

Jewish Lineage and Identity

In Mishnah Pirke Avot 5,20 in discussing difficult and complicated discussions, it says:

Any controversy engaged for the sake of heaven shall in the end be of lasting worth, but any that is not will not result in a constructive outcome.

What was an example of controversy engaged for the sake of heaven? The controversy between the Schools of Rabbi Hillel and Rabbi Shammai – Beit Hillel and Beit Shammai.

And what was not for the sake of heaven? Such was the controversy of Korach and all his company.

Korach you may recall was Moses's cousin who was dissatisfied with his personal position in the community and so, in the service of his personal ambition, fomented a rebellion against Moses's leadership.

The explanation of the controversy between Beit Hillel and Shammai, the paradigm for an honorable dispute, is found in the Talmud where it says:

For three years there was a dispute between Beit Hillel and Beit Shammai, the former asserting, 'The law is in agreement with our views,' and the latter contending, 'The law is in agreement with our views.' Then a bat kol, a voice from heaven, announced, 'Eilu v'eilu divrei Elohim chayim..., These and those are the words of the living God, but the law is in agreement with the rulings of Beit Hillel.'

'But,' the Talmud asks 'if both are the words of the living God,' why was the law fixed according to Beit Hillel? Because the disciples of Hillel were kind and modest, they studied their own rulings as well as those of Beit Shammai, and were even so humble as to mention the words of Beit Shammai before their own. (Bavli Eruvin 13b).

The Jewish world at the moment has two main ways of defining who is a Jew. At the last annual meeting, the membership of this community charged me to help explore which of these definitions is most appropriate for Temple Ahavat Achim. I would like to begin this conversation and exploration with you today.

What came to mind as I was working on this sermon is that there is a strong *American* identity of being able to create ourselves, to become whatever we want to be and the fact that this doesn't include being Jewish seems *un-American*. But, then I thought to myself, perhaps that's because the sensibilities of our country grow out of a mainly Christian context and indeed, for our Christian cousins, and for Muslims, a declaration of faith is often sufficient to becoming part of religious community. Judaism, by contrast, maintains a strong element of lineage - while always maintaining that a person without lineage can become a Jew through conversion.

The question is whether Jewish lineage can be from the father as well as the mother. Also in question is the necessity of formal signs of commitment to Jewish life to be considered Jewish.

Today I will lay out some of the key issues and considerations and describe how I would like to proceed this year.

Jewish law that defines categories and says what we should do in different circumstances is called *Halacha*. It is from the verb *leLechet* “to walk” since it offers rules and guidance in how we move through the world. Different Jewish denominations and different communities have different sets of rules and different legal theories on how those rules are determined. Orthodox movements, the Conservative and Reform all have committees or religious courts that determine the *halachic* standards for their communities. These start with our ancient legal texts – the Talmud and Medieval Law Codes. The non-Orthodox movements give more explicit weight to modern circumstances and sensibilities in determining *halacha*. The whole idea of denominations like Conservative, Reform and Orthodox, and denominations having their own *halacha* is a modern phenomenon creating a new challenge for the Jewish world. In the past, Jews were rigorous about the rules or indifferent to them, but the rules were still the rules. Now we have different communities with commitment to often-conflicting definitions and standards of behaviors.

Defining who is a Jew is an example of where there is a conflict between the traditional *halacha* and the Reform movement’s *halacha*. I want to begin to talk about 1983 ruling from the Reform Movement that formalized their criteria for determining who is a Jew. First, for context, here is the definition according to traditional *halacha* from the second century to the present: “The offspring of a gentile mother and a Jewish father is a gentile and the offspring of a Jewish mother and a gentile father is a Jew.”¹

That is the current standard of the Conservative movement of which our Temple is a member. For a bit less than 2,000 years, that has been the standard and practice in the Jewish world until the Reform Movement offered a different definition which is both *less* and *more* restrictive. I’m going to turn to that now.

A detailed study of the *reasoning* behind the final ruling of the Reform movement is not possible to do in a short time and is better left to study together. For our purpose I want to share their conclusions, which are a bit more complicated than the one I just read. [For the full text of the Reform Movement's Resolution on Patrilineal Descent click [here](#)].

“The Central Conference of American Rabbis declares that the child of one Jewish parent is under the *presumption* of Jewish descent.”

