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Israel and the Diaspora in Jewish law

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Pittsburgh, 1997

SELECTED REFORM RESPONSA

urn:nbn:de:kobv:517-vlib-10210

JSRA SELECTED REFORM RESPONSA

Walter Jacob

These responsa on are a representative selection from more than one thousand American Reform responsa published in the twentieth century. We are grateful to the Central Conference of American Rabbis and the Hebrew Union College Press for permission to reproduce them.

ANSWER: The six-pointed Star of David is now commonly recognized as a symbol of Jews and Judaism throughout the world, both by ourselves and by our non-Jewish neighbors. There is no clear distinction between Jews and Judaism, between our religious and our national aspirations. Since the Babylonian Dispersion, our prayers have constantly contained petitions for the return to Zion and the reestablishment of Israel. In the traditional Shabbat morning Torah service we find an additional prayer (b) for the academies in Israel, Babylonia, and the Diaspora; (c) for the local congregation; and (d) for the Gentile government under which we live (*Alukah Nam, 47b; Machzor, Vayw, Kofnach*). These prayers have been part of the service either since the Talmudic period or, at the latest, since the fourteenth century. In other words, the service has for a long time contained side-by-side prayers expressing the desire for a return to the Land of Israel, gratitude for the land in which we live, and hope for the welfare of our own communities. The flags of the United States and Israel on a pulpit might be said to symbolize the prayers that have always been said in the synagogue. For this reason there is no religious objection to placing an American flag on the pulpit nor to placing an Israeli flag alongside it. (Of course, there are secular regulations for placing such flags, and these should be followed.) It might be helpful to look at the historical background, especially as there is no written record of a Jewish flag or symbol for the entire people of Israel.

SELECTED REFORM RESPONSES

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ISRAELI FLAG ON A SYNAGOGUE PULPIT

Walter Jacob

QUESTION: Should an Israeli flag be displayed on the pulpit of an American Reform Synagogue? In this case an American flag is already so displayed (Rabbi R. Goldman, Chattanooga, Tennessee)*

ANSWER: The six-pointed Star of David is now commonly recognized as a symbol of Jews and Judaism throughout the world, both by ourselves and by our non-Jewish neighbors. There is no clear distinction between Jews and Judaism, between our religious and our national aspirations. Since the Babylonian Diaspora, our prayers have constantly contained petitions for the return to Zion and the reestablishment of Israel. In the traditional Shabbat morning Torah service we find an additional prayer (a) for the academies in Israel, Babylonia, and the Diaspora; (b) for the local congregation; and (c) for the Gentile government under which we live (*Abudar ham*, 47b; *Machzor Vitry*; *Rokeach*). These prayers have been part of the service either since the Talmudic period or, at the latest, since the fourteenth century. In other words, the service has for a long time contained side-by-side prayers expressing the desire for a return to the Land of Israel, gratitude for the land in which we live, and hope for the welfare of our own communities. The flags of the United States and Israel on a pulpit might be said to symbolize the prayers that have always been said in the synagogue. For this reason there is no religious objection to placing an American flag on the pulpit nor in placing an Israeli flag alongside it. (Of course, there are secular regulations for placing such flags, and these should be followed.) It might be helpful to look at the historical background, especially as there is no ancient record of a Jewish flag or symbol for the entire people of Israel.

The six-pointed star was rarely used by the early Jewish community. It is found carved on a stone in the Capernaum synagogue and also on a single tombstone in Tarentum, Italy, that dates from the third century. Later Kabbalists used it, probably borrowing it from the Templars (Ludwig Blau, "Magen David," *Jewish Encyclopedia*, Vol. 8, p. 252). It is also found in some non-Kabbalistic medieval manuscripts. None of these usages, however, was widespread.

A Jewish flag is mentioned for the first time during the rule of Charles IV of Hungary, who prescribed in 1354 that the Jews of Prague use a red flag with David's and Solomon's seal. Also, in the fifteenth century, the Jews of that city met King Matthias with a red flag featuring two golden six-pointed stars and two five-pointed stars. Aside from this, we have no record of any Jewish community using a flag, and, of course, the six-pointed star now so commonly seen was rarely used as a Jewish symbol before the late eighteenth and early nineteenth centuries. Then, the newly emancipated Jewish community wanted an easily recognizable symbol akin to that of Christianity and so adopted the six-pointed star, which was then used frequently on books, synagogues, cemeteries, tombstones, and so on. The star soon became recognized as a sign of Judaism: by 1799 it was already used in anti-Semitic literature. In 1822 the Rothschilds used it for their coat of arms, and in 1897 the Zionist Congress in Basel adopted it as its symbol. Subsequently, the State of Israel used it in its national flag, although the official symbol of Israel is the Menorah. Naturally, all of us also remember the times when we were forced to use the six-pointed star on badges that identified us to hostile neighbors.

