of inquiry?

Rabbi Eisenman: In my time, there were three cases with which, I recall specifically, we were not happy. In one case, we thought that psychological issues were involved. In the second case, we did not feel the sincerity.

In the first year, I recall very vividly that we asked the candidate to go out and sit down until we discussed the situation. We asked the candidate to reconsider and maybe come back to us again. I can't recall if the candidate ever did come back to us.

There was a parameter. We could not indulge every candidate. Generally, however, the feeling was that the interviewing process was thorough and that we would not seek to undo what a rabbi has invested in a convert.

Now attendant to that procedure was really a remarkable system of the Reform abdicating some of their desires and the Orthodox abdicating somewhat in order that the principle of *Klal Yisroel* be maintained.

Obviously, the Reform had to agree to the *tevilah*, the immersion, to *hatafat dam brit*, the covenantal ceremony. They agreed that the candidates who came before the board agree to a modicum of *kashruth*.

On the immersion side — and this is where it got somewhat complicated — the agreement was, by the Reform and by myself as the other non-Orthodox rabbi, that the immersion and the covenantal ceremony would be in the hands of the Orthodox totally. The laity that would be acceptable to the Orthodox community as the witnesses, they would be the court that would witness and direct the ritual conversion. I, as a Conservative rabbi and the Reform rabbinat would step out from that particular process so there would be no halachic [legal] problems. That, too, was working.

IJN: You were the Conservative rabbi. Is that why you were the first chairman of the program?

Rabbi Eisenman: I have the feeling that my colleagues wanted a triad of three branches and it seemed logical that the Conservative rabbi would serve as the . . . the term "chairman of the conversion board" is misleading. It really was a secretary — maintaining the records, the sequence of interviews — it was an administrative role. I don't know what the motivations were at the time. Of course, I was in the middle.

IJN: Now, the Traditional rabbis have pulled out of this.

Rabbi Eisenman: That's right.

IJN: Have you, or not?

Rabbi Eisenman: Well, the whole thing has been undone. So it's not a question of whether I pulled out. The board of conversion and its process have been undone. I would have stayed with a system like this because I do believe that the system is an excellent system. But being that to the right of me and to my left, it was undone . . .

IJN: Let's put it this way: When the Traditional rabbis came and said, "We want to pull out," did you say, "I agree with them; I want to pull out, too," or, "No, we ought to hold this thing together."

Rabbi Eisenman: I didn't say anything. And I don't mean to be cute about it. I'm only one rabbi in the middle and I recognize that. If you're asking me, do I agree with the Orthodox, or who do I agree with, I must say that both sides had reason to undo the joint conversion program. My personal preference would have been for it to succeed, clearly.

IJN: In other words, they had their respective reasons for undoing it, but you didn't have any reasons for undoing it?

Rabbi Eisenman: I had no reason to undo it. I can't say that I — being that they are in the majority — there's no reason in discussing what I would do. I had no role in that.

In my opinion, I feel very bad that it was undone. I understand, however, why it had to be done.

IJN: Do you think there was a way it could have continued, satisfying both the Reform and the Orthodox?

Rabbi Eisenman: I don't know that it could have gone on much longer. Part of the

problem was the entrance of patrilineality, to which the Orthodox including myself could not agree to. To the credit of our liberal colleagues, patrilineality, though nationally the Reform movement has advocated the acceptance of patrilineality, our Reform colleagues were willing to say that they would not accept patrilineality in order to maintain this program. That's quite a statement. And I know that Rabbi Foster made that statement.

In any case, there are a number of reasons that I can understand from the Orthodox side for pulling out. The Orthodox rabbis and I did not have that many converts in the program. If I had in the whole year seven converts, that was remarkable. The Reform grouping had a large number. And that may have created some of the dilemma because in the end of the process, you could have 13 or 14 come before the board in one shot and then they would have to go to the mikveh and the Orthodox rabbis were assigned to the task. It became a very unappealing activity because you lost the relationship with the individual. That is some of the argument and I understand that. The abundance of people who came through that program, I think, was overwhelming for six rabbis to . . .

IJN: Do you question the authenticity or sincerity of the numbers coming through from the Reform?

Rabbi Eisenman: I never got into that. The code of conduct was that these are responsible rabbis — Rabbi Shapiro, Rabbi Foster, and Rabbi Zwerin — and therefore, I would have assumed that each candidate that was going through the program was thoroughly interviewed.

IJN: You understood a number of the reasons that the Orthodox were uncomfortable, and one of these was the abundance of converts . . .

Rabbi Eisenman: If I had difficulties with the program, it was that we tended to lose the intimacy that conversion requires. Conversion is an act between a rabbi and the candidate. There was something about the program that took away from that. And I understand that. I sensed that.

IJN: You mentioned your own objections to patrilineality. Could you explain those?

Rabbi Eisenman: From a pure halachic point of view, the definition of a Jew is that which is a descendant of a Jewish mother. So we're dealing with the undoing of proper genealogy. This has been the definition of Judaism since the time of Ezra and Nehemiah.

While it could be argued that prior to Ezra and Nehemiah descendency was patrilineal, the fact of the matter is the halachic definition is as it stands. In terms of the State of Israel, which is a significant defining point in Jewish history right now, the undoing of the definition of who is a Jew in that legal parameter would undo the whole genealogical structure of Israel, that is, the community of the Diaspora and Israel. And as [Reform theologian Jacob] Petuchowski wrote in *Moment Magazine*, that which linked the Lubavitcher Rebbe with a Reform rabbi was this issue of genealogy which was not tampered with.

While I understand some of the historical reasons as to why matrilineality was created — the husbands went off to war — we had to have a defining point: Who sires the child? Jewishly? The fact of the matter is that we must have a parameter by which we all are going to define ourselves. The State of Israel is that binding, defining point. And therefore I could not go along with patrilineal. Otherwise, we are going to have great confusion so that people who enter, say, a traditional congregation, inquiries will have to be made as to descendency because they may not be of the Jewish faith in terms of this legal definition.

IJN: When you say Traditional congregations, you are including Conservative?

Rabbi Eisenman: Within Conservative congregations, definitely. We are going to have to be, in the next generation, for sure . . . it may not be easy to move from a Reform congregation to a Conservative congregation. So there is great harm done to the unity of the House of Israel.

IJN: The CCAR has passed this resolution, so I guess there are rabbis throughout the country who are putting it into practice.



Rabbi Bernard Eisenman

What are the other ramifications?

Rabbi Eisenman: The synagogue admission procedures. One asks the individual his or her Hebrew name, the Hebrew names of the mother and the father, so you are making these kinds of inquiries as to genealogy.

IJN: What is the policy here at Rodef Shalom regarding mixed couples?

Rabbi Eisenman: In a mixed couple, the Jewish partner is a member of the congregation. If the child is a descendant of a Jewish mother, then he or she is entitled to all Jewish rights and privileges. The non-Jewish partner has no, as I call it, no citizenship — may not come on the pulpit, may not participate in any ritual avenues, nor serve on the board of trustees of the congregation.

IJN: How do you view the Reform policy that confirmation is tantamount to conversion?

Rabbi Eisenman: It does not meet our halachic definition of who is a Jew.

IJN: Now, I am having a problem with semantics here. You have referred, if I recall correctly, most of the time, to some of your colleagues on the Denver Rabbinical Council as Orthodox rabbis. They refer to themselves as Traditional rabbis. And I'm wondering whether from your point of view there really is any distinction — given your theology and ritual and the way you run your congregation and your own Jewish standards — between you and them?

Rabbi Eisenman: Your question is touching the nub of the confusion in Denver around Conservatism. And that's why Conservative Judaism didn't succeed as it should have in Denver, Colorado.

The truth is that my Traditional colleagues would be the equivalent of right-wing Conservative rabbis of the East. The distinctions between the three Traditional congregations and Rodef Shalom are very little. They use microphones; men and women sit together; so that we're talking about shadings of distinctions.

We have accepted the right of women to equal privileges ritually at Rodef Shalom. [They don't, so] that would be a distinction. We use the triennial cycle instead of the annual cycle in the reading of the Torah — that would be a distinction. We do not repeat the entire *musaf* on Shabbat morning, that would be a distinction.

But as to other distinctions, I'm not too sure, from a consumer point of view, that for the worshipper, there is much distinction between Conservative Judaism and Traditional Judaism as it's called. So, I guess what I'm saying is that there is very little line of distinction between Conservative and Traditional. It's primarily institutional — we belong to the United Synagogue of America.

IJN: In what kind of time period did you see the joint conversion program deteriorating?

Rabbi Eisenman: It really began with some mixed messages which came from the Reform side in which there was a "Project Outreach" [conversion of "unchurched Gentiles"] here in Denver.

The Reform rabbinat asked the Traditional rabbis if we could use our joint conversion class as a testing ground for Project Outreach, although the Reform is willing to make any kind of agreement that this would not be seen as a Reform project nationally. The agreement was that this would be the perfect place to try it, although nationally it would not be seen that way to protect our program of conversion so that the Orthodox would not be indicted nationally for participating in a Reform program.

The fact of the matter is — the bottom line — was once that process began, I think it began some of the introspection as to what we were doing.

IJN: Do you think that the conversion pro-

gram served as a kind of unwitting vehicle for intermarriage by making it more acceptable to date a non-Jew since it would be fairly simple for a non-Jew to become a Jew?

Rabbi Eisenman: I think that there was some of that. As I reflect back now, if there is a positive side of the undoing of the joint board of conversion, it was that we would be going back to a Maimonidean halachic view of how converts need to approach Judaism and how we should approach the convert. And the word is *discouragement*.

I have a feeling that there wasn't enough of that.

And maybe that was an underlying problem. If there is an area of diversity between the Reform, the Orthodox, and the Conservative, it's how accessible one could get to conversion.

I am traumatized when a person says to me, "I want to convert to Judaism." I get very nervous about it because I know that it is a long-term process and it should be a very difficult process, because you are talking about the undoing of a formal culture, number one.

You are talking about the undoing of the relationship to your parental community, that is, your parents' Christian community, which I feel very bad about at times because I know how a Jewish mother would feel if a Jew converted into Catholicism or Protestantism. And one has to be sensitive to that loss. There is loss involved.

Therefore the accessibility to conversion, I think, was moving somewhat rampantly. I had some concerns toward the end of the Board of Conversion. Your question is well taken. There could have been people who slipped through and that is tragic because they end up being marginal converts. I think that conversion requires greater attention to the inner psyche of a convert because if you pay attention, you will have a greater Jew in the end. So, your question is a fair question.

IJN: What are you going to do now with your converts?

Rabbi Eisenman: At Rodef Shalom, we'll only convert someone who is related to my congregation. It may be a young man whose parents are members of our congregation and meets a non-Jewish partner and they stipulate to me that they desire to be in the ambience of Conservative Judaism. Then I will consider exploring the nature of the conversion with that individual.

IJN: Will you teach them yourself, now that there is no joint class?

Rabbi Eisenman: We have always had at Rodef Shalom an ongoing program. Davida Danish has been kind to us, being our resident instructor for over 12 years. She has always been the master teacher on the individual basis. I will work with the converts on the theological and on determining whether the convert has psychologically made a transference into Judaism that is satisfying.

IJN: Will you encourage your converts to have a halachic ritual conversion?

Rabbi Eisenman: They must have.

IJN: Then, will the Traditional rabbis honor your converts . . .

Rabbi Eisenman: From what I understand, they will not.

IJN: What will you do if you need a signature for Israel?

Rabbi Eisenman: Don't forget, we have a long history before the board of conversion. Converts who wanted to make aliyah have been informed from the very outset that going to the State of Israel with a document signed by a Conservative rabbi will not be recognized in the State of Israel. There is a forewarning. I haven't had that many that have made aliyah; I will admit that there are Orthodox rabbis in the US who have been very kind when it comes to aliyah. For that mitzvah, they will do anything and generally upon the declaration of a convert's making aliyah, they have handled the ritual so that there would be no difficulty for that individual. I am happy about that personally.

It gives me the greatest anguish that my converts cannot be recognized in the State of Israel. It is demeaning and it's one of the parts that's a paradox to me: That a faith group with such a love of ethics and love of the stranger, that the love of their own grouping is not extended to Conservative Jews.

IJN: Do you think that the unity of the Denver Jewish community, in a deeper sense, has been damaged or improved as a result of this breakup of the conversion board?

Rabbi Eisenman: The unity of the community will be affected by this greatly. It may mean that a Conservative rabbi and a Traditional — or whatever you call them — may

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Reform Rabbis

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that this resolution was meant only for the Reform in North America, not elsewhere. Would this lead to a problem in which a child was recognized through the patrilineal descent, but perhaps went somewhere else — England, South America, Australia — and a Reform rabbi there would say, "I'm sorry, we don't recognize this?"

Rabbi Shapiro: That's possible, even in this country. There are Reform rabbis in this country who will not accept Jews of Jewish fathers and non-Jewish mothers because as Reform rabbis we are all free to follow our conscience on any resolution of the CCAR. So, yes, it's certainly possible. The vast majority of rabbis overseas will honor this although they may not practice it themselves. But the point is, any rabbi at any point is free to disregard this resolution entirely. It's a matter of whether he or she believes it to be a matter of consciousness.