¹ Opening line [“The Matrilineal Principle in Historical Perspective”](#) by Shaye Cohen

So, having one Jewish parent, father or mother, gives a status of being *presumed* to be a Jew. First you have the presumption, but that is not sufficient. So, what seals the deal for Jewish identity? The ruling continues...

“This presumption of the Jewish status of the offspring of any mixed marriage is to be established through *appropriate and timely public and formal acts of identification with the Jewish faith and people*. (emphasis mine) The performance of these *mitzvot* serves to commit those who participate in them, both parents and child, to Jewish life. “

The ruling then offers some examples of “*appropriate and timely public and formal acts of identification with the Jewish faith and people*” (and characterizes them as *mitzvot*).

“Depending on circumstances, *mitzvot* leading toward a *positive and exclusive* Jewish identity will include entry into the covenant, acquisition of a Hebrew name, *Torah* study, *Bar/Bat Mitzvah*, and *Kabbalat Torah* (Confirmation).”

Everyone got it? There are two new things here. The one we tend to focus on is that lineage includes *fathers* as well as mothers, but perhaps more dramatic is making Jewish status, in the case of a Jewish father *or* Jewish mother, dependent on performance of certain *mitzvot*.

This ruling is *more inclusive* than the current standard of Conservative and Orthodox Judaism because the *presumption* of Jewishness exists if either parent is Jewish – mother or father.

It is *less inclusive* because Jewish status demands upon specific tangible demonstrations of practice. The Conservative and Orthodox standard does not include any test to validate status.

In conversations on this topic with two Reform Rabbis, both told me stories of refusing to officiate at the wedding of couples because one of them, while having a Jewish parent, had not been raised with any tangible signs of practice and the couple would not commit to having a Jewish home. In one of these cases, it was the mother of this bride-to-be who was Jewish. That means the Reform Rabbi, following the *halacha* of his movement, told this bride-to-be “I can’t officiate at your wedding because you do not have Jewish status according to my Movement, but the Chabad Rabbi will have no problem recognizing you as a Jew.”

There is a common misconception that the Reform Standard confers Jewish status on any child with a Jewish parent. That is not what Reform *halacha* says. It says the child of one Jewish parent has the *presumption* of Jewish descent that must be affirmed through “*appropriate and timely public and formal acts of identification with the Jewish faith and people*.”

Before I discuss the implications of these two definitions of who is a Jew for our community, I want to say a word about conversion, which is a very important part of this equation.

As I mentioned, conversion offers another path to Jewish status. Non-Orthodox conversions are recognized among all the non-orthodox movements. This means that Reform, Reconstructionist and Conservative Rabbis will recognize each other's conversions. (Please don't worry about who the Reconstructionists are, they're just like us).

To be recognized as Jewish in an Orthodox community, a conversion overseen by an Orthodox Rabbi considered qualified by that community is required.

One way to think about conversion is as conferring citizenship. A new citizen may have come to this country as an adult from halfway around the world and had to learn everything – language, history, culture - from scratch. Or, a new citizen may have lived in the United States since before they could talk, and know no other country. They may be the most knowledgeable and patriotic person in their town, proudly American in every way except for the fact that they are not a citizen. In this case, regardless of their authentic knowledge and patriotism, they cannot vote unless they go through a specific legal process. One may be loved, respected and completely integrated into a community and yet not be a citizen. That is why for many conversions we use the more appropriate language of “affirmation.”

As I think about this issue my main interest is the children of the community. How are we preparing them as best we can to lead rich adult Jewish lives?

My assumption is that the children from this community will leave for work or for college and will move, according to national averages, about once every five years. In each of the places they find themselves, they may have multiple options of Jewish involvement and connection to community. It is my hope that they can and will take advantage of those opportunities.

What are the implications of the way our community defines Jewish status for these future relationships with Jewish communities? What are the implications for the relationships between communities?

Here's another story outline I've been told by more than one rabbi discussing this issue: There are two cousins. Both have grown up fully Jewish identified and one of the cousins has a non-Jewish mother. The Bat Mitzvahs come and each wants to have her cousin called to the Torah at her Bat Mitzvah. One belongs to a Reform, and one to a Conservative Temple - you see where this is going. The Conservative cousin is called to the Torah in the Reform shul, and then a few months later on the morning of the Bat Mitzvah, the Reform cousin is told she can not be called the Torah because, despite her life-long identification as a Jew, being the best student in her Hebrew school and leader of her NIFTY youth group,

etc. etc. bottom line is: her mother is not Jewish and she has not had a ritual of conversion. This cousin is hurt and angered by the suggestion that she's not "Jewish" – what else is she if not Jewish?