If you wish detailed information on this material see M. Gruenwald, "Ein Altes Symbol," *Jahrbuch fuer juedische Literatur*, 1901, pp. 120ff; L. Blau, "Magen David," *Jewish Encyclopedia*, Vol. 8, pp. 25f; and G. Scholem, "Mogen David," *Encyclopedia Judaica*, Vol. 11, pp. 687ff.

Various synagogues have found other solutions to the desire to honor both the United States and Israel. Thus, some have placed both flags in the foyer off the community hall but have no flags on the pulpits. In any case, both the loyalty of our communities to the United States and our common concern for Israel are clear with or without the placement or possession of flags.

*Walter Jacob, *American Reform Responsa* (New York: Central Conference of American Rabbis, 1983), No. 22.

HEBREW AN OLD ISRAELI FLAG

Walter Jacob

QUESTION: An Israeli flag which has stood on our pulpit for some time is now worn out. How should we dispose of it? (Morton Kramer, Los Angeles, California)*

ANSWER: Special honors have been accorded to the various appurtenances of the synagogue that possess different degrees of sacredness. Sacred texts and the Torah were buried or set aside in a safe place (Rashi to *Ket.* 19b; *Shulhan Arukh* Orah Hayim 154.5). They were sometimes interred with a scholar. Items that were a little more distant, like the cover of a Torah and a binder, were also sometimes buried with a scholar. Still other synagogue decorations, as for example, the cover of the bimah, could be renewed and the old item discarded.

Although the Israeli flag may stand on the bimah, it possesses no degree of sacredness. It is a symbol of the State of Israel but has no specific religious connotation, so we need take no unusual care for religious reasons. There are, of course, other reasons for disposing of a flag appropriately. We do so with the American flag in accordance with specific regulations and would accord similar respect to the flag of Israel. The attitude toward flags has changed in various periods, as we have seen from recent discussions about the burning of the American flag as well as its use on shirts, jackets, and the like.

SELECTED REFORM RESPONSA

No degree of sacredness is connected with the Israeli flag despite its place on the pulpit. We should dispose of a worn flag in a dignified way, but not as a sacred object.

*Walter Jacob, "Questions and Reform Jewish Answers," *New American Reform Responsa* (Central Conference of American Rabbis, New York, 1992).

HEBREW OR ENGLISH AT AN ISRAELI SERVICE

Walter Jacob

QUESTION: My family and I spend a part of each year in Israel. Although we are beginning to feel at home with spoken Hebrew, it remains rather basic, and we feel ill at ease in the Liberal Jewish services which we have attended. We would like to establish a service which will use English. That effort has been discouraged by various individuals who felt that this was inappropriate in Israel and that it would hurt the Liberal movement in Israel. May we use a service which contains a considerable amount of English in Israel? (Norman Miller, Tel Aviv, Israel)*

ANSWER: Problems with the lack of familiarity with Hebrew are very ancient. Ezra had to explain the Torah to the exiles who returned from Babylon (Neh. 8:7). The Torah and other sections of the Bible were subsequently translated into Aramaic as well as Greek so they could be properly understood.

We find some discussion of the language to be used in prayers both in the Mishnah and the Talmud. Permission to recite basic prayers in the vernacular was granted quite early (M Sotah 7.1; 32bff). Such decisions in favor of the vernacular were carried into all the great codifications of Jewish law (*Yad Hil Qeriat Shema* 2.10; *Tur* and *Shulhan Arukh* Orah Hayim 62;101). In addition to this, of course, many devotional volumes and books of women's prayers were written in the vernacular throughout the Middle Ages (Solomon B. Freehof, "Devotional Literature in the Vernacular," *Central Conference of American Rabbis Yearbook*, Vol. 33, pp. 380ff). Reform prayer books began to use the vernacular in Europe and in the United States. The earliest such liturgy is the Charleston, South Carolina, prayer book of 1824. We have continued to use the

vernacular alongside Hebrew in lands throughout the world. The amount of Hebrew in our services has varied from one locale to another, but we have always retained enough Hebrew to continue a strong bond with the tradition, and enough vernacular to enable our congregants to understand the prayers and to recite them with appropriate devotion and not by rote. This should also be the goal of your services in Israel.

