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Sh'ma

A JOURNAL OF JEWISH RESPONSIBILITY

In this Issue

From time to time, Sh'ma will examine policies which directly affect the identity and cohesiveness of the Jewish people. We inaugurate this series, called *Unity Watch*, with an internal dialogue among Reform rabbis on the subject of patrilineality.

Patrilineal descent: no regrets

Janet R. Marder

A young woman called my office yesterday to say that she was marrying a Jewish man and would like a list of rabbis willing to co-officiate with a minister at their wedding. I told her, as I always do, that I could not provide such referrals. Some people get angry at this point; she did not. "We'd really like to learn about each other's religions," she said. "Do you offer any classes in basic Judaism?" I told her about the classes and about the "Times and Seasons" discussion groups our movement offers for interfaith couples, married and unmarried. She seemed pleased to have the information. Then she tried one more time to solve the problem most on her mind. "Suppose we had two ceremonies," she said, "one in a church and then another one in a synagogue. Do you suppose we could find a rabbi then. We'd just like to find a way that both religions could give their blessings to our marriage."

After Love

Over the past five years I've had hundreds of these phone conversations. They are always painful. This one struck me as unutterably poignant. A sweet young woman, on the eve of her marriage to a Jew, asks for our blessing. She would be surprised, I imagine, to learn that for us she is not merely a happy bride-to-be but a problem, a source of concern and even anguish: one more statistic in the inter-marriage toll.

I heard in her voice not only disappointment at my failure to give her the wedding she'd wanted, but also her real effort to come to an honorable arrangement with her marriage partner. They love each other. They approach each other with sensitivity and respect, neither wishing to compel or deprive the other, both eager to make their wedding, like their marriage, a joyous sharing of differences.

It is for couples like these that our movement created an outreach program; it is for their sake that the Reform movement affirmed the principle of patrilineal descent.

A Re-Evaluation

When it arrived on the Jewish scene in March 1983, the Central Conference of American Rabbis' "Resolution on the Status of the Children of Mixed Marriage" evoked a storm of debate. A decade later, it remains one of the most controversial steps our movement has taken. The Orthodox, to no one's surprise, attacked it

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vehemently, calling it "halakhically and morally indefensible" (Rabbi Marvin Sugarman). Others denounced it as a cynical political maneuver designed to bolster Reform ranks by declaring non-Jews to be Jews.

Other Reform innovations, such as the ordination of women rabbis and outreach programs for interfaith couples, have eventually been embraced by the Conservative movement. Patrilineal descent has not, despite the support of some prominent Conservative rabbis. Even within the Reform movement, a small minority continues to reject the patrilineal descent decision.

The enduring opposition of our more traditional colleagues should provoke us to ask ourselves some evaluative questions about patrilineal descent. So also should the results of recent demographic studies of American