Rabbi Rose: Let's say that a Reform rabbi converts a person who falls in love with an Orthodox Jew. I am thinking of a case of one of my congregants. Actually it was her mother who converted. The daughter was born and raised in our congregation. When it came to marriage, the rabbi said, "You're not a Jew." That's an insult, from our point of view, an intolerant attitude. If the Orthodox rabbi would have said, "Well, you're a Jew, but for our purposes, we would like you to go to mikveh," or something like that, then I would have felt better.

But these people blotted out her mother's conversion, a whole lifetime of that child being raised in the synagogue, being confirmed — she was very active in the religious school — and she was heartbroken.

That was a consequence of a lack of sensitivity, and so the sense of *Klal Yisrael* goes deeper. It's a matter of the clashing of these institutional philosophies and the victims are the Jews out there. At this point in our history I do think that there should be some kind of meeting of the minds, a give and take on the part of both sides of the movements. If the Orthodox remain intransigent, it will never happen. The biggest argument in the Reform movement against compromise is that the Orthodox will never give an inch.

Conservative Rabbi

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not be able to perform weddings jointly. That might be a dilemma. Each rabbi will have to handle that situation.

You must understand that Denver has a long history prior to the board of conversion of how we got along as Orthodox, Conservative and Reform rabbis. That's why I don't think the unity is any less or any more. The unity was there in the 1930s and 1940s and so on, while in the rest of the country in the rabbinate it was unheard of. When I came to Denver 13 years ago, to have seen Earl Stone and Manuel Laderman sitting together on a board of rabbis was an unreal sight. The cooperation that went on was unheard of.

That unity, I think, even in light of the chasm over conversion, is not undone by this. As a matter of fact, it may enhance Judaism itself. The concept of unity in diversity is a very imperative concept in order for Judaism to survive historically. And this is one of those situations where — while it may have been better to have the system — it doesn't mean that it was a total loss that the board of conversion fell apart. I think that it will only strengthen the view that we will have strong philosophies within the ambiguities of Reform and Conservatism and Orthodoxy and I don't know if that will be a negative aspect.

IJN: Now you mentioned that there could be a problem of Reform and Traditional rabbis agreeing to perform marriages together. Can you envision some problems in that for you?

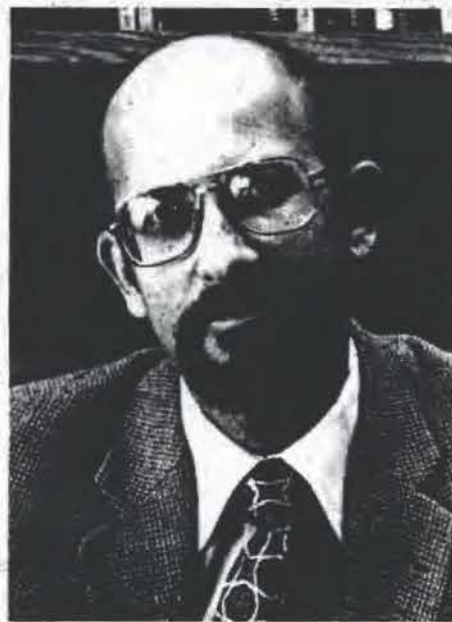
Rabbi Eisenman: If the spouse were converted by a Reform rabbi without a system of mikveh, immersion, and the conventional ceremony for the male, I could not perform the ceremony. But that wouldn't be anything new because I don't conduct wedding ceremonies, say, with a divorced person who did not get a Jewish bill of divorce. But there, too, there are shadings. A Traditional rabbi probably would not officiate with me with a person who received a Jewish bill of divorce from the Jewish Theological Seminary courts. Again, there is that kind of shading.

IJN: What finally happened with this girl?

Rabbi Rose: She didn't go through with that particular marriage or engagement. I think her marriage broke up as a result.

Rabbi Shapiro: But the point is, with conversion with gittin [Jewish bills of divorce] which is a problem a hundred and some odd years old, I don't think you have any qualitative difference here. The antagonism has been there. I happen to be one of the more traditional Reform rabbis in the country. And I encounter it every bit as much as everyone else does.

Rabbi Foster: I really believe that the issue of patrilineal descent can be easily resolved in the hands of the Orthodox rabbis with simple conversion of infants. That's important. That can be done. There's no question about that.



Rabbi Raymond Zwerin

Rabbi Raymond Zwerin, TEMPLE SINAI

IJN interviewers: RABBI HILLEL GOLDBERG, LARRY HANKIN

IJN: Did you vote on the CCAR patrilineal resolution?

Rabbi Zwerin: I didn't vote. I abstained.

IJN: Can you explain why?

Rabbi Zwerin: No, I really can't. Basically, I imagine I abstained because I didn't like the political nature of the event.

IJN: Meaning the vote?

Rabbi Zwerin: Yes. Somehow or another the idea of the democratic process involving those people who were there, and not those people who were not there, bothered me. The Reform principle is not that democracy is what works, anyway. It may be the Conservative principle, but it's not the Reform principle. Basically, in Reform Judaism, every person does what he or she thinks is correct or appropriate. There is no concept of catholic Israel (with a small c), as [Conservative founder Solomon] Schechter might have said it. So, therefore, I didn't think it was appropriate to vote on whether we were going to make *de jure* what was already *de facto*.

IJN: You mean, you don't think there should be votes binding Reform rabbis?

Rabbi Zwerin: Right.

IJN: Have you always abstained when it came to votes like this?

Rabbi Zwerin: No, this is one of those times when we are talking about one of those things that affects not only the Reform movement but world Jewry as well. I thought maybe it was a little *chutzpadik* [brazen] for the Reform movement, in doing something for itself, actually to impose itself on everybody else as well. Somehow the Orthodox movement does that and I get aggravated; and so, therefore, why shouldn't I get aggravated with the Reform movement for doing so?

IJN: What, then, is your stance on patrilineal descent?

Rabbi Zwerin: I am in favor of it. I wish that patrilineal descent is something that could be ascribed to by all Jewry, not just by the Reform and Reconstructionist movements, but by Orthodox and Conservative Jewry as well. Because I would like to see such a broad issue, the concept of *ishut*, personal status, become universal.

I would like to see everyone accept the same personal status of who is a Jew. But the Reform movement is in somewhat of bind — it's almost a Catch 22 situation. You have Halachah in the hands of the Orthodox and they do not wish to move, and so, therefore they are not going to change the Halachah, not so much to fit the needs of the time, but to recognize that the times are out of sync with the past. So consequently I do not like to act contra to Halachah, but by the same token I wish there was a way for Halachah understanding the needs of the time. That's a poor way of saying it. Halachah does understand . . . I just wish I could . . . there was a way of merging the times with Halachah.

IJN: If matrilineal was always the universal criteria, why change it now?

Rabbi Zwerin: Because it is not the criterion that is the problem. The problem is the world we live in. It does not solve a problem to disenfranchise half of the Jewish people for a principle that worked only for a specific period of time and no longer works. Matrilineal was almost critical during the period of time when Jews were second-class citizens, isolated, and confined to selected quarters, to certain quarters, not given power in society, not given any mobili-

ty. When the entire Jewish system was sort of rigidified — locked in — matrilineal was necessary.

Matrilineal became an answer to a problem.

But the same conditions do not adhere in the 20th century. We are not, thank G-d, a second class people; we are no longer locked into one particular area; we are not confined by governments and therefore things have changed. And matrilineal descent does not work any longer.

Let me ask a question — why is it important to have a criteria that a Jew is one born either of a Jewish mother or a Jewish father? Understand that patrilineal descent does not say a father alone is the progenator of a person's Jewishness. Patrilineal descent says that also the father has legitimate claims to the descent and status of a Jewish child.

You see, the reason that Halachah did insist on matrilineal descent is because in the Middle Ages, a Jewish woman could never marry a non-Jewish man and vice-versa. Therefore, while a Jewish woman could have a child out of wedlock, that woman would always have to go back to her community. The reason for matrilineal was that a woman raised the child. And they wouldn't want to impose upon that community that which was recognized as anything but a part of that community. It would be a *shanda*, a scandal.

Jewish law has always been concerned with preserving the community, at the expense, sometimes, of the individual. So what I'm saying is that matrilineal descent made the woman who was not married able to go back to her community with the child, and be accepted totally. That was the reason for matrilineal.

IJN: If you say that was the reason for matrilineal, then you're saying it was not biblical?

Rabbi Zwerin: Matrilineal is not biblical. patrilineal is biblical: descent was always from the father.

IJN: So you're saying we've gone both ways in the past, and now you want to go another way.

Rabbi Zwerin: Now we want to go both ways. We're saying, "Look, let's not worry if a woman takes her child back to the community, because even if the community takes the child back . . ."

IJN: I hear that, but the question is this. You can take this matrilineal back at least to the time of Ezra and Nehemiah and it was in effect up until last March. You have roughly some 2400 years of matrilineal. Do you see the weight of that tradition as not binding?

Rabbi Zwerin: I see that women in the Middle Ages — I see that we are now living in an age where women will no longer allow themselves to be discounted and I see them standing up for their rights, as I see men saying, "Hey, look, here I am a Jewish father; I married a non-Jewish woman; I am raising my child as a Jew; she goes to school; she goes to shul; she's being brought up in a Jewish home; we celebrate the holidays; my children do not know of any other religion; they feel akin to the Jewish people; they give *tzedakah*, they've got mezuzahs, we fast, we eat matza; we do all these things that Jewish people should do; we have sense of commitment to the G-d of Israel. My children are Jewish. How can you discount my children? Just because I married a non-Jewish woman? She has no . . . do with their spiritual education. . . . come you're saying

they're not Jewish? How can you say it?"

I could even go further. We've decided to have a kosher home, so we'll have a kosher home. I could go even further, we've decided to be *shomer shabbas*.

IJN: What are you getting at here?

Rabbi Zwerin: I'm telling you that's the logic of it all. Certainly it happens to Jewish fathers who bring their children up as Jews, to the exclusion of all other religious backgrounds. So, how do you say to them the children aren't Jewish? What are they if they're not Jewish? Lutherans? They wouldn't know a Lutheran church if they saw one.

And then we have Jewish mothers who have Christmas trees, or you have a Jewish mother who doesn't bring her kids to shul. These are Jewish children? I will even say that a person who doesn't raise their child Jewish doesn't have a Jewish child. I'm ready to say that too, I don't care if they have two Jewish parents.

IJN: Then your definition of Jew is solely based on commitment and consciousness?

Rabbi Zwerin: Yes, a conscious commitment — a positive affirmation. A person [born of a Jewish mother or father] who is 30 years old and grew up in a Methodist church, and has never set foot in a synagogue, can never say "I am a Jew" until he or she has taken on a long and arduous course of study, until they really understand what it means to be a Jew, in this society and in the past and in the future. And then after a certain period of time, and he has learned what Judaism is all about, then there comes a point when he can say "I am a Jew."

IJN: Would you encourage someone like that to convert? For example, if this person discovered he really had a Jewish mother or a maternal grandmother . . .

Rabbi Zwerin: Even if a guy had a Jewish mother, I would require him to convert, absolutely, if he had not been raised as a Jew.

IJN: Why did the community program break down?

Rabbi Zwerin: It certainly did not break down because of the Reform rabbis. It was Rabbi Goldberger, speaking for all of the other Orthodox rabbis, who said — "Conversion is a part of the sociology of life and there should be some way not to grease the skids so much; the fact that there is a class is almost an encouragement — there is a need to cool down the process; we want the smallness of our numbers of our converts to continue; a halachic decision after 2500 years; we can still have separate conversions and still have unity" — these are my notes from what Rabbi Goldberger said at the Denver Rabbinical Council meeting in August in Boulder.

Then we said we do not want to grow with the conversion classes. We want to see it become less. We are not going to stand on who gives up the most. We are all making compromises. The original decision to make a compromise in the process of conversion was an error on the part of the Orthodox. We choose no longer to perform this.

So now, if a convert says to me, I would like to convert, according to Halachah, I would now not be able to offer this person a halachic conversion. That's what our compromise in this community was all about.

IJN: Now what will happen?

Rabbi Zwerin: The Orthodox basically have said, "We will deal with each person on an individual basis," but each Orthodox rabbi has standards for the process. And if a person does not wish to live according to Halachah, then the Orthodox rabbis would not perform the conversion per Halachah.

The Orthodox rabbis have said that if a Reform rabbi converts and he wants to marry a Jew, the Orthodox rabbis will not perform that wedding.

IJN: Then what do you make of that statement you read a few minutes ago that the unity will not be affected?

Rabbi Zwerin: The unity in the Denver Rabbinical Council? Well, that means that we just will not touch anything that has to do with Halachah.

IJN: Denver has had this reputation of the rabbis getting along so well for all these years. Can you go back to the way it was eight years ago before this program?

Rabbi Zwerin: Yes. We can because basically we respect each other as individuals and still treat each other well.

IJN: Have you met since the break up?

Rabbi Zwerin: We met today as a matter of fact, and it was very nice.

IJN: Is there any effort to revive the joint conversion process?

Rabbi Zwerin: No. Not in the foreseeable future. Obviously if the Orthodox rabbis want to bring it up again, they can.