During this period when English remains your primary tongue and the local Liberal services are therefore not meaningful, there is nothing wrong with starting another service for your family and friends that follows the American *minhag* and contains some English. We should remember that *minhagim* connected with ritual, poetry, melodies, and language were often continued by immigrants or long-term visitors in the land in which they found themselves. Since the first century, synagogues in Israel were identified as Babylonian, which meant that they followed Babylonian rites and possibly some Aramaic. Later, of course, many Aramaic prayers were added to all services. In the Middle Ages the immigration of *Sephardim* to *Ashkenazi* lands led to debates and acrimony as local congregations sought to impose a single *minhag* on all Jews in their locale (David Cohen of Corfu, Responsa 11; Moses of Trani, Responsa Vol. 1, No. 307; etc). Such efforts to establish uniformity inevitably failed. In the United States each group that arrived brought its own *minhagim*, and these included variations in liturgy and melody. There would be nothing improper about establishing a minyan that had a service partially in English for the benefit of your friends and family.

*Walter Jacob, "Questions and Reform Jewish Answers," *New American Reform Responsa* (New York: Conference of American Rabbis, 1992).

POPULAR ISRAELI SONG IN THE SYNAGOGUE

Walter Jacob

QUESTION: A youngster in our community has brought an Israeli melody back from a visit to Israel. The words which usually accompany it are rather wild, but he has successfully set a portion of our liturgy to it and it has become popular with our young people. Should this adaption be permitted? (Lloyd Lehman, Los Angeles, California)*

ANSWER: The sources of Jewish music are varied. Some of our music can be traced to melodies used in the ancient Temple (E. Werner, "The Sacred Bridge: A Voice Still Heard"; A. Z. Idelsohn, "Jewish Music"). Other melodies were soon forgotten by the general public but continued in Jewish liturgical use.

There would be problems using the melody you have described in an Israeli setting. There, the association with the profane words would make it objectionable to those acquainted with the song. In our American setting the words are not known, so we are simply left with an appealing melody. The song will probably be quickly forgotten in Israel and its place taken by other pop tunes. It may, however, survive its American liturgical setting and so add to our musical heritage.

*Walter Jacob, "Questions and Reform Jewish Answers" *New American Reform Responsa* (New York: Central Conference of American Rabbis, 1992), No. 18.

POPULAR ISRAELI SONG IN THE SYNAGOGUE

The first and most important detail in the word 'shalom' is that it is a word of peace and not a word of war. It is a word of peace and not a word of war.

Water Hood

...of words, signs and symbols with us and others.

QUESTION: A point in our community has brought an Israeli melody back from a visit to Israel. The word 'shalom' is generally so-...
...it is the father's will, but he has occasionally seen a certain...
...it and it has become popular with our young people.
Should this adoption be permitted? (David Lamm, Los Angeles, California)

...they should be permitted to be used in the synagogue.

...and it is a word of peace and not a word of war.

...the word 'shalom' is a word of peace and not a word of war.

...it is a word of peace and not a word of war.

...it is a word of peace and not a word of war.

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JERUSALEM SOIL INTO THE GRAVE

Walter Jacob

QUESTION: A relative of the deceased has brought some soil from Jerusalem which he wishes the family to place in the coffin. The burial took place some months earlier; should the grave be opened in order to do this? What is the origin of the custom of burying with a vial of such soil? (Hannah Smith, Seattle, Washington)*

ANSWER: Burial in the Land of Israel has been sought by the pious through the ages. Jacob the Patriarch and, later, his son Joseph were taken from Egypt to be buried in Israel (Gen 49:31; 50:13). When this was impossible, some pious individuals traveled to Israel in their old age so that they might die and be buried there. As according to some speculations, resurrection of the dead will begin with the Land of Israel, burial there would ensure earlier resurrection.

In our century burials may be arranged in Israel, and some Orthodox families have done so. Others have sought to emphasize their ties with Israel by including a vial of soil from Jerusalem in their coffin. I have found no traditional sources that mention this custom.