How could this situation have been avoided? I'll give three suggestions. Our tendency I think will be to argue about the first two, but I'm more interested in the third.

- 1) The Conservative synagogue could have changed its definition and recognize this young woman as Jewish. (I'll speak in a moment about the institutional implications of this option.)
- 2) The young woman or her parents could have asked her rabbi to oversee a ritual immersion, thus giving her Jewish status under Conservative *halacha*. Also, before she was able to ask, her parents could have had a formal ritual when she was a baby.
- 3) The young woman in the Reform movement, and her family could have understood the issue such that she was not put in the painful situation of having her Jewish identity questioned.

To paraphrase these three options:

1. The institution can change its definition of status,
2. The individual can change their status or
3. The individual can be educated to not be put in a painful situation where they feel delegitimized.

As I said, I think our tendency is to debate options 1 and 2. What I want to focus on is option 3 – education about the reality of the Jewish world we hope our youths will enter.

In TAA's Sylvia Cohen Religious School we are devoted to creating a nurturing atmosphere and honoring each family's religious expressions within Judaism. Whether we adopt the Reform Movement standard or not, the reality is that within the wider Jewish world we are trying to prepare our students to enter, there are distinctions that will delegitimize some of them.

I want students coming out of our school to find a social and spiritual home in Jewish Community. To increase that possibility, we need to prepare our kids for the real complex, wacky, fractured Jewish world. I do not want to avoid those issues and therefore leave them vulnerable to wander into settings where they feel hurt and delegitimized.

I want your help thinking about how we set our students up for meaningful adult lives and inoculate them against some of the difficult challenges they may face in Jewish settings. The Jewish world is wide and wonderful. Growing up in a Reform congregation in Brookline I never imagined myself learning in a Modern Orthodox yeshiva in Jerusalem, but there I was, and it was a great experience. For my roommate and closest friend there, it was the end of his Jewish involvement. He also arrived with terrific energy and desire to learn. And he was completely ignorant that because his mother isn't Jewish, he could not

participate in most of the ritual life of the community. That wrenching painful year was the end of his Jewish seeking and learning.

The institutional implications of adopting the Reform movements definition of Jewish status are simple but not easy.

a) Practically speaking, adoption of the Reform Movement standard would necessitate ending TAA's affiliation with the Conservative Movement. There is no wiggle room here. We cannot remain a Conservative shul and adopt Reform Halacha on Jewish identity.

This would mean we could become "unaffiliated", or affiliate with the Reform or Reconstructionist Movements. Affiliation is a way to identify with the particular values and practices of a movement and to get support in programming and education. It also means we will pay dues to that movement.

b) Symbolically, affiliation has deep meanings for people because of their upbringing and what the movements stand for in our minds.

This is an important part of the conversation and I look forward to learning more about what these different Jewish institutions mean to people. As we begin this conversation, I would encourage us to try to distinguish between the *practical* and the *symbolic* meanings of affiliation and non-affiliation. Failure to do so is disempowering.

We as a Jewish community can choose our path and our community standards. We may want guidance from institutions; we may find practical benefit in affiliation. But we are selling ourselves short if we are asking those institutions to define us. Unaffiliated synagogues can still be guided by the *halacha* of the Conservative Movement as their basis for community standards. It may be easier to pick up a menu and call for take-out but what we need to do is see what's in the fridge, who's willing to cook, and plan the meal.

What will happen this year?

- A. After I return from paternity leave, I will set up several study and discussion sessions to look at the positions of the Reform and Conservative movements, the reasoning behind those positions and their implications for our community.
- B. I will be reaching out to many of you personally to discuss this issue and understand how it affects you and hear our feelings and ideas.
- C. As soon as I feel ready, I will make a recommendation to the Board on how we should proceed.

I am confident that some people will be frustrated and angry with any final decision – and this should help us not be so worried about making someone frustrated and angry. We will not be able to satisfy everyone and do not need to try. This is a question about the proper alignment for this community, that connects us from the past to the future and to our sister Jewish communities in the present.

May we behave like the School of Hillel who cared enough to be able to understand and

respectfully articulate the positions with which they disagreed. May our kindness, modesty and humility help us find the right direction for our community.