Orthodox Rabbis

Rabbi Yaakov Hopfer, ZERA ABRAHAM

Rabbi Arthur Fine, ZERA ISRAEL

Rabbi Yisroel Popack, LUBAVITCH OF COLORADO

IJN interviewers: MIRIAM GOLDBERG, DORIS SKY,
RABBI HILLEL GOLDBERG, LARRY HANKIN

IJN: Are you members of the Denver Rabbinical Council? If not, why not?

Rabbi Fine: My reasons for not belonging are solely personal. It has nothing to do with Halachah or anything that they have done. I agree with having a council, especially in the areas of social action — Soviet Jewry, anti-Semitism, Israel, anything that affects the Jewish people as a whole. Nobody in the world knows better than we Jews that we are not monolithic, but for the world, we speak as one voice. My reasons for not belonging are personal in nature and I'd rather not talk about it.

Rabbi Hopfer: I'm not part of the Council either. It's not personal, it's a principle. Obviously as Jews we are brothers and we stand for many things that are compatible, but there are many things that I just can't agree with.

Many times there is a stance taken by the Council itself that I don't feel I can be a part of.

Another thing that I think is very important: people must know that there is a difference — let them decide — obviously it's their choice — but I think people have got to know that there is a difference between an Orthodox, Conservative and Reform rabbi.

IJN: Your feelings about not joining the Denver Rabbinical Council come from being an Orthodox rabbi?

Rabbi Hopfer: Correct.

Rabbi Popack: First of all, I'm not a pulpit rabbi. My major activity is education and outreach. I think that, in addition to what Rabbi Hopfer said, which I totally agree with, the work that I do and the things I'm involved with are not really connected with my being involved with that particular Council anyway.

IJN: May I clarify some terminology? They used to say only Orthodox, Conservative and Reform. Now, we have the word "Traditional," which is what BMH, Beth Joseph, and the Alliance use. Do you still regard this as Orthodox? What is it?

Rabbi Fine: It depends where you come from. People from the East would not call BMH, Beth Joseph, or the Alliance Orthodox. The minute you have the mixed seating, they would not call it Orthodox. But the rabbis who are there — they are doing what they can — every person has got to make that decision — they are Orthodox and they will not accept the word Conservative. In the East people would call it right-wing Conservative, but they came up with the term Traditional for the Middle West. Which means it really isn't affiliated with the Conservative movement, and yet it's not quite Orthodox. They are not affiliated with the United Synagogues of America [Conservative], they are affiliated with the Union of American Orthodox Congregations, but in practice they are not Orthodox.

IJN: So, there are no shadings of Orthodox — either you are or you aren't Orthodox?

Rabbi Fine: No, I am not saying that either. There is a certain base, a level, that everybody agrees on. There is a circle with a center. Some come a little closer to the center, but still they are within the four cubits of Halachah. Once you jump out of the circle, then you are no longer in there. At least, that's the way I feel.

Rabbi Hopfer: I dislike very much the use of the word Orthodox. I would much rather use, "a person who adheres to the Halachah." If a person does not adhere to Halachah, I would not consider him an Orthodox Jew, no matter who the rabbi is. A man can adhere to the Halachah, and be a rabbi in a Reform, or Conservative or Reconstructionist shul. Just because the rabbi happens to be Orthodox in his own personal life — that doesn't mean it's an Orthodox shul.

IJN: Is there any historical basis, whatsoever, for patrilineality?

Rabbi Hopfer: [Reform rabbis have said of the definition] of a Jew as having been born to a Jewish mother — that this was something forced on us because of things

that happened during the Middle Ages — women were raped — this is just blatantly false. Matrilineal was written in the Mishnah that was edited close to 2000 years ago, and the Talmud derives it from the Bible; so trying to pull the wool over people's eyes — not knowing, they obviously haven't studied — this is just a travesty.

If you want to say, we don't believe in matrilineal — that's fine, but all of a sudden to try and convince people that this is something that rabbis have instituted a couple of years ago out of necessity, and that today we live in a different society, and that it's not necessary anymore — it's just false, not the way to convince people to do something.

If they want to have a different Halachah — and by the way they don't believe in Halachah — if they want to act and live in a different way, everybody has the privilege of doing that, but don't try and pull things over on people. I think it is a travesty.

Just let me say this. When I was asked before to go into particulars as to why I didn't want to be a member of the Denver Rabbinical Council, let's just take this example right here.

The rabbis never had a right to get into something like this [joint conversion program]. What they did was — now I wasn't a rabbi here in Denver and I wasn't involved at that time, but let me kind of tell you what they got into.

One, the Traditional rabbis — as they call themselves — were not recognizing the conversions of the Reform rabbis, and obviously that caused a split. So they wanted to do something — a conversion that everybody would recognize. So there was a compromise. The compromise was that the Reform rabbis were going to let the Traditional rabbis take care of all the ceremonial aspects, so the conversion would be recognized by everybody. This was the compromise.

Had I been there at the time, let me just tell you what I would have said. It never would happen. This concept of conversion is that somebody feels a desire and dedication to become a Jew and to what Judaism stands for, and therefore wants to convert from being a Christian, a Moslem, or from no religion whatsoever. What we were having was people who were coming not because of a burning desire — we understand and appreciate the beauty and we want to become part of the Jewish people — that had nothing whatsoever to do with it. I'm not saying there weren't such people — there are. And they're very, very beautiful people, and we should look up to them — they're beautiful people. But on the whole, if you take a look at numbers, it would show that between 90 and 95 percent came solely because it was a couple, and one of the spouses was Jewish; and often what happened after they walked out of these courses was that they forgot everything.

You take a look and see what happens to these supposed converts — it was really a farce. The rabbis said you have to go through a certain course, you have to pass a certain test. So, they studied and that was it.

IJN: Didn't they work with the rabbis?

Rabbi Hopfer: That's just the point. They worked very little with the rabbis. Now that there was an institute, every rabbi would say that he cannot convert on his own, but it has to go through the institute. So what happened was the following: they had different classes, such as those taught by Reform rabbis, about Reform Judaism. By far, the majority went through the Reform classes. It's not because the potential converts had studied the three branches — if that's what you want to call them — and decided that this was most fitting for them, but obviously they were demanding the least and they might as well get it over with. This is the proof.

In my line of thinking — I want to be careful about this — halachically I would not consider them to be Jews. I don't care who converted them or took them to the mikveh. They would not be called [people who com-

mitted themselves to] *kabbalas mitzvahs* — accepting the mitzvot, or what they stand for.

IJN: Before this Institute or Board of Conversion was set up, would you have accepted the converts from the Traditional rabbis?

Rabbi Hopfer: In each situation, you've got to look at the convert himself and if it merits for him or her to be considered a convert.

Rabbi Fine: So the ceremony was correct, but the whole thing is: was the *kavvanah*, the intent, there?

I am surprised that the Denver rabbis even got such an agreement. I never heard of a rabbinical council in any city that reached an agreement with the three branches there. I have not seen this before. They never got together on reasons of Halachah because they could not. The only time I've seen that in some form was with the Jewish Welfare Board and the chaplaincy. And that's not really over the Halachah.

You see, what concerns me is something else. [Any such mutual agreement over conversion] is still subject to change from the outset. Once a new resolution is passed by the various rabbinical assemblies, that could change the whole thing.

IJN: Do you understand why Denver's rabbis wanted to have a joint conversion program in the first place?

Rabbi Hopfer: Because it was causing dissension. They were saying, "I don't recognize your conversion" and it therefore becomes personal, and so we must do something so everybody will recognize. That was the cause of that.

IJN: Is there any issue on ideology where you, as Orthodox rabbis, would agree or consider making concessions with the Reform rabbinate?

Rabbi Fine: On matters of divorce, kashruth, conversion, they would have to come to us. Because there is nothing wrong with them leaning to the right.

IJN: So you said that they would accommodate, but there is no way of you accommodating them?

Rabbi Fine: No. Once you jump out of the circle of Halachah, you . . .

Rabbi Hopfer: Let me just say one thing. You know historically what it meant when a Jew married a goy. Obviously this person was ostracized, shunned from the community. Today, because it's happening in such increased numbers — we live in such a liberal society — it kind of rubs off on you.

I just had this call the other day. He didn't know about this patrilineal issue. A man called me up and asked me if I would marry him. He didn't know I was an Orthodox rabbi. Obviously he just looked in the phone book. It turned out that he is marrying a non-Jewish girl and I say I'm an Orthodox rabbi and I can't do it. I started talking to him and said, "Don't you realize what you're doing? Your children will not be Jewish." And he said, "I never thought about that until now." After talking to him for a half-hour, he promised he would come over and spend a Shabbos. He will see maybe there is something to Judaism.

He just thought his children would be just as Jewish as he is, and it's very necessary for people to realize that throughout history, this child is considered to be a goy. He's a goy and that's it.

IJN: We are aware that many Russians come from the Georgian area and are not knowledgeable. There may have been intermarriages in the family. How do you handle this? Do you have a policy?

Rabbi Popack: First, the young men and women who have come to us to have a *chupah* [to get married] got involved with Russian Jews. Very few of them have married Americans.

Second, it's very possible that a young Russian man would like to marry an American, and this person did not go through the proper conversion. Or it would be a situation where the father would be Jewish and the mother would not be — it would lead to a tremendous amount of assimilation and I would try to stop that.

IJN: I didn't mean an American and a Russian. I mean if a Russian couple escaped and one partner or the other wasn't Jewish.

Rabbi Popack: There are only a few that we know of.

IJN: How do you handle it?

Rabbi Popack: We are very open with them and honest. If the father says that he has a child and would like to give him a religious education, we would tell them very openly that since your wife is a non-Jew, there is need for you to know that the child, at this point, is not Jewish. If he wants conversion, then we will send that individual to



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the right sources. At this point, most of the non-Jews do not want to accept more burdens. That's the reality.

IJN: With the Russians, are you assuming that they are Jewish because they tell you so?

Rabbi Popack: We can tell if there is a certain amount of heritage that they speak of. To a certain extent, after getting friendly with families, you begin to realize who's who.

IJN: Are there cases where they really aren't Jewish halachically and they didn't realize it themselves because of their lack of knowledge?

Rabbi Popack: Right. They didn't realize, but then fortunately Rabbi Sirota [a Russian-speaking assistant to Rabbi Popack], after meeting them several times, can pick it up. He learns about their families and where they come from and so on.

IJN: Do they then go through strictly a ritual conversion, or do they go through the whole education process as well?

Rabbi Popack: They are not interested in conversion. They just accept it as it is at this point.

Rabbi Hopfer: The question is, what would you do?

Rabbi Popack: We would encourage them to go through the halachic ritual part of it. **IJN:** We've spoken of how the evangelical movement has open arms to converts. Are we Jews reaching out — is this offensive by halachic standards?

Rabbi Hopfer: You've read the numbers of intermarried couples in the Allied study. There have been others in the last couple of years who have been interested in reaching out to these couples — to make them feel more comfortable. But sometimes — you feel bad — but sometimes you've got to be very severe.

It's not that we're not interested in people. The last thing we can be accused of is not being interested in our brothers and sisters. But there's something you have to realize. We're not going to try to convert them. It's very highly unlikely that eventually we'll come to the situation that either one of the spouses — the one who is not Jewish — will come and feel and be imbued with the spirit of Judaism. I'm not saying that it can't happen. It has happened in certain cases, but normally what will happen is that it will not happen.

So what's happening is we're trying to reach out to make them feel more comfortable. So there's nothing to stop a young couple from intermarrying when they know they can be part of the community. And, although, I say again it hurts, because he's our brother and she's our sister, you hate to sort of throw them to the dogs, it hurts, every time I think about it, every time I deal with it. It's almost a daily situation. Not the people of my community, *per se*, but we have a larger Jewish community who will speak to them to make them comfortable: "Let them feel comfortable right now." I can't do that.

IJN: When a Russian couple comes and they're not knowledgeable do you try to reach out — not make conversion easier — but encourage it?

Rabbi Popack: Even though there is the concept of outreach, bringing every individual, Russian or American, closer to Yiddishkeit, we have to base ourselves on principles of Torah. We can't say because we want to bring somebody closer to Yiddishkeit, that we should break all the principles of Torah.

I would say what the Reform movement is doing now is justifying what has been going on all along. There's so much intermarriage and assimilation that we're going to justify it somehow or we're going to lose our

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members or whatever — which obviously isn't the Torah point of view, especially since it's Hashem, G-d, that not only gave us the Torah, but created us and specified who is a Jew, and you can't break G-d's word.

I would say that you have to look at it from that perspective.

We believe very strongly that it is these principles that have kept us together all these years. The *Ethics of the Fathers* says that even though you have to love every creation, it says you have to bring them closer to Torah. In other words, you don't take Torah and change it — you bring them closer to what it is.

It has to be done in a way where, as Rabbi Hopfer pointed out, the *Code of Jewish Law* specifies how conversion takes place. We don't create the process. The Torah creates the process.

Rabbi Hopfer: Let me just clarify one thing. These intermarriages have to be dealt with on an individual basis. You can't have a general consensus that this is the way we are going to deal with it. Every couple is different and therefore has to be dealt with on an individual basis.