A body may be exhumed for a variety of reasons, including reburial in Israel (*Shulhan Arukh* Yoreh Deah 363.1ff), but not to place a vial of Israeli soil in the coffin. It would be appropriate to sprinkle that soil onto the existing grave without disturbing it, thereby satisfying the wishes of the visiting relative.

*Walter Jacob, "Questions and Reform Jewish Answers" (New American Responsa (New York: Central Conference of American Rabbis, 1992), No.174.

VISITING ISRAEL

Solomon B. Freehof

QUESTION: A couple saved for years to visit Israel for a month. But now they plan to use the money for the college expenses of their children. Have they the right to do so? Is it not a supreme, religious duty to go to Palestine? (Rabbi Allen S. Maller, Culver City, California)*

ANSWER: A person nowadays may want to go to the Land of Israel and consider his visit to be a moral obligation. In that case it is a matter for him to decide how important this is to him in comparison with other uses for his money. But the question here is a deeper one than a sense of group commitment or pride. It is a question of religious duty. Is it a religious duty to go to Palestine and does one violate any religious duty if one fails to do so?

This question of whether it is a religious obligation to settle in the Holy Land has been discussed since the Middle Ages and, interestingly enough, has become again from the *halakhic* point of view the subject of a rather heated discussion in our day. The Chassidim, especially the Satmar group, who consider themselves the most completely and uncompromisingly religious of all Jews, are also bitterly opposed to the modern State of Israel. It is therefore necessary for them (and for those who are like-minded) to come to terms with this religious question. Because of this deep concern on the part of these anti-modern-Israel Orthodox Jews, a considerable literature has grown up on this subject. The most important is the collection by Moses Bloch in three volumes of a work called *Dovev Sifse Yeshenim*, in which he gathers all the opinions of the Orthodox rabbinate of the last hundred years against a modern Jewish state and the plans to establish it. The very first letter in the

SELECTED REFORM RESPONSA

first volume is typical and representative. It is by the famous scholar Jacob of Lissa, addressed to the pioneer protagonist of religious Zionism, Rabbi Zvi Hirsch Kalisch. Virtually all the Orthodox arguments on the anti-Zionist side of the question are marshaled here (as they are in the subsequent letters). It is important in our attempt to solve this question of religious obligation to go through the law systematically. The basis of the law is the very last Mishnah in the tractate *Ketubah* which we are told that a husband may compel his wife to emigrate with him to the Holy Land. If she refuses he can divorce her without even giving her the money stipulated in her *ketubah*. Rashi (in the Talmud, *Ketubah* 110b) says this means a man may compel not only his wife, but his entire family to settle in the Holy Land.

The Tosfos to this passage, however, says that this law does not apply today because it is dangerous to travel there (this was the eleventh century). The Tosfos further quotes Rabbi Haim, who gives a second reason why it is no longer a religious duty to settle there: namely, that there are many important commandments that apply to the Holy Land and that a man may be unable to fulfill nowadays.

This negative point of view is contravened by many other authorities. Nahmanides counts settlement in the Holy Land as one of the *mitzvot*. Isserlein (fourteenth century) in his *Pesakim* 88, acknowledges the great dangers of settlement but says that a man should judge whether he can endure and fulfill the commandments; if he can, he should settle there. The Mordecai (Mordecai ben Hillel, fourteenth century) quotes the Tosfos on the danger of travel and settlement and says that the law therefore is that a husband may not compel a wife to go with him there. Caro (*Shulhan Arukh*, Even

Hoezer 75, 4 and 5) first states the law definitely that a husband may compel a wife to settle in the Holy Land with him but adds, then, "Some say it is dangerous and a man has no right to bring himself or others into danger; therefore (if the journey is short) from Alexandria eastward, he may compel his wife to go with him; but if they live west of Alexandria he may not." Hayim Benvenisti (Turkey, seventeenth century) in his *Keneses Hagdola* to Bes Joseph, Even Hoezer 75, marshals all the arguments on both sides and tends to agree with the above compromise opinion Caro takes in the *Shulhan Arukh*.

