

OFFICE OF THE CHIEF RABBI

TELEPHONE:  
EUSTON 1066 (4 LINES)  
CABLES:  
CHIRABINAT LONDON W C 1

ADLER HOUSE,  
TAVISTOCK SQUARE,  
LONDON, W.C.1.

The "Who is a Jew" Crisis

The following elaboration on his stand in the "Who is a Jew" controversy, now happily vindicated by the NRP's decision to rejoin the Government, is presented by the Chief Rabbi in response to several requests for the information of colleagues. Some of his considerations were included in his Hendon lecture (of which a copy was sent to you), though for obvious reasons he did not wish to publicize all the points listed here.

1. By concentrating all public attention on the "Who is a Jew" issue during the present emergency, our religious leadership lost a unique opportunity for responding to the profound spiritual yearnings evoked by the Yom Kippur War. Instead, this diversion has alienated and embittered large sections of our people at a time when they might have been more receptive to religious influences than ever before. By a concerted effort, unhampered by divisive partisanship, we could well have secured far more important gains, including some religious instruction at all Israeli schools, popular confidence in rabbinic leadership, and an appreciation for Jewish spiritual values. The war revealed a desperate need for religious faith, moral discipline and national solidarity to overcome the despondency, turpitude and fragmentation now rampant in Israeli society.
2. To most Jews the supreme anxiety at this time is Israel's survival and security. By exploiting a fortuitous political bargaining position to extract a religious concession, even at the cost of stalling attempts to form a government, the NRP laid itself open to the charge of neglecting the overriding need for a strong government to safeguard Israel's vital interests in the current crucial peace talks -- a charge which might for long haunt religious Jewry in its endeavours to assert the primacy of Torah in Jewish life. It might also further erode the appeal of the religious parties.
3. Sadly, the agitation was doomed to failure. It was hardly realistic to expect the Mapai-dominated government, backed by the secularist majority of Israel's Parliament and population, to capitulate to a demand which, however justified in itself, they were bound to regard as affronting some two-thirds of American Jews by disowning their spiritual leaders. A little foresight would have avoided a futile confrontation, a grave religious set-back and a political humiliation for Orthodox Jewry, not to mention a prolonged internal crisis in Israel.
4. The only real outcome of this unhappy episode has been greatly to strengthen the influence of Reform and Conservative Judaism inside and outside Israel. The dissidents have been given a standing and support they never previously enjoyed in Jewish religious affairs, whilst Orthodox Jewry has been brought into disrepute.
5. As averred in the Chief Rabbi's essay on "Who is a Jew" published in 1971, this painful debate on the identity of the Jew undoubtedly touches on the very core of the Jewish conscience and the essential unity of the Jewish people. The issue also vitally affects the devastating inroads of intermarriage, by encouraging marriage with non-



Jews whose "conversion" cannot be recognised by Jewish Law. The urgency of resolving this problem is not in question. But what is questionable, apart from raising it at this particular time when for years the NRP were content not to precipitate a political crisis over it, is the feasibility, if not the wisdom, of settling the matter through political bargaining or civil legislation in the Knesset, even in normal times, especially in the light of the unsuccessful past efforts to amend the Law of Return. In the final analysis, the religious character of the Jewish State will be determined not by legislation or coercion, but by persuasion, especially by raising the younger generation as G-d-fearing and practicing Jews.

6. The intolerable problem of non-Orthodox "converts", who are regarded as non-Jews by those faithful to Halachic Judaism and as Jews by others, bedevils the Diaspora far more than Israel, where immigrants include but a handful of such "converts" (and where these are in any case subject to Orthodox jurisdiction for marriage purposes,) compared with thousands of Reform "converts" in America. Hence, any campaign to eliminate the problem should be conducted outside rather than inside Israel.
7. Even if the amendment "Giyur Ke-halacha" were passed in Knesset, it would be fraught with grave dangers to the integrity of Halacha. It would in effect compel Israel's rabbinate to give Orthodox authentication to Reform "conversions", by necessitating a formal "reconversion" which would consist of a Tevila without any meaningful Kabbalat Ol Mitzvot, thus perverting Halacha itself. At present, the rabbinate is free not to recognise non-Orthodox "conversions" but once the State requires "Giyur Ke-halacha", how can the rabbinate withhold its approval (by an empty ceremonial) from immigrants who will live in Israel and yet refuse to share our religious beliefs and practices?  
Shall they be compelled to send their children to Arab or Christian missionary schools to avoid being raised as Jews? One would sooner have such "converts" misleadingly entered as Jews on civil identity-cards than be forced to give Orthodox sanction to "conversions" which would make a mockery of Halacha.
8. Moreover, "Giyur Ke-halacha" even if carried out under Orthodox auspices, provides no absolute guarantee against conversions as worthless as non-Orthodox "conversions". As we know only too well from tragic experiences in this country, "conversions" within a few weeks by "ultra-Orthodox" rabbis in Mea Shearim are available for a financial consideration even to British tourists who afterwards return here with imposing conversion certificates and yet are as remote from Shemirat Shabbat, Kashrut, etc., as they were before their trip to Israel.
9. "Who is a Jew" is a religious matter which concerns all Jews, not a subject for civil legislation by Israelis. The only solution to this long-standing problem is to remove the determination of Jewish status from secular authorities to the jurisdiction of the Israel rabbinate, insofar as immigrants to Israel are concerned. For the rest of the world, and particularly America, renewed efforts should be made (previously initiated by Rabbi J.B. Soloveitchik and now supported by others inside and even outside Orthodox ranks) to devise an agreed formula whereby all matters of personal status will eventually be governed by Halachic norms.
10. In the meantime, during the present emergency, a moratorium on all pro- or anti- religious legislation in Israel should be accepted by all parties to prevent further divisiveness, to promote goodwill, and above all to concentrate all energies on strengthening the spiritual defences of the Jewish people at this critical time when we determine "Who will be a Jew" after us.

The agreement of the NRP to join the Government happily reduces the immediate tension and paves the way for a more considered and constructive approach to the wider field of religious interests in Israel. A united response is now called for from the entire Jewish people: we must intensify the religious education and spiritual commitment, especially of our youth, in order to achieve the ideal of

אָרץ יִשְׂרָאֵל לְעַם יִשְׂרָאֵל עַל פִּי הוֹרָה יִשְׂרָאֵל