In the normal approach to a convert, we have to dissuade them from becoming Jewish, but in these cases where there has been a legal marriage, we have to handle it a different way. The way to deal with that is obviously — if you use the ritual — it sounds like all you have to do is dunk them in the mikveh and make a circumcision if it's a male.

If there's hope that the one that's a Gentile will come around, and possibly become imbued with the spirit of Judaism, in this situation where they are already living together, then we've got to deal with that situation. They are already living together. Let us try and help the one who is Jewish live with a man or woman who is also Jewish. We have to see what we can do.

But to say we will make it easy for you, that we just can't do.

IJN: If anyone in your congregations said, "I want to marry a girl or a boy who is a Reform Jew," would you perform the ceremony?

Rabbi Popack: Let me explain. A Jew is a Jew because you are born from a Jewish mother. At this point the Reform movement has abolished, if I may use that term — a *get*, a Jewish divorce. So, therefore, if this child is born from a mother who previously was married and never had a divorce . . .

Rabbi Hopfer: If the family has been a member of a Reform congregation for a long time, you've got to check and see.

Rabbi Popack: If there wasn't a non-halachic conversion, there would be no problem.

Rabbi Fine: Why is this happening? Where did we fail? The Orthodox didn't reach the young people many years ago. The Conservative and Reform took over. There was more moderation and more moderation, and they were caught up in a terrific sweep. And now everybody wants to save everybody else and we don't know which way to turn.

And they come to us and we say we can't. We'd like to but we can't. So what are you going to do?

Rabbi Popack: You know that even though there are differences of opinion between what we and Reform say is Halachah, there was never a disagreement on what the essence of a Jew was. In other words, even though there's a difference of, say, whether you should or should not put on tefillin, a Jew is always a Jew. You may say that Shabbas is important to you or is not important to you, but we are all Jewish. But now we have reached a situation where the Reform says someone is Jewish who the Orthodox says is not. This leads to a situation where the essence is at stake.

IJN: You have alluded many times that in Orthodoxy, the rituals, namely immersion and circumcision, do not represent the totality of a proper conversion. What is it besides the rituals that define a proper conversion?

Rabbi Fine: *Kabbalas Hamitzvos* [acceptance of the commandments].

IJN: But what does that mean? Does that mean that if you have one without the other — the ritual without the acceptance of mitzvos, or vice-versa — the conversion is rendered invalid?

Rabbi Fine: You need investigation. Without investigation, it is *parve*. There is nothing there.

IJN: How do you respond to the following statement: Conditions in the US being what they are, Jewish young people are going to go out and meet non-Jews, and marry them inevitably and not out of any active sense of disloyalty to the Jewish community.



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Therefore the Jewish community has no choice but to make these intermarried couples comfortable within the community. There's no alternative . . . How do you respond to that?

Rabbi Fine: The fact that the social problem exists, we recognize, and we do so with a great deal of terror. This is a concern that we have, but for you to say, "there's no alternative, if you can't beat 'em, join 'em," no, that's not an alternative.

Rabbi Hopfer: The crux of the problem is that we want our children to feel happy that they're Jewish and what it means and obviously to ask them not to intermarry. The solution, obviously we are not doing enough for our children: we are not living the way we should, and therefore we are not teaching our children how to live. It has to do with education, with teaching the children.

Let me make it clear. The Reform movement — that is the cause of the problem. The commitment to Judaism, to what Judaism stands for — the mitzvos, which remind us daily what it means to be a Jew — when all of that is taken away from us, the Torah and mitzvos . . . we've got to save them; they are the core of the problem. I must be very open and frank.

IJN: Are you saying there is no such thing as a committed Reform Jew? Can't a person be so involved with Judaism as a Reform Jew that he may be more committed than a marginal person who belongs to a Traditional synagogue?

Rabbi Hopfer: I just want to make this very, very clear. I'm not saying how I feel to my brother and sister, the Reform Jew in Temple Emanuel, the Reconstructionist, or a Jew who doesn't affiliate with any religion whatsoever — they were just born to a Jewish mother. A Jew, no matter what he is or where he is, the feeling that he's my brother or my sister is always there. I'm not talking about any individual person.

You're right. There are people [traditional Jews] who do things because they are just used to doing them and it doesn't mean much to them. That's good also, listen they're still doing what they're supposed to do and that's important.

There are other people who are very dedicated to Judaism. They want to be Jewish but sometimes they don't understand what it is. If the Torah tells us that this is the way to live the life of a Jew — by performing mitzvos — this is the way a dedicated and committed Jew has to act. This person who is always working for Jewish causes, giving *tzedakah*, that's beautiful — he's a very, very beautiful person — but he's not living life the way he's supposed to. When you don't teach your children the way to live as a Jew — I'm talking about the commandments of the Torah — we are endangering the life of the Jews. And this is what history has shown to be true.

Take a look at what happens in Israel. There is very little intermarriage with the Arabs.

There was a survey taken among seniors in high school. They were asked if they would rather be Jewish or Gentile. Forty-eight percent said if they were living in Israel they would rather be Jewish, but living in the Diaspora, they would rather be Gentile, because it's easier to be goyim.

Take a look at what that says. The commitment to being a Jew just isn't there. It has to be taught. That's just not the proper way to teach them. You have to live daily the life of a Jew — and then, there's a danger. We live in that type of society. I pray about my children everyday that that doesn't happen to them.

Rabbi Popack: I think it's important to stress that if a person is committed and is doing things Jewishly, there is that essence that

makes a person Jewish. In other words, if you have somebody that's involved with any organization or any Temple, if the essence is there, then we consider them Jewish. Commitment and essence don't always go together; but if you have the essence, it's obviously important to have the commitment, too.

Second point. I think we all agree that people don't want to break away from the Jewish people and Jewish heritage, but I think that the thing that's lacking today is an expression that the Talmud uses, *tinokos she-nisbu*, "children that were raised in captivity." It's no fault of their own [that they weren't raised Jewishly] in most cases. I think this is important that at this point in our history, outreach is very important to reach the young people, especially those who are going off to college — they get involved with non-Jewish girls or boys — we have to stress to them the importance of what Judaism is. So in addition to bringing up the children Jewishly, the reality is that when they become older and they are on their own, there is a need for them to get involved in some Jewish activity. And that's why I stress organized Jewish activities for that age group in particular.

IJN: Does the survival of the Jewish people depend on the number of Jews in the world?

Rabbi Popack: In terms of the Torah, the Jews were always a minority and will always be a minority. And I think the Torah's point of view is that there is quantity and quality. Torah views quality as very important. And that's why the Jews were always smaller in number even though we had the blessing from the days of Abraham that we would be as numerous as the stars in the heavens. The reality is, the same Torah says that we are a minority group. *Atem m'at mi-kol ha-amim*. Because we are a small percentage, this is more of a reason to hold onto something that will give us this quality. The Talmudic expression for this quality is that even though we are like one sheep amongst 70 wolves, we are connected with the Almighty who is infinite through His Torah.

In other words — I'll sum it up — there have been greater nations that have ceased to exist. The Jews are a minority group and through all the pressures and pogroms we still are here. So what is the secret? The answer is, according to the traditional sources, it is the way the Jews have maintained their Yiddishkeit and binded themselves with G-d. They have the Jewish spark in them.

IJN: You are saying, then, it's the quality, not the quantity?

Rabbi Popack: It's the quality.

IJN: Would I be correct in inferring, then, that if large numbers of Jewish people in the United States intermarry and assimilate and perhaps lose their identity altogether, you will not necessarily be upset from the point of the survival of the Jewish people, provided that the Jews who remain are "quality"?

Rabbi Popack: I think that we ought to remember that it's true that throughout the history of the Jews there have always been those who have decided to break away from their heritage, but at the same time, because of the strength of the Jewish people, they have encouraged many not to. In other words, if you say that we're going to lose a certain amount, I think we can't just stand back and say, "Whatever happens happens." I think we should try and encourage Jews to marry Jews . . .

IJN: For the purpose of saving the Jewish people *per se*, or for the purpose of saving the individual Jews?

Rabbi Popack: Well, both — for saving the individual, and for keeping the mitzvah of "you shall love your neighbor as yourself." So, by saving the individual we are concerned with the Jewish nation as a whole. As Jews we can't say that we should redefine our whole religion of thousands of years because of certain things that are happening today. If we are saying that Torah is something infinite — since it is something that came from the Almighty — we, as creations, can't turn the Creator around. The Creator tells the creations what to do. That's the feeling of the Orthodox. Otherwise, what happens is, that tomorrow we will do different things, the next day there will be no consistency and we will just change Torah.

Rabbi Hopfer: The question is the future of the Jewish people. Is there going to be a Jewish people? Some reports say that eventually we just won't exist any more. No, I'm not worried about it. This is something we were promised; it is one of our basic beliefs. But again, the question is, if your brother or sister is drowning, and something has to be done for them, then obviously that is the



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most important consideration.

Numbers are important in a way; it is important for us to have children; the greater, the better it is. But the notion that if you don't have greater numbers, there's not a future for the Jewish people, that's not so. Historically, throughout the Middle Ages, or even previously, we never had as many Jews as there are today. You hear about the Golden Era of Spain, in the great city of Cordoba — how many Jews do you think they had there? If they had forty- or fifty- or sixty-thousand Jews, that was considered an enormous Jewish community.

All over the globe, we never had as many Jews as we have today. But they kept together and the reason for that is that they had large families. There were pogroms and this is something that we're just not used to but it's something that happened daily. Jews were killed and obviously that is why we didn't exist in such great numbers. But what kept us as a people has nothing to do with our numbers; there was a bond that kept us together. It was our Torah, our mitzvos, we were doing things; we had the feeling and this is what kept us together.

IJN: You say you are not worried that the Jew will survive, but are you concerned about the quality of the Jew?

Rabbi Hopfer: If we don't teach our children — if we don't teach ourselves and our children — the proper way to live as Jews, the quality of Judaism will obviously be in danger.

Rabbi Fine: Of course there will always be Jewish people. The question is, how? We can do it in two ways: With the assimilation, that's the one thing that threatens the Jewish people, not minimizing the horror of Auschwitz. If the anti-Semites would leave us alone, we would disappear all by ourselves. Although there will always be that small minority.

What bothers me is, the Almighty will not let us disappear. How will He not let us disappear? Every time something like assimilation gets out of hand, something like Hitler, Khomeneni, always comes around.

Look at the situation in pre-War Germany. Jews were more accepted around the Kaiser and then all of a sudden everybody started realizing they were Jews. So, yes, we are not disappearing. But my G-d, who wants to think of a pogrom? Who wants to think of something like that?

Now, what is our obligation? This is what I think you were leading to, Rabbi Hopfer. The quality will affect the quantity. The more we reach the Jews, the more assimilation will slow down. Once the assimilation stops, the less chance of something like this happening.

Others don't see it that way. They see assimilation as our survival . . .

Rabbi Hopfer: We won't convince a whole leadership, a whole group to change its ways. It is our obligation to open our hearts, to open our homes to every Jewish person. I just wish that the people in their congregations — in whatever congregation they are, or, if it's no congregation whatsoever — you know it's very, very difficult for one individual, one rabbi to go to everybody's home — but we can say, "Come, our community is open; try to give yourself that opportunity to learn there is something else to Judaism than what you have been taught. Give yourself that option. Look at history and see where it's been, where Jews have lived for generations. Maybe there's something more to Judaism than you have been taught." Our hearts, our homes, our shuls are open to you — please come.

Rabbi Popack: I'll just comment by saying that it seems to me that there are one or two reasons why there can't be this

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Reconstructionist Rabbi

Rabbi Steven Kaye, COLORADO JEWISH RECONSTRUCTIONIST FEDERATION

IJN interviewers: MIRIAM GOLDBERG, RABBI HILLEL GOLDBERG, LARRY HANKIN,

IJN: Do the Reconstructionists have a policy on patrilineality?

Rabbi Kaye: In 1968 the Reconstructionist Rabbinical Association and the Federation of Reconstructionist Congregations and Havurot — the national coordinating body — adopted a policy of patrilineal descent. It didn't hit the press because we are such a small movement.

The reasoning behind patrilineality is that Reconstructionism is grounded in egalitarianism. If we are going to say that there is to be complete equality between men and women, how can you say that a child born to a Jewish father and a non-Jewish mother is not Jewish, if the child is raised solely as a Jew? Reconstructionism says that a child is Jewish if the child is raised solely as a Jew and given a Jewish education.

IJN: Are you bound by this?

Rabbi Kaye: Personally? Similar to the Reform movement, none of the policy decisions of the Association are binding upon the rabbinate. There is no censure, no wrist-slapping, but it is a position which I personally agree with.

IJN: Do you know how many people this may have affected since it was adopted? Have you seen it put into practice a great deal?

Rabbi Kaye: In the congregation where I was serving in New Jersey, there was a family — Jewish father and non-Jewish mother — they had raised their children solely Jewish. We discussed that there would be problems if she wanted to get married by Conservative or Traditional rabbis and that she might want to consider going to mikveh. As a Reconstructionist I feel responsible for making people aware of the Halachah, but not for saying that this is necessarily what you have to do. I guess this is what the Reform movement has been doing for years, too. The child has up until the age of 13 to renounce Judaism if he was converted as an infant. By standing up for Bar or Bat Mitzvah, the child makes a public acceptance of his Jewish identity.