There is an interesting discussion of the question from Prague at the end of the seventeenth and the beginning of the eighteenth century. It is a responsum by Jonah Landsofer in his *M'il S'daka* 26. The circumstances are interesting enough to deserve mention. A group of three men decided to settle in the Land and take with them their young children, aged three and four. Many people raised the objection that they had no right to endanger the little children on this perilous journey. Landsofer answers that the commandment to settle in the Land is eternal. As for the dangers that may vary from time to time and place, they must, of course, be considered when we discuss the question of whether a man may compel his family to go with him. But aside from the question of the rights of his wife, if there is not too much danger, it is just as safe for the children as for the adults. A fair statement of the law is to be found in the balanced opinion reached in the *Be'er Hetev* (Judah of Tiktin) to the passage. He says, "Since the question of whether it is a religious duty is a subject of disagreement among the great teachers, it is clear, then, that a man may not compel his wife to move with him to the Holy Land. See also Igros Moshe Hoezer 102 (end), where he says that it is a *mitzvah* for Palestinians to

SELECTED REFORM RESPONSA

dwell in Israel but there is no mandatory *mitzvah* for others to live there.

The question of the religious duty to the Holy Land can be considered a moot question in which, therefore, compulsion of husband against wife may not be applied. For the sake of completeness, we ought to mention that there was a great deal of *halakhic* debate on the reverse of our question; namely, whether a person already settled in the Holy Land ought emigrate to live in the Diaspora. For a full discussion of this question, see *Treasury of Responsa*, pp. 167ff., where there is an account of the responsum on this subject by Yom Tov Zahalon (1557-1638), Rabbi of Safed.

Returning to the case discussed here, it is not even a question of settling in the Holy Land but a question merely of going there for a brief visit. In that regard there is not, as far as I know, any authoritative opinion at all to the effect that a brief visit is to be considered a religious duty.

Now, as to the children, if it were a question of the study of the Torah, let us say it was a choice between the parents' going to Israel and the children studying in the Yeshiva, that question could possibly enter into the discussion. Isserlein cites the fact that in his day there was very little Talmudic study in Israel, and that fact was used as an argument against settling there. But secular education has no standing in Jewish law (although under special circumstances it is permitted), and therefore college education, unlike Talmudic education, could not be weighed against settlement. Nowadays, of course, with the many yeshivot in Israel, according to the recent official Mizrachi magazine, there is a large Orthodox settlement from the yeshivot in America. These yeshiva heads and students are

confident that they can fulfill their religious duties all the better in Israel and hence follow the caution of Israel Isserlein.

In the case mentioned, however, it is first of all not a question of settlement, but of a visit, which is no particular *mitzvah*, and secondly a question of an education that is of no concern in Jewish law. In this case, therefore, the parents may do as they wish.

*Solomon B. Freehof, *Contemporary Reform Responsa*, No.15 (Cincinnati: Hebrew Union College, 1974).

ALIYAH IN FACE OF PARENTAL OPPOSITION

Moshe Zemer

QUESTION: A young man who had just graduated from university is preparing to go on *aliyah* to Israel. His parents strenuously object. They claim that he has visited Israel many times since childhood and may go there as often as he wants in the future. If their only son leaves them he will dishonor them instead of fulfilling the commandment to "Honor your father and your mother." The son counters that his decision was influenced by the Jewish education and the love of Israel that his parents instilled in him. Is there in Jewish law a resolution to this dissension?

ANSWER: We have here a conflict in the observance of two *mitzvot*. On the one hand it has been argued that the Fifth Commandment, "Honor your father and your mother" (Exod. 20:11; Deut. 5:15) is of supreme importance. The thirteenth-century author of *Sefer Ha-hinukh* claimed:

You should be mindful that your father and mother are the reason for your existence in the world. Therefore, it is indeed appropriate that you render to them all the honor and beneficence that you can (*Sefer Ha-hinukh*, ed. Chavell, Jerusalem, 1988, no. 28, p. 79).

On the other hand, great *halakhists* decided that *aliyah* is paramount. Maimonides (1138–1204) decided that settling in *Eretz Yisrael* is a rabbinic ordinance (*mitzvah d'rabban*): "One should always live in the Land of Israel" (*Hilkot Melakhim* 5:12). Nahmanides (Gerona, Spain, 1195–1270) ruled that settling the Land of Is-

rael is a biblical precept and divine commandment equal to all others in the Torah (*Sefer Hamitzvot*, gloss to positive precept 4).

Since honoring one's parents and settling the Land of Israel are both *mitzvot*, does one of them take precedence? Rabbi Meir ben Baruch, the Maharam of Rothenburg (1215–1293), answered this question seven hundred years ago in the following responsum:

You have asked if a father may prevent his son from going on *aliyah* to Israel. Since it has been established that *aliyah* to the Land of Israel is a *mitzvah*, and each such *mitzvah* is followed by "I am the Lord," which means that you should not obey your parent when he commands you to violate a *mitzvah*, because the honor due to God takes precedence (*Responsa Maharam ben Barukh*, no. 79).

The honor due one's parents is not unlimited. Parents do not have to be obeyed when they demand that their child violate a Torah commandment.

The conflict between parents and children about *aliyah* continued throughout the centuries. Rabbi Moses ben Joseph Trani, known by his acronym, Mabit, was the rabbi of Safed in the sixteenth century. He received a question about a young man who had made a vow to go on *aliyah* and settle in the Galilee. His father and mother, however, did not allow him to go. The questioner asks: "Teach us, our Rabbi, if the vow is valid and binding, or may he be released from it."

This family dissonance results from the above noted, seemingly irreconcilable conflict between two Torah command-

ments: filial respect and *aliyah* to the Holy Land. If the son capitulates to his parents' demand he will be prevented from observing the precept of dwelling in the Land. If, in spite of their pleading, he does emigrate, it would appear that he is not honoring his parents.

The Mabit responded that "he neither has to fulfill his vow nor is obligated to obey his father and mother, who told him not to go on *aliyah*," just as he is not obliged to observe their command to violate any other commandment. The Mabit uses the same argument as the Maharam of Rothenburg that the honor due to God and the *mitzvot* of the Torah must be preferred over filial respect. The Rabbi of Safed finally resolves this conflict with a creative *halakhic* verdict:

Both son and father are commanded to dwell in the Land of Israel. The son is not liable for not observing the *mitzvah* of honoring his parents (by remaining in the Diaspora), because they can also go on *aliyah* with him and thereby both the commandments of dwelling in the Land and filial respect will be fulfilled (*Responsa Mabit* 1, no. 139).

Although this radical solution would not seem appropriate to the question before us, it does reflect a major line of *halakhic* reasoning. It would appear that the parents of the young man in our case have an unexpressed agenda. They are fearful that their son will be lost to them. The reality is that many daughters and sons who live abroad are closer to their parents than are others who live in the same city. With modern transportation and communications they can maintain close contact. It is not the physical closeness alone that determines the quality of a relationship, but rather the

SELECTED REFORM RESPONSA

love, understanding, and consideration for one another. Parents raise their children to make mature life decisions, including their choice of profession and mate. Thus, the parents of this young man may be justly proud that their son has made a courageous decision about his future home.

The parents assert that visiting Israel should be enough for their son. This young man apparently prefers the stance of Rabbi Joseph Trani (son of the Mabit), who stated that "the essence of the *mitzvah* is not *aliyah*, but dwelling in the Land and establishing a home there, as the late Nahmanides taught. Anyone who goes there as a tourist intending to return whence he came is not fulfilling the well-known *mitzvah*" (*Responsa Maharit*, 2, no. 28).

Furthermore, if his father and mother supported their son's decision, he would most likely fulfill the teaching of Rabbi Simeon ben Zemah Duran (Rashbatz, 1361-1444), who ruled that going abroad from the Land of Israel is permitted for only two purposes, one of which is to visit his mother and father to fulfill the honor due one's parents (*Responsa Tashbetz*, 3, no. 288). The son or daughter is duty bound to maintain contact with father and mother, including traveling from the Land to the parents' home. If this was the case in the fourteenth and fifteenth centuries, when journeying abroad was dangerous and took many months, how much more is it a *mitzvah* in our day. Although the physical distance may be great, parents and children may be drawn closer together.

QUESTIONS FROM ISRAEL ON PROSELYTISM

Solomon B. Freehof

QUESTION: How does American Reform Judaism view conversion, what is required in contrast to the tradition? Let me also ask a series of brief other questions on matters connected with conversion. (D. Moaz, Jerusalem)*

ANSWER: I shall be glad to answer your letter of July 29, but it is not possible to give a simple and direct answer to each of your questions in the order you presented them. The reason this is difficult is that some of the questions require an explanation of the basic philosophy of the Reform movement, and it would be misleading simply to say "yes" or "no." This situation applies especially to Question 1, to what extent does proselytism by a Reform rabbi meet the requirements of the *halakha* as to (a) circumcision (*brith-mila*); (b) baptism (*tevila*); (c) acceptance of the commandments (*kabalat ol mitzvot*). If I answered simply that we do not do (a) or (b) or (c), I would fail to explain the reason for our basic attitude in such matters.