IJN: What has been the history of a "patrilineal Jew" who has grown up and it has come time for marriage, or the person wants to go to Israel, where there might be a problem?

Rabbi Kaye: In terms of Israel, I'm not familiar with any problems or statistics. In terms of marriage, again, I haven't heard of anything because all of our rabbis would perform a marriage if that person is already seen as Jewish. The same with the Reform rabbis.

IJN: You say that all the way back in 1968, the Reconstructionists have gone by patrilineal as well as matrilineal. Now, you also said that you know that there's a number of factions in the Jewish community that don't. So what is your view of the implications of that decision regarding Jewish unity?

Rabbi Kaye: Because I take the position that if one is raised solely as a Jew, and in no other religion, one is Jewish, I think it is not so much my problem as the problem of the other movements. I don't view that in terms of unity. I think the breach of unity rests on the part of the rest of the community.

IJN: If matrilineal has been going on for a few thousand years, and now you change your mind on it, don't you think you have to justify that for Jewish unity?

Rabbi Kaye: Well, then you have to get into other areas. How can you say that you can count women in minyan? How can you justify having mixed seating in a congregation? How can you justify driving to congregations on Shabbat? So it's not just this issue.

IJN: But they're really different, aren't they? Because when you're dealing with the sort of things you just mentioned, you are talking about degrees of allegiance to Jewish law. But here you are dealing with a question of who is a Jew to start with. Isn't that a qualitatively different problem?

Rabbi Kaye: I'm not so sure it is. I've come to the point where I used to think it was, but now I think that you're either bound by the Halachah or you're not.

Once we live in a liberal community, and you're not halachic in your total approach

to Judaism, you're not a halachic Jew. That opens up the door for all kinds of community, and there has to be give and take on all kinds of levels. Then, again, that's why a Reconstructionist is not a halachic Jew, so I don't think there has to be give-and-take there.

IJN: Give-and-take between whom?

Rabbi Kaye: Give-and-take between different factions within the Jewish community. We'll go into that when you talk about the conversion issue. I clearly separate the patrilineal and the conversion issue as two different things.

IJN: Let's start on conversion. What is the Reconstructionist approach or attitude toward conversion?

Rabbi Kaye: It has very open doors to those persons who want to convert. Reconstructionism does not recommend conversion for the purpose of marriage. However, if a person is committed to Judaism and marriage is an element, they are welcomed.

In terms of the process, because Reconstructionism doesn't require its rabbis to do X, Y, and Z, I strongly recommend ritual circumcision and mikveh.

In terms of the *Bet Din*, I've been an *ed*, a witness, on both a Traditional and a Reconstructionist *Bet Din*, and there are very different kinds of tones. I feel that when a person comes before a *Bet Din* in the Reconstructionist community, it is made up of both men and women — again, because we feel that women can be and have a right to be a witness — the person has gone through enough study and the concern is what is this person's Judaism. It's not so much of a probing, "Can you tell me everything you know about Torah?" The questions might be, "What were some of the positive Jewish experiences you've had?" "What are you going to do when you have children and there's Christmas? At your in-law's house?" Those kinds of questions, practical questions as well. That's the process.

Then we strongly recommend a public ceremony before the congregation with a statement accepting Judaism as well as some kind of donation to *tzedakah* — some worthy cause. We feel that the people should begin to fulfill one of the most important mitzvot.

IJN: When did you come to Denver?

Rabbi Kaye: August 1, 1983.

IJN: Then, the joint conversion program broke up just a few days after that?

Rabbi Kaye: Yes.

IJN: Were you at any of those meetings?

Rabbi Kaye: Yes. Rabbi Goldberg, as president of the Rabbinical Council, had kept me informed after I made the decision in May to take the position. He shared with me the various correspondence between the rabbis back and forth.

IJN: Since May, then, you've been aware of this?

Rabbi Kaye: Correct.

IJN: As the program stood, before the breakdown, would you have participated and encouraged your potential converts to go through it?

Rabbi Kaye: Absolutely. I would like to see the program continue. As a Reconstructionist, I believe in *Klal Yisroel* — in total community. One of the things that attracted me in part to Denver was that this was the only city doing this joint conversion program. It was a real opportunity for community rabbis to work together in the area of religion — not just what can we do about political issues — but more the religious sphere. This was an opportunity to do some of that. I am personally upset by the breakup of the program.

IJN: Can you give your assessment of why the joint conversion program broke down?

Rabbi Kaye: I understand that the Traditional rabbis stated they could no longer continue in the program because they felt that the candidates who come through from the Reform were not meeting the standards they would like. They felt that the numbers were too high; they felt it was "greasing the skid" to intermarriage. The people who converted



Rabbi Steven Kaye

were not really interested in the converting; they weren't fulfilling the ten steps [the joint conversion board's ten Jewish commitments]. They didn't like the patrilineal descent issue.

IJN: Is there any validity in these points?

Rabbi Kaye: I think we have to go back to the responding letter from Rabbis Foster, Shapiro, Zwerin, and Stone. These rabbis responded by saying that we should continue in this program; there's room for compromise on all parts; that the numbers were not too high; that the patrilineal descent could be dealt with.

The other point Rabbi Wagner made in his letter was in the area of the outreach program by UAHC in Denver. The third letter was a letter by Rabbi Laderman who strongly recommended that the program should continue. There is a need for *Klal Yisroel* and community spirit.

IJN: So, how do you evaluate all of this?

Rabbi Kaye: What took place at the meeting was interesting.

IJN: What meeting are you talking about?

Rabbi Kaye: The Rabbinical Council meeting of August 8 or 9 held in Boulder, where there was to be a long healthy discussion on the topic of this program. Rabbi Goldberger, taking off his hat as the President of the Rabbinical Council, represented the Traditional rabbis. He went through the points in the letters. Rabbi Foster responded by stating, "You tell us where to come down the road." If you want to ask the UAHC not to do their outreach program, fine. If you want us to beef-up some of the requirements, fine. You tell us where you want us to meet you along the road.

And the response from the Traditional rabbis . . .

IJN: Did he also say that they would not apply patrilineal in Denver?

Rabbi Kaye: Different people who were at the meeting had different recollections at that point. I tend to remember him saying that there was no need for the CCAR to come out with that position because it had been the practice of Reform Judaism basically since its inception. So, I tend to remember him saying that.

But the Traditional rabbis responded by saying that a mistake was made six years ago by entering into this program; we should have not entered into this program at all. We have areas in which we can work together and areas where we can't work together — areas of religious observance and life is one of those areas. We made a mistake, and that was the end of the discussion.

For me as a newcomer, I was disappointed because I expected a healthy discussion.

I think the person who went up in my personal esteem that day was Steve Foster, because Steve Foster has the most to gain by the UAHC outreach program and by everything else. It could mean lots of feathers in his cap because it's a program with national attention. He could only go from here, but he was really saying, honestly, tell me where to go and I'll meet you.

IJN: In your view was there any element here that went beyond ideologies, that could be characterized as a personality conflict?

Rabbi Kaye: I think there are tensions between some of the individuals but I don't think it came through at that time. At other times, I've heard of it being displayed.

With this issue, again, the Traditional rabbis felt they were — I'll use the term — mikveh dunkers, and they had a difficult time with that.

This is the point where I do give the Traditional rabbis some credit. Often they did not

meet the convert prior to the mikveh. They happened not to be part of the *Bet Din* that day and they were assigned that month to the mikveh. They might not have met the person. There was a great deal of time on their part for people they did not sponsor. The numbers were more Reform than they were of the Traditional rabbis.

IJN: Then you do find some validity to the Traditional rabbis' claims that perhaps Reform converts were not prepared adequately.

Rabbi Kaye: No, I didn't say that. I said it was a draining of time. If one is going to be individualistic with the person who is coming through, the rabbis did not have that kind of time. So, I'm not very supportive of the Traditional rabbis in this stance.

IJN: In other words, you're saying that if they had had two hours to sit with each person whose immersion they witnessed — which would have taken up to, say, 20 hours that day, or 80 hours four days in a row, or whatever — that if, in theory that could have been arranged, you think the Traditional rabbis would not have pulled out, or at least on that basis?

Rabbi Kaye: I don't think that their statement that they were mikveh dunkers would have been valid because then there would have been contact with them. They would have known who the person was. They said that six months later, they would be walking down the street and a person would say, "You're the one who converted me," and they would not even remember this individual. And there I agree because in my attitude in performing any life cycle function I try to find time — significant time — to spend with that person or family because I view myself as a person who cares about other human beings in the Jewish community and that's very difficult in terms of time. That's where I'm sympathetic with them — in terms of demands on time. But I don't agree with their position.

I think that we're caught in a very uncomfortable position, as follows: We, meaning anyone who belongs to any congregation after the end of this joint conversion class — when the new program comes out (the Reconstructionist community will join with the Reform in doing the conversion class together) — people who go through that course and they want to be married by one of the Traditional rabbis, the Traditional rabbi will not recognize that conversion.

I think we've divided the community. In many ways the converts go through the same exact process; they'll study the same things; they may go through mikveh, but the people who are signing the conversion document are not halachically observant Jews. Therefore, that person can never be married by one of the other [Traditional] rabbis.

What I think will take place is that we'll have people who will call one of the Traditional rabbis and say, "Rabbi, I want to convert," and they'll ask some questions. They will say we will ask you to follow more observances, Shabbat, kashruth, X, Y and Z, and the person will say, "I'm not interested," pick up the phone, call one of the Reform rabbis, find out that it might be easier because there isn't that kind of requirement of personal observance of mitzvot. They'll go through the conversion class, then go back to that congregation to be married and they won't be able to.

I think that's when the community will see the first pressures. Because I don't think the members of the congregation will tolerate that for a long period of time. I think that's when political issues will come in again.

IJN: Do you believe that there is any validity to the view that having a conversion program in existence which is fairly easy to go through discourages young people from seeking mates of the Jewish faith?

Rabbi Kaye: If they convert, I don't view it as an intermarriage.

IJN: But doesn't it happen many times that only because two people are getting married — one of them is not Jewish — and only because of pressure from one of the sets of parents, and not from the mates themselves, do one of the persons go through a conversion process? Can't the existence of a conversion program then be construed as an encouragement to intermarry?

Rabbi Kaye: If the rabbi who is doing the intake of the spouse does not take the time with the couple, then yes.

But from what I understand has taken place under the present program there is individual time with the sponsoring rabbis as well as group time without the other teachers. If the rabbi is not picking up on that and still continues with the conversion, then I have problems with it.

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Rabbi Manuel Laderman,
HEBREW EDUCATIONAL
ALLIANCE

Editor's note: Rabbi Manuel Laderman, not an active member of the Denver Rabbinical Council, was not involved in meetings concerning the break-up of the joint conversion program. However, on June 18, 1983, he wrote to members of the Denver Rabbinical Council urging the continuance of the conversion program. The following is the text of his letter.

Dear Colleagues:

Baba Metzta 53 b has the lesson, "He who proposes any idea ought to be the first to attempt to carry it out." Since it was my suggestion at the annual dinner meeting of the Rabbinical Council of Denver that prepared written statements should be provided for the August meeting, I am following the counsel of the sages and offering my suggestions.

There has always been in Jewish practice a recognition that there is a distinct difference between initiating an idea (L'chatchila) and facing a situation which is already in existence (B'diyeved). We are in the b'diyeved situation.

Some orthodox groups in America are now considering or reconsidering affiliations with non-orthodox groups. Some of them are quite determined to dissolve any bonds with those who do not share their theological position.

Others of us, particularly in the Rabbinical Council of America, have the strong feeling that once we have entered into an agreement and arrangement with non-orthodox rabbinical and synagogue groups, as we did in the Synagogue Council of America, in the chaplaincy program of the JWB, in our local board of rabbis, that we are committed to

continuing that relationship.

Obviously there have been some changes in the points of view of some of the constituent groups. The recent statement of the CCAR about patrilineal descent has mightily disturbed a great many. I presume that on the reform side there has been considerable amount of misgiving over the growing intolerance and withdrawal on the part of many of the orthodox.

It is my feeling however that ground rules have not changed, regardless of whether there have been positions and principles and proposals adopted which seem radically different. From the very beginning we recognized that it was not the function of any one of the constituent groups to seek to impose its theology, its outlook on Halacha, its standards on the others. Otherwise we could never have initiated any kind of cooperation. Reform has its very definite attitudes about which the orthodox have strong resistance. Nevertheless, we felt that we are fellow Jews, participating in a great adventure of promulgating a Jewish consciousness in this new American open society, which is so different from any other previous Jewish experience, that it was necessary to undertake original kinds of efforts, even though they might be dangerous and pioneering. We on the orthodox side were not deterred by the threats of excommunication by some of our more hide-bound confreres. We were ready to gamble that working together, associating together, acting together was for the benefit of Klal Yisroel and for Jewish honor. We certainly were opposed to the isolationist position which so many of our colleagues espoused.

In our own Denver situation, we have learned to live and work together in an harmonious spirit which has been emulated and envied in other communities. Our position about where weddings may take place, our readiness to share each other's facilities in community educational efforts, our continued respect for each other publicly, in every kind of joint appearance, have brought dignity and self-respect to the rabbinate in the community at large.