The attitude of Reform Judaism on ceremonial commandments is that they are secondary to the moral and doctrinal commandments. So our emphasis in proselytism is as follows: We do not *require* as an absolute prerequisite either circumcision or *tevila* but lay great emphasis on the instructions. This should not surprise you, for it is possible according to the *halakhah* to conceive of a conversion without circumcision or the *mikvah* because this was the very subject of the debate in the Talmud (*Yevamoth 46a*) where

SELECTED REFORM RESPONSA

some of the authorities believe that a proselyte is a full proselyte even without circumcision or *mikvah*.

But the debate in the Talmud is not the real reason for our practice. Our general philosophy is that the ethical and philosophical meaning of Judaism is more the essential than the ceremonial. We may correctly say, therefore, that less emphasis is placed on circumcision and *mikvah* and more on instruction. That is to say, it is not the mood of Reform to *abolish* the first two rituals. Some rabbis require it, some do not. In some countries the Reform movement requires it and in some countries it does not. In ceremonial matters we avoid strictness; but on the third element, namely, instruction, we put our great emphasis. In this regard, if I may say so, our method of accepting proselytes is superior to that of Orthodoxy. In Orthodoxy instruction is comparatively minor, although it is indeed required. With us it is major. Most large congregations have a class of proselytes whose instruction will last a half or even a whole year; and as you may well imagine, whereas we teach the various home ceremonies that the candidate will observe (such as Friday night lighting of the candles, etc), our main emphasis in this long instruction is on Jewish history, Jewish writings, Jewish ethics. Forgive this long answer. A short answer would have been no answer at all.

Now with regard to other questions, some I will answer simply "yes" or "no," but with others I will give you a specific case that shows you how it was answered.

2. Proselytism for material purposes, etc: We examine the candidates carefully to make sure that they have serious and worthy

motives leading them to the desire to become Jewish. The difference between us and Orthodoxy, however, is this: Theoretically, but not actually, in Orthodoxy if a person comes to be converted for the purpose of marrying a Jew, this is deemed unworthy, but with us, we consider that the desire to establish a home of unified spiritual mood is a worthy motive. We do not consider that if a candidate wants to be married to a Jew this is unworthy at all. See the relevant section from the report of the Central Conference of American Rabbis on "Mixed Marriages and Inter-marriage," *CCAR Yearbook 57*, 1947. This also answers Question 3.

4. Attitude toward a proselyte and a Cohen: Reform Judaism has abolished all differences in religious standing between Cohanim, Leviim, and other Jews. We are all deemed equal. Question 4, therefore, has no meaning for us.

5. A proselyte continuing with his non-Jewish spouse: We would consider this wrong for the reason indicated in a responsum that I wrote a few years ago that was published in the *CCAR Journal* and is found in *Current Reform Responsa*, p. 215.

6. Could a minor proselyte without his parents? No, we would not break up a family. With the consent of his parents, certainly. This is already mentioned in the Talmud in *Ketubah 11a*.

7. As to the status of a minor who did not proselytize while his parents did, we have made a new provision for children whose parents have become Jewish. The change is in accordance with our general principle: Since the ceremonials of circumcision and *mikvah* are not so important to us as the instruction, we have decided that if such parents wish their child to be Jewish and enter him in our

SELECTED REFORM RESPONSA

school, when he graduates (or is confirmed, usually around the age of fourteen) this is deemed with us to be full and official conversion of the child.

8. To answer this question I must first answer 13e: Is there supreme *halakhic* authority in Reform Judaism? No, the Central Conference of American Rabbis and our other organizations, such as the Union of American Hebrew Congregations, are voluntary organizations for consultation and mutual guidance. We have at the Conference a Responsa Committee of which I have the honor to be chairman. My decisions in answer to questions are made according to what seems to me a balance between the attitude of the *halakha* and the needs of modern times. The decisions are meant for guidance and not for governance. We respect the *halakha* as an expression of Jewish spiritual thought and feeling for two thousand years, and we follow it whenever we deem it possible to do so.

Now, therefore the question of No. 8: The Conference is opposed to the marriage of a Jew with an unconverted non-Jew. A few rabbis, nevertheless, do officiate at such marriages. They are a small minority. Even these few do not officiate indiscriminately, but only under special circumstances as, for example, if the couple are both old people or if they had been married already in the civil courts and the husband is going overseas to serve in the Armed Forces, and so on. So your question deals only with a few special cases, and we have not yet come to a conclusion as to what the status of such children should be.

9. Should the laws of proselytism be changed according to the principle of *Hora'at Sha'ah*? We think so. That is really the

mood of Reform Judaism, but the motive for change must be a serious one.

10. Could a non-Jew become a Jew other than by proselytization? No.

11. Differences in Israel and abroad: my *personal* judgment is that proselytization should be made easier in Israel because the whole environment is Jewish and it is almost inevitable that a home in which one member is a convert will be a truly Jewish home.

12. Is Judaism a nationality or a religion or both? The question would make more sense in eastern Europe than in the western democratic countries. In eastern Europe as, for example, in Soviet Russia, historic groups are considered separate nationalities. In western democratic nations each person is an individual. A nation comprises individuals of equal status, with no separate grouping of nationalities.

Nevertheless, our sense of historic unity and our brotherly bond with the State of Israel is deep and real. The best description of Judaism according to the feeling of most Reform Jews is that we are a religion and a family, with all the intimate relationships that the word "family" implies. This is in accordance with the spirit of Jewish law. A convert is converted not merely to a religion, but to a real kinship. He or she may now marry a Jew and is always part of the Jewish family. In fact, the historic phrase that a convert is like a newborn child is an exact expression of somebody being reborn (*Yevamoth 22a*).

SELECTED REFORM RESPONSA

13a, b, b-1: In actual practice only a rabbi officiates, but according to Jewish law, if necessary a non-rabbi can conduct a conversion.

13c. The authority of *Semicha* of a Reform rabbi: Orthodox rabbis have no legal authority either. The true *Semicha* ended in the third century. What is called *Semicha* today in Orthodox life is really *Hatarat Hora'ah*, the right to teach. In other words, it is exactly equal in status to a graduation diploma. The Reform rabbi has the same rights as an Orthodox rabbi, the right conferred upon him by his education and his acceptance by a congregation. No rabbi in the world has any greater authority.

This should answer 13d, since there is no actual legal authority anywhere in the rabbinate—Orthodox, Conservative, or Reform. I would answer “yes” to d, but an Orthodox rabbi does not recognize the status of any other type of rabbi. 13e is already answered.

14. The relation of a proselyte to his former neighborhood and family: technically speaking, they do not exist for him, but as the Talmud says, he would then justly complain that has left a nobler sanctity for a lower one (*Yevamoth 22a*). Hence, in many ways traditional law recognizes the relationship that remains between the proselyte and his family. The problem arises practically in questions of whether proselytes should say *Kaddish* for their Gentile fathers. This has been answered affirmatively in Jewish law.

15a. I do not know of this occurring often, but it did occur at least once. A proselyte attains an indelible allegiance to Judaism

SOLOMON B. FREEHOF

and can never throw it off again. I know of no statistics regarding 15b or c.

16. My own experience has been that often proselyte women, especially, become more earnestly Jewish than many of their Jewish-born friends.

17. Is conversion *reshut* or *mitzvah*? This is an open question in Jewish law, and as far as the Reform movement is concerned, we still debate it among ourselves. The Union of American Hebrew Congregation, for example, passed a resolution a few years ago that we should go out and seek converts. In other words, it is a *mitzvah*. The Central Conference of American Rabbis has not yet passed on this matter. As I say, it is an open question.

*Solomon B. Freehof, *Contemporary Reform Responsa* (Cincinnati: Hebrew Union College, 1974), No. 1.

and can never know it off again. I know of no statistics regarding the number of people who have been arrested in the last 24 hours.

16. My own experience has been that other people's

opinion, especially, because more earnestly than many of

the people here, is to be trusted in the absence of evidence.

17. It is a question of fact whether the people here are

more law-abiding than the people of other countries.

The Central Conference of American Rabbis has for years

been making a study of the situation in this country.

18. I am sure that the people here are more law-abiding

than the people of other countries.

19. The people here are more law-abiding than the people

of other countries.

20. The people here are more law-abiding than the people

of other countries.

21. The people here are more law-abiding than the people

of other countries.