Let me give you one early example: When I came to Denver in 1932, I was privileged to have both Rabbi William S. Friedman of Temple Emanuel and Rabbi C. H. Kauvar of the BMH Congregation come to the Alliance to install me. To many of the Jews of Denver this was a first, and it was hailed as a new era in collegial fellowship. It made it easier therefore when Rabbi Ginsberg, one of the very saintly orthodox rabbis of the West side was interested in publishing his books, for Rabbi Kauvar to endorse and support his publishing efforts. It made it simple for Rabbi Ginsberg and me to go to Rab-

bi Friedman to ask for help for "moos Chittim" during the depression days.

I recognize that there are considerable outside pressures working on some of our colleagues. The trend toward polarization is significant in 1983. We have all kinds of justifications for withdrawing from too close an environment with those who love a different formulation of their Jewish feelings.

In my judgement it would be a tragic mistake to allow these pressures and these sentiments to destroy what we have been able to create in our own community. You all remember the famous passage in Rosh Ha-Shanah 25 b in commenting on Deuteronomy 17:9 which says that one should go to the judge who will be living in his time. When the obvious question was raised, "well, of course, how could one go to a judge not living in his time," the answer was "Jephtha in his generation is like Samuel in his generation." I take that to be a lesson to us to do our own thing in Denver and not to be swayed and persuaded by what others elsewhere seem to find more attractive to their own political or religious inclinations.

It will not do, from my point of view, to proclaim unity on a national scale, to be associated with all kinds of efforts at bridging the areas of division, while at the same time, on one's home turf, destroying that which has been built up over a period of years.

In my opinion the effort at communal conversion is a significant step in the advancement of a Jewish community. It may weigh heavily upon some members of our fraternity, and may impose upon them some great strains of time and effort. This situation may very easily change. A time may come when there will be a different kind of emphasis or impulse towards conversion from other branches of the community. To judge from what is happening at the moment, and therefore to overthrow a program which has been built up over a period of time, would be shortsighted.

Finally, it would be my guess that the step which is being considered, of eliminating this joint effort, will have a serious impact on the entire Rabbinical Council. It will show to many people that there is an internal division and dissension in our group which no cosmetic effort at fellowship will overlay.

We face a serious crisis. We should be bold enough and courageous enough to accept the dangerous with the same kind of courage that we have shown in previous years. The ancient admonition of Deuteronomy 1:17 "do not be afraid of any man" applies especially to rabbis who are judges in Israel. Let us face up to that challenge today.

Yours truly,
MANUEL LADERMAN

Rabbis Emeritus



Rabbi Earl S. Stone,
TEMPLE EMANUEL

JJN interviewer: LARRY HANKIN

JJN: What is your view of patrilineal descent?

Rabbi Stone: I think it is a very humane way of meeting a very serious situation in our own day. Matrilineal descent was originally instituted by the ancient rabbis because of a tragic human situation, where because of so many wars and anti-Semitism, women were raped, and as a result, men didn't know who the fathers were. So, at the time, it had a great human significance.

But today, we live in a world where there is so much intermarriage — and we are trying to hold onto as many Jews as possible — I think matrilineal has lost its value.

Actually, Reform rabbis have been doing this all through the years.

JJN: So, during your active years as a rabbi, you did recognize as Jews the children of Jewish fathers and non-Jewish mothers?

Rabbi Stone: Of course. All they had to do was to be raised at the Temple and be confirmed, Bar Mitzvah — they were affirming their Judaism — and we accepted them and that was it.

JJN: Will this cause a problem in terms of marriage because the Orthodox rabbinate will not recognize these children as Jews?

Rabbi Stone: No, I don't think it is any more a problem than it was before. As long as Orthodox only recognizes the mothers, they are not going to accept a child unless he goes through a formal conversion.

JJN: Were you supportive of the community joint conversion program?

Rabbi Stone: I certainly was.

JJN: Were you part of the original planning when it was first established?

Rabbi Stone: Yes.

JJN: How do you view the break-up of the program?

Rabbi Stone: I think it is a tragic situation. I think that with the joint conversion program we stood out ahead of every Jewish community in the world — not the country, but the world — in uniting the Jewish religious factions and in bringing many more converts into what they considered to be the proper traditional form of conversion.

JJN: Do you think the compromises were reasonable — fair all the way around?

Rabbi Stone: I think so. I definitely do. Here, we are using converts to go through a conversion and become a Jew, according to their standards. And then they turn around and cut it out.

And the converts were doing it. I would say that 98 percent of the ones that I worked with went to mikveh, which was never done before. And now, by this one silly action, they are denying converts the opportunity of converting according to Jewish law. First they gave them the opportunity to do so, and now all of a sudden, they are denying it.

JJN: You've been very much part of the unity of the Denver rabbinate through the years, in fact, a good example of it. Is the unity still there?

Rabbi Stone: I think [rumors about hard feelings and fighting] have gotten around the community and this, I'm very upset about. I think it's being overstated, being blown up beyond the truth. The Denver Rabbinical Council still meets, and we are still good friends personally. There's still a good feeling.

Is there anything else you would like to say?

Rabbi Stone: I would love to see the Traditional rabbis change their minds.

Documents: the Rabbis' letters

MEMO TO: My Colleagues of the Denver Rabbinical Council
FROM: Stanley M. Wagner
DATE: June 17, 1983

I have been asked to prepare a memorandum pertaining to the Communal Conversion process and the reasons, as I see them, for its discontinuance. Since I will not be at The Rabbinical Council's August meeting, I feel it necessary to comply with this request.

The establishment of the Communal Conversion process was seen as a victory for compromise and Klal Yisrael unity. It must be clear, however, that there was always an uneasiness about this program, for the following reasons.

1. The compromises made by Reform and Traditional Rabbis were really uneven. The Traditional Rabbis were mandated to officiate at the Conversion of persons, most of whom, they would never otherwise convert because they fell so far below traditional standards of conversions. Reform Rabbis, on the other hand, were only required to encourage their candidates to convert through MIKVEH-HATAFAH-MILAH. And, although Reform Rabbis admittedly fulfilled their part of the bargain admirably, the "out" which they had made their compromise quite different, qualitatively, than the compromise of the Traditional Rabbinate.

2. Traditional Rabbis felt overwhelmed by the sheer numbers of Reform candidates for conversion. We continually felt spiritually drained by a process which appeared as though we were simply providing a

"HECHSHER" for Reform conversion candidates.

3. The political and spiritual pressure applied, within Denver and by our national associations, to desist from participating in the Communal Conversion process was significant and serious.

Nevertheless, we might have been able to persist in participation in the process because we regarded the Klal Yisrael side of the equation as weighty enough just to balance the scales.

However, three new developments within the Reform movement tipped the scale the other way.

1. Schindler's announcement of "Project Outreach" signaled a new direction for the Reform movement which, in whatever way you can explain it, will undoubtedly result in accelerating the trend of conversion to Judaism. This means that certainly we will see an even greater flow of converts in the Denver area.

2. The Denver Reform Rabbinate approved a national Reform movements' proposal to have Denver become an experimental community for the preparation of a text and audio visual material for a course in "Basic Judaism." We were told, emphatically that the Denver Reform Rabbinate was going to engage in this effort, with the use of Reform staffing, regardless of whether or not the Traditional Rabbinate was going to participate in it. What remained for us to do was to discuss how to create a program under those circumstances with which we could feel comfortable. The conclusion I came to was

that there was no way to do so, and that, in fact, it was the Reform Rabbinate, therefore, which was responsible for changing the status quo of our Communal Conversion process.

3. The C.C.A.R. decision on Patrilineality which, once again, sharply defined the Reform perception of "Jewish identity", which differs so greatly from the traditional perspective, made the relationship between Reform and Traditional Rabbis in matters of Jewish identity, extremely difficult. And even when suggestions were made by the Denver Reform Rabbinate concerning the possibility of modifying the CCAR "definition" for Denver, once again, it became a matter of "choice" and not "mandate." In other words, those for whom "community recognition" of "Jewish identity" was important would be encouraged to convert, otherwise, the Reform definition of "who is a Jew" would stand.

For these reasons, and others which I am certain my colleagues could supply, the continuation of our Communal Conversion process becomes untenable. . . .

Furthermore, this development, I would hope, will not otherwise undermine the felicitous relationships we have established and will not prevent us from a full measure of cooperation in areas of communal life where this is possible.

Read and approved by Rabbis Daniel Goldberger and Jerry Lipsitz.

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Traditional Rabbis

Continued from Page 3

cannot accept any of the converts coming through the Reform because obviously they will not have mikveh; they will not have hatafat dam. So essentially they are converting only to Reform Judaism.

Should any of our children in the future desire to marry them, they will have to go through a traditional conversion process in addition to the Reform. So now, the Reform conversions only reflect one-third of the community. They are only one-third Jewish — in terms of the Reform understanding of Judaism.

Rabbi Wagner: Now I have to specify here. This may be viewed by the Reform Jewish community as regarding the Reform Jew as a second-class citizen. What we have to emphasize here is that the Traditional community has a religious imperative to love all Jews. We cannot accept a process of conversion that is contrary to our halachic perspective, but that doesn't mean that we stop loving Reform Jews, or that we regard Reform Jews as second-class citizens.

That is erroneous.

I don't regard a Jew who offers me a non-kosher meal to eat — and I say I'm sorry I can't eat your meal — I don't reject that person as a Jew or I don't stop loving him as a Jew. I simply say I can't accept your meal, and we're saying to the Reform community, "We cannot accept your conversions." We don't stop loving Reform Jews as Jews. **IJN:** Reform Jews are not second-class citizens, but people converted by Reform Jews are not Jewish. Is that it?

Rabbi Wagner: Just as a non-kosher meal served by a Reform Jew is non-kosher. We can't stop that.

IJN: A semantics question: This term "Traditional" translates into Hebrew as *Mesorat*, which in Israel connotes Conservative Judaism. Are you all comfortable with this term "Traditional"? Is it different from "Orthodox"? Is it the same? Is it a euphemistic term; a substantive term? What is it?

Rabbi Goldberger: You know there are degrees of Orthodoxy. In the Midwest this is called Traditional with a capital T.

IJN: Is this a gradation of Orthodoxy?

Rabbi Goldberger: It is a gradation of Orthodoxy, right.

IJN: Where do you stand regarding the Orthodox tradition of discouraging or turning away a potential convert?

Rabbi Lipsitz: Essentially, Halachah tells us to make an effort to tell converts to try to be comfortable in their own religion. However, after a few meetings if we see that they're really serious, then we will start the process. The whole time that they are going through the process we tell them that there is no guarantee.

Rabbi Goldberger: It's always probationary. After the initial discouragement, we try the classes for a while; we'll see how that goes. They don't just go through the class to convert.

IJN: You call the probationary period a long time. Is that a week? A year? What is that exactly?

Rabbi Wagner: Every one is an individual case and every rabbi makes the determination. Is there a support system? Is there not a support system? There are so many factors

IJN: What does it work out to? A year? . . .

Rabbi Goldberger: It varies. If a person never had a Christian religion it might be three months, for someone else it might be a year or more.

Rabbi Wagner: I would refuse to set any time parameters.

IJN: Can we talk about what this is going to mean to the community? People have always said that Denver is fortunate in that Orthodox and Reform rabbis have sat together, that we have had a rather unified situation here. Maybe it's not like that so much any more. You can rally together for Soviet Jews, Israel, and the things that we all agree on, but are you really going to be able to work together after you've had some hard feelings?

Rabbi Goldberger: We haven't had any hard feelings. We have found that our original fears of working together on ideological grounds were self-fulfilling prophecies. We may have hurt feelings for a while because this is a serious matter. But now in the Denver Rabbinical Council we have pledged to intensify efforts — Israel Study Tour, Community High School, media communications, Soviet Jewry, Denver Institute of Adult Jewish Studies.

These are the reasons we need a synagogue council in Denver desperately for Orthodox, Traditional, Conservative, Reconstructionist, Reform as a non-religious body so we can voice our concerns for Allied, Israel Bonds, to speak out into the community on issues of race, poverty, the homeless. Just because this one thing broke up, it doesn't mean it will hinder our efforts for unity.

you're saying that in a marriage where there is a conversion done with intensive supervision on the parts of the rabbis, it is not an intermarriage.

But the present question is really asking something else.

Whenever you have a Jew who is marrying someone who is not Jewish to start with, what that means is, there's one other Jew out there who has one less potential Jewish partner to mate with, such that if you have, say, 100 people in the community and 50 of them marry non-Jews who convert, then the other 50 don't have a potential 50 Jewish partners. So, if you have less Jewish partners to marry because the other ones have married non-Jews who have converted, it's much less likely that those remaining 50 will end up marrying Jews in any fashion, with or without conversion. In that sense, then, isn't a numerically strong conversion program a contribution to intermarriage?

Rabbi Kaye: Not in the least because I think the only way you can avoid that is by building the ghetto walls again. As long as our children live in an open pluralistic society and they go off to college, or they go to work and they have relationships with those who are not Jewish, relationships are going to form.

circumstances, what's happening now is that the Jewish nation is being divided. People who are leaders — they never have had this in-depth study of Talmud, of midrash, of philosophy — it just really wasn't ever there. And under those circumstances, the reason they speak so strongly is because that's their job.

If you really want to know the truth, I am going to say that the majority of youth are captives to a certain extent. When you are speaking about truth and philosophy, how many of them really delve into what it is? I'm not talking about social work, I'm not talking about helping someone else physically. I'm talking about truth and philosophy. How many of them studied ten years of Jewish philosophy, for instance? How many of them studied the *Code of Jewish Law* and

Documents: the Rabbis' letters

July 8, 1983

TO: Members of the Denver Rabbinical Council

FROM: Rabbis Earl Stone, Richard Shapiro, Raymond Zwerin, William Cohen, Herbert Rose, Steven Foster

We have prepared the following statement as a means of furthering our discussion on the future of the communal conversion process that has worked so well these past number of years in our community:

The Reform rabbis of Denver are also pained by the abruptness with which our process seems to have concluded and each of us, individually and together, have wrestled with the question of how best to serve the needs of the people in Denver.

It is evident to us at the outset that, regardless of how or through whose auspices, the conversion process in Denver will continue. It is important to note that as long as Jews live in a secular world, Jews and non-Jews will meet and fall in love. It is our collective decision as to how best to bring them into the fold of Jewish life. It seems to us that regardless of how we might lament the social condition of Jews in America, the phenomenon of conversion will continue for many decades to come. It is our hope that we will always provide the very best opportunity for those who seek out Jewish life. With this as a starting point, we would propose the following:

1) Since our community conversion process has worked so well for all of us in the past, we urge its continuance. We recognize that prior to the spring of 1983, when a proposal was brought by the UAHC to Denver, our community conversion process worked well for us. It is true that from time to time, there were uncomfortable feelings about the sheer numbers of people who looked at Judaism as a religious alternative. But the process worked well nonetheless. We hope that we can return to the months prior to the spring of 1983 and continue to grow in our communal conversion process. We recognize that this means that the UAHC, however well-intended we believe them to be, will not be a part of the Denver community conversion process at this time.

2) We as Reform rabbis need to clarify for ourselves and for the Denver Rabbinical Council as a whole how it is that this fracturing of our process has occurred. We recognize that we have been accused of being short-sighted and obstinate. However, we would remind our colleagues that in any situation in which there is compromise, namely the establishment of our community conversion program as it has come to be, none of us can have our own philosophies completely met. Rabbi Wagner has stated in his June 17 memo, to which Rabbis Goldberger and Lipsitz were signatories, that there was more giving on the part of traditional rabbis than there was on the part of the Reform rabbis. We would respectfully submit that in the process of establishing our "10 Commitments for Conversion," there was a tremendous amount of give on the part of Reform rabbis. Reform theology makes it difficult to make demands upon any individual in the area of ritual. Yet, each of us has, we believe, not only encouraged people to undergo the traditional form of conversion — mikvah, hatafat dam brit-milah — but we have been meticulous in insuring that those who have converted to Judaism have observed those "10 Commitments for Conversion." We believe that we are judged very harshly when the June 17 memo states that the Reform rabbis were only to "encourage" candidates to undergo Halachic

conversion and therefore had an "out," and that "their compromise was quite different qualitatively from the compromise of the traditional rabbinate." We reject that notion most vociferously and ask our traditional colleagues to remember that our compromise with ritual is just as important as any compromise made by our traditional rabbis.

3) We hope that our traditional colleagues will choose to continue to work with us in this important area. If that is the case, we ask for a very serious discussion on the area of mutual respect for our own philosophical, theological commitments. We recognize the importance of maintaining the integrity of our traditional colleagues, but we insist upon it for ourselves as well. We believe that over the past months there has been a great deal of undercutting and of "backbiting" about us as Reform rabbis. We regret that in some cases we, too, have responded in kind. We hope that if this proposal is accepted by the total Rabbinical Council, then we could begin the process of reclaiming the total respect that we have had for one another over the years and thereby emerge from this process much healthier and much stronger.

We hope that our traditional colleagues will view this decision as one in which we are seeking "shalom bayit" as opposed to the implementation of any program from the outside which might precipitate the fracture of our community. In the mood of conciliation, we hope that we can discuss these points, together with the points made by Rabbi Wagner in his memo of June 17, at our meeting in Boulder on August 17.

I have also taken the liberty of including with this mailing a copy of the ad that was placed in the New York Times by Merkaz Horabonim — United Orthodox Rabbinate — which was an open letter to American Reform Jews on the issue of patrilineal descent. This letter has been responded to quite succinctly and beautifully by Ray Zwerin, a copy of whose letter is enclosed. We believe that this too should be a part of our discussion at our August meeting.

Editor's note: The following record of the Traditional rabbis' withdrawal from the joint conversion program is from the minutes of the Denver Rabbinical Council meeting of Aug. 17, 1983, approved at the meeting of Oct. 5, 1983.

Responding on behalf of the traditional rabbis (see attached correspondence), Rabbi Goldberger stated that they no longer wish to participate in the community process. He stated that they were concerned with the number of individuals participating in the process and wish to decrease it; he also stated that they believe that they erred in establishing the program originally because of the compromises involved. In their opinion conversion belongs in the area of those things which each of the rabbis does according to his own beliefs and practices. He stated that they will honor their commitment to any individuals who entered the class with the expectation that the community process was available.

During the discussion that followed, the traditional rabbis stated that they would no longer take converts who had studied with non-traditional rabbis to the mikveh, nor would they any longer take part in marriages involving Reform *gerim*. Rabbis Foster and Shapiro expressed a concern that this decision was reached without full and equal discussion of all members of the Council; i.e., that it was a unilateral decision of the traditional rabbis.

Reconstructionist Rabbi

Continued from Page 10

But what I think happens is two things: One is that the rabbis require the spouse or potential spouse [of the convert] to go through the course. So there's a bond there that unites the couple. Two, statistically, we see that people who convert to Judaism often are more observant — I use small "o" there instead of capital "O" — of Judaism and that creates tension within the household, many times because one wants to light Shabbat candles and one wants to go to synagogue or whatever and the born-Jewish partner is not as sensitive to that because they never felt that strongly about Judaism or had a formal Jewish education. So, the course unites and brings on Jewish identity at times.

Different people are throwing out statistics about what happens after a divorce. They are saying that a person who converted solely for the purpose of marriage then renounces Judaism and goes back to Christianity. I haven't seen those statistics nor do I believe them.

IJN: Yes, that's a separate issue. But here,

Orthodox Rabbis

Continued from Page 9

connection.

One is, I guess, certain individuals have certain beliefs, but in other cases, the people speak, not necessarily from belief, but because it's easier for them, more convenient; sometimes, it's a feeling of being victorious — and that could divide the Jewish nation because you know what politics can really do. I don't know whether everybody who is speaking in the name of Judaism really knows all the historical points of view, all the beliefs, and any time they might speak because it's beneficial for them. Not because that is their historical point of view.

When there is the desire to be victorious, anything goes. And under those cir-

all of the reasons? It's so easy and convenient to say, "Well we can change and do whatever we want" because of their position. In other words, what I want to say is this: We're living in a society where I don't think all the leaders necessarily are fighting philosophically. I think it's a fight of who is going to be victorious at times. When you're dealing with that kind of a feeling, no matter what you say intellectually, no matter how you express emotionally, if that person's position — his income — is dependent upon it, he is not going to change. I think when you deal with money and honor, that sometimes overweighs issues.

Rabbi Hoffer: Let me just say this. I know there are many committed Reform and Conservative rabbis. Committed because they feel what they are doing is right. And I would

say that mostly those are younger people who grew up in the country and they really never saw different shades of Judaism and they certainly are committed. And sometimes they feel it out of conviction. They feel that what they are doing is proper, that is the way to live as a Jew and teach other people because it is the only way that Judaism will exist. This is the way they understand it.

With Orthodox rabbis sometimes also, sometimes it's how they make their livelihood and it's not out of a very true conviction. And sometimes it's a matter of honor, especially if one's is a bigger temple than another's, but it certainly — I want to make it very clear — I know some of them personally, and they are very committed. But I just think they are missing the point; they are not seeing the light. And that's something that eventually we'll change.



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THE DENVER CONVERSION PROCESS - THE HALAKHIC VALIDATION

BY

Rabbi Stanley M. Wagner

The purpose of this paper is to review the communal conversion procedure established by the Denver Rabbinical Council in 1978, to provide the halakhic basis for Orthodox Rabbinic participation in this program and to establish the halakhic bases for the validation of the 176 conversions performed under those circumstances and conditions.

Some of the facts pertaining to our procedure ought to be reviewed:

1. A Rabbinic Conversion Board (not a Beth Din) was established consisting of Orthodox, Conservative and Reform Rabbis for the purpose of establishing an educational program for all prospective candidates and for determining their sincerity, upon completion of the program, as to their belief in God, their abandonment of all prior Christian convictions, their intention to become part of KLAL Yisrael, and their willingness to fulfill mitzvot as charity, kindling of candles on Friday evening, fasting on Yom Kippur, as well as a general commitment to Torah, Sabbath and Jewish dietary laws. We did not regard this "Board" as having a halakhic validity since the initial HODAAAT MITZVOT, discussion concerning Reward and Punishment, and words of discouragement, it would seem, do not require a Beth Din. ¶ In the Rambam, [ISURAY BIYAH 14, 1-5] we find a description of the initial HODAAAT HAMITZVOT without any specification as to who is responsible for the HODAAH. Only after

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the MILAH and T'VILAH, does Rambam specify that a Beth Din of three performs the HODAAH [Ibid., halakha 6]. The TUR'S statement V'CHOL INYANAV BAYN L'HODEEO HAMITZVOT L'KABLAM, ETC., seems to refer to the KABALAT HAMITZVOT at the time of the T'VILAH which requires a Beth Din of three [see Bach, s.v. V'CHOL]. Even the reference to the HODAAH & KABBALAH as T'CHILAT DIN [Ibid.] does not imply a time sequence, but rather ^{emphasizes its significance,} as the P'RISHAH states the KABBALAT HAMITZVOT if not expressed during the day and before a Beth Din of three is M'AKAYV because SHEHU GUF HADAVAR V'HATCHALATO. Also the M'CHABER refers to the Beth Din of three only at the final HODAAH & KABBALAH and not at the initial HODAAH [Ibid., S'IF 2]. As to *his* statement in S'IF 3, V'CHOL INYANAY HAGER, etc. must take place before a Beth Din, this also refers to the time of T'VILAH since the KABALAT HAMITZVOT is M'AKEVET then, and not initially. [see the SHACH, s.v. OMRIM LO on the YOREH DEAH, Ibid., S'IF 3] also note Rashi in Yevamot 47 b where he states D'HASHTA AL Y'DAY T'VILAH HU NICHNAS LICHLAL GERUT HILKACH B'SHAAT T'VILAT MISTZVAH TZARICH L'KABAYL ALAV OL MITZVOT)

2. No convert was passed through if there was an outright rejection of a single mitzvah (B'chorot 30b; Rambam, Isuray Biyah 14,8).

3. The prospective convert, after completing the educational program (described below) and examination by the Conversion Board, was turned over to an Orthodox Beth Din, and at the Mikvah:

- a) It was ascertained again that the conversion was being undertaken for the love of Judaism and the Jewish people, and not for another TOELET although many poskim legitimate a convert

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who converted for an ulterior motive B'DEAVAD. (TUR YOREH DEAH 268; YOREH DEAH 268, 12; RAMBAM, Ibid., HALACHA 17. See the D'RISHA on the TUR, Ibid., and SHACH on YOREH DEAH, Ibid., where the BET YOSEF introduces the concept in Gerut of HAKOL L'FEE R'UT HADAYAN based on the Tosephot in Yevamot 109b. s.v. RAAH, and on 24b, s.v. LO. This concept becomes an important basis, as shall later be explained, for all decisions which we reached. That one may accept even a convert BIZMAN HAZEH who comes with an "ulterior motive" is accepted by many poskim such as David Hoffman in his M'LAMED L'HOIL (YOREH DEAH, 83, based on a MAHARAM SHIK, EVEN HAZER 37 and YOREH DEAH 249); YAAKOV EMDEN (Responsa TZUR YAAKOV 27); CHAYIM OZER (ACHIEZER, CHELEK 3, 15); SHLOMO KLUGER (Responsa, TUV TAAM VADA'AT 230).

- b) There was MILAH or HATAFAH and T'VILAH all before a Beth Din of Orthodox Jews only, including one of the Orthodox Rabbis. (that a Beth Din does not require for conversion three who are R'UYIN LADUN even L'CHATCHILAH has the approval, among others, of Moshe Feinstein [IGROT MOSHE, YOREH DEAH 109] who permits "S'TAM ANASHIM". Many others approve if at least one of the Beth Din is a Talmud Chacham for the purpose of HODAAT HAMITZVOT.
- c) There was a HODAAT HAMITZVOT and KABBALAT HAMITZVOT in a very general fashion, but it was clear that the conversion was L'SHAYM SHAMAYIM and that there was an acceptance of "the God of Israel and the Torah of Israel." (What constitutes KABBALAT HAMITZVOT will be discussed below).

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It also must be understood that although the point of entry into the conversion program was the recommendation of one of the participating Rabbis, including Reform and Conservative, and although Rabbis may have been meeting privately with the conversion candidates they recommended, nevertheless there were no official Reform, Conservative or Orthodox conversion candidates. Rather all were participants in a "communal conversion" process and when they were interviewed by the Orthodox Beth Din and were taken through the MILAH or HATAFAH, T'VILAH, HODAAT HAMITZVOT V'KABAL-ATAM they did not become denominationally Reform, Conservative or Orthodox Jews. In other words, candidates who came before the Orthodox Beth Din are not to be likened to prospective converts trained by a Reform or Conservative Rabbi who are asking to be converted ritualistically AL PEE HALAKHAH by an Orthodox Beth Din who will be automatically embraced by heterodox movements. The communal conversion process was just that -- an entry into the Jewish community characterized by a commitment to the principles of YICHUD and AHAVAT HASHEM, the eradication of any ideological association with Christianity, the traditional perception of Reward and Punishment, and a general understanding and acceptance of MITZVOT and Torah ideals.

The educational program which prepared a candidate for ultimate acceptance was a 16 session, three hours per session course in which participants studied Jewish history, customs and ceremonies and other aspects of Judaism to prepare them for meaningful participation in Jewish life. The instructors attempted to select aspects of Jewish life which were universally accepted by

all movements such as -- reverence for the Shabbat and Yamin Tovim, AHAVAT TZIYON, TZEDAKAH U'GEMILUT CHASSADIM. Rabbis rotated during the 16 weeks and exposed the candidates to their own ideologies. Three Orthodox Rabbis participated each twice, and hence, six of the 16 Rabbinic lecturers were devoted to Orthodox ideology and SHMEERAT HAMITZVOT including TAHARAT HAMISHPACHAH.

Now, the basic question we must face is the ANAN SAHADAY that a great number of these converts do not observe the mitzvot from the moment they are converted. Do we say that since KABALAT HAMITZVOT is M'AKAVET (YOREH DEAH 248, S'IF 3) the T"VILAH is not M'HANAY since it may be likened to TOVAYL V'SHERETZ B'YADO and, therefore, even B'DEAVAD such conversions are not valid? So it seems from the Responsum of Moshe Feinstein (Yoreh Deah 157) who renders his decision in accordance with the opinion of his father. Yet, HORAV FEINSTEIN actually contradicts himself in his Responsum 159 where, in reference to those converts who accept verbally the mitzvot but do not practice them he states AYNEE OMER BAZEK KLUM because many New York Rabbis accept such converts U'MEEMAYLAH AYN LEE LOMAR BAZEK ISURIN. He further recommends that Rabbi Nachman Yosef Goldstein (the questioner) act KFEE HAVANATO V'DATO U'KFEE HADOCHEK.

It is with these words which I wish to state the halakhic case for entering a communal conversion process L'CHATCHEELAH conducted in accordance with the principles and regulations heretofore outlined.

If there ever was a DOCHEK, perhaps no other period in Jewish history so requires action to prevent the further fragmentization

and distentegration of our people. The rate of intermarriage has accelerated to such an extent that it threatens to undermine the integrity of Jewish peoplehood. Conversion to Judaism have become so commonplace that soon such converts will become the single largest element among the Jewish people. Overwhelmingly, conversions are being performed by Reform and Conservative Rabbis. And if Tosephot was concerned that converts were KASHIM L'YISRAEL K'SAPACHAT because they would lose their identity ^(NITME'U) among MISHPACHOT M'YUCHASOT (KIDUSHIN 70b, s.v. KASHIM), how much more so must we be concerned with the problem of NITME'U when thousands of non-Jewish children will be absorbed into the Jewish community, or if we repel a non-Jewish husband. There is a clear and present danger that Jewish children will be NITME'U BAYN HAGOYIM. Add to these problems the issue of GIYUR K'HALAKHAH in the CHOK HASHVUT which can result in the severing of Israel from a large portion of diaspora Jewry and we have a DOCHEK of enormous magnitude, even an AYT LAASOT HAYFAYRU TORATECHA (MISHP'TAY UZIEL, YOREH DEAH 14; EVEN HAZER 18; 20).

The principle of R'UT AYNAY HABET DIN, or KFEE HAVANATAYMU also applies here. We have already found the principle stated in the matter of GERUT by the Bet Yosef (see p. 3). One can see this principle applied in GERUT by many poskim (see, for example, Responsa M'LAMED L'HOIL, EVEN HAEZER 3 and YOREH DEAH 73; Responsa TUV TAAM VADAAT 230; Responsa TZUR YAAKOV 27; Responsa ACHIEZER, 3rd CHELEK, 15). The Orthodox Rabbis of Denver L'FEE R'UT AYNAYHEM, saw the following possibilities:

- a) We were in a community in which the relationships between the Rabbis of all persuasions were amicable.

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b) The Reform and Conservative Rabbis were willing, for the sake of Jewish communal harmony and unity, to enter those prospective converts who came to them into the communal conversion process requiring MILAH or HATAFAH, T'VILAH and KABALAT HAMITZVOT before an Orthodox Beth Din. We do not know of other communities in the world where the Reform and Conservative Rabbis would be prepared to make that serious compromise.

c) Our plan was to also move into the arena of GITTIN so that Reform and Conservative Rabbis would also promote halakhic GITTIN before an Orthodox Beth Din which would have been an enormous TIKUN preventing the spread of MAMZERUT.

d) We also were moved by the Responsa of the late RISHON L'TZIYON, HAGAON UZIEL in his MISHP'TAY UZIEL (Ibid) where he cites the principles of TAKANAT HASHAVIM, SHLO TINOL DELET BIFNAI GERIM, MUTAV SHYOCHAL ROTEV V'LO SHOMEN ATZMO, MUTAV SHEYOCHLU SHECHUTOT T'MUTOT V'LO YOCHLU N'VAYLOT, and who expresses such a strong concern about the loss of Jews to our fold and even encourages conversions where there is no KIYKUM HAMITZVOT but at least a conversion L'SHAYM SHAMAYIM, again counting on that which is MASUR L'AYNAY HADAYANIM (IBID, 18).

We were convinced that not only would such converts be legitimate BID'AVAD as^{is} so perfectly clear from Rambam (ISURAY BIYAH 13, 17) where there was absolutely no HODAAT MITZVOT and, hence, no KABALAT HAMITZVOT (see also RITVA AND NIMUKAY YOSEF on YEAMOT 47b), but that even L'CHATCHEELAH based on HORAV UZIEL'S interpretation of all the sources (as compared to HORAV FEINSTEIN'S p'saK, since there are those who hold that a p'saK which does not cite

sources is really a DAAT YACHID whereas a p'sak which cites sources is not to be regarded as a Daat Yachid) we had significant halakhic bases for undertaking our program.

I wish to review some of the salient points in HORAV UZIEL's Responsa which we believe strengthen our case.

1. In the case where a Jew is already married to a non-Jewish woman he encourages her conversion (MITZVAH ALAYHEM L'KORVAN U'LEHACH-NEESAM BIVRIT TORAT YISRAEL U'LEHOTZEE NEGA HATAAROVET". MISHP'TAY UZIEL, YOREH DEAH 14) based on the Tosephot in Yevamot 24. He maintains that AYN BO ISUR GAMUR because of the consequences of allowing them to remain intermarried and the impact upon the children.

2. In his Responsum 18, HORAV UZIEL reminds us of the ISURIN involved in intermarriage (N'SUAY BAT AYL NAYCHAR, HITCHATNUT, B'EELAT Z'NUT) and the requirement to save Jews from violation of these serious prohibitions.

3. Even where HORAV UZIEL prohibits the conversion of a GOYAH such as in the case where a KOHEN intends to marry her he still stresses the need to convert the children to Judaism although they will have a non-Jewish mother (MISHP'TAY UZIEL, EVEN HAEZER 18; so also in Responsum 19).

4. In yet another Responsum (Ibid., 20) his questioner posits the case which most closely relates to those converts who we in Denver converted, to wit, couples married in secular courts, couples simply living together without even a secular marriage license, some of the Jewish "partners" observe some Jews laws K'STAM YEHUDIM BIZMAN HAEZEH, others neglect to fulfill most of the Jewish laws. Yet, there is a desire on the part of the non-Jewish partner to

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convert to Judaism and the Jewish partner is anxious for such a conversion. Horav Uziel responds L'DINA that GAYR SHEMAL V'TAVAL OH GIYORET SHETAVLAH L'SHAYM GERUT HARAY HAYM YISRAELIM G'MURIM YIYAD BAYN IM M'KAYMIM HAMITZVOT OH LO. He emphasizes that the essence of conversion is L'HEEKANES BIVRIT YISREAL U'VE'EMUNAT YICHUD HASHEM V'KABALAT MITZVAT TORATO and ~~interms~~ ^{in terms} of KABALAT MITZVOT it is clear that there is only a HODAAH of MIKTZAT MITZVOT and he states SHEAYM DORSHIN MIMENU L'KAYAYM HAMITZOVOT V'AF LO TZARICH SHEBET DIN YAYD'U SHEY'KAYAYM OTAM. He further concludes that AYN TNAI KIYUM HAMITZVOT M'AKAYV ET HAGERUT AFILU L'CHATCHELAH. (It is also interesting to note that according to Rabbi Akiva Eiger one may not teach a non-Jew Torah before he converts [Response of R' Akiva Eiger - p"sakim 41; see also TZEMACH DOVID of Rabbi David Rapaport on Rabbi Akiva Eiger's responsum]. Others say that some of the mitzvot may be taught such as blessings, prayers and the SHEMA [MINCHAT ELIEZER, 4th CHELEK, 63]. Clearly, then, according to these poskim, KIYUM HAMITZVOT is not M'AKAYV since these converts are certainly not even aware of the mitzvot.)

He also stresses that it is not only MUTAR but that we are M'TZUVEH to convert such persons even if they will not fulfill the commandments. Once we convert them, it is their responsibility, not ours, that they fulfill the commandments. Interestingly too, he is M'DAYAYK in the Tosephot in Yevamot (Ibid.) that in the case of Hillel and Rabbi Chiyah who accepted converts who converted with an ulterior motive, the converts were accepted immediately in the knowledge that ultimately their conversion would be L'SHAYM SHAMAYIM even though they might not ultimately fulfill the mitzvot of the Torah. Such was the case during the period of King David and Solomon when it was prohibited to process converts although

there were many who converted before a Beth Din of HEDYOTOT (see also Rambam, ISURAY BIYAH 13,15) because they converted L'SHAYM SHAMAYIM.

5. Horav Uziel concludes in this responsum (Ibid.) that we should not close the doors to converts in this day and age; that we do not want to estrange Jews from our people (which would be the consequence of not providing broader opportunities for conversion); that even in the case of a Jewish father and a non-Jewish mother we must strive to bring the children close to the Jewish people because HARAY MIZERA YISRAEL HAYMAH; and in his summation in his Responsum 25 (MISHP'TAY UZIEL, EVEN HAEZER) he refutes the position of HALITAYNU L'RASHA V'YAMUT since we can find a way through conversion to prevent a person from sinning day after day.

For all of the reasons above, and for the more positive reasons mentioned by Chazal who were affirmative in their attitude towards KABALAT GERIM, including this mitzvah in the commandments of AHAVAT HAGER and AHAVAT HASHEM and reminding us of Biblical precedents for receiving converts (see Tosephot, Yevamot 109b, s.v. RAAH), the Denver Orthodox Rabbinate participated in our communal conversion process. Add, in truth, although we were unhappy that we could not, to begin with, bring these converts to a higher level of mitzvah observance, we and they understood that the conversion was the beginning of a process of spiritual growth. We were, furthermore, more than satisfied that our converts would consider themselves fully part and parcel of the Jewish community with many of them attaining a high level of mitzvah observance.

Contrary to the press notices, we did not organize a "conversion factory" and our converts were not "phony". We withdrew from the

process NOT because we felt that we were engaging in a program which did not have halakhic validity but because the Reform law on patrilineality placed a cloud over our unified efforts in issues of Jewish status.

We appeal to you, therefore, not only to avoid impugning the legitimacy of our converts B'DEAVAD which in our estimation would certainly be contrary to the ROV MINYAN U'BINYAN of Poskim, but to avoid censuring us for our efforts even though we engaged in this procedure without consulting either the RCA Beth Din or its leadership. We acted in good faith LFEE R'RUT AYNAYNU in what we felt was in full accordance with the halakha. The participating Orthodox Rabbis received no compensation whatsoever for their involvement, nor was there any communal pressure applied upon us to engage in this process, so that we had absolutely no ulterior motives for our commitment to this procedure.

Finally, the issue before us is not whether there are yaish osrim with regard to any or all of the procedures we followed. What was attempted here was to demonstrate that our communal conversion process does have a halakhic basis and that, as rabanim musmachim, we had the right, in this case we believed the responsibility, to seek out those kulot of our poskim which would legitimize it halakhically. The AYT LAASOT actually permits a HAFAYRU TORATECHA, but we felt within the bounds of Troah although we recognized that we were in a "grey zone" halakhically. As to our culpability in this endeavor, we conclude with Rabbi Uziel's citation in reference to judges who follow his guidance, "V'HU RACHUM Y'CHAPER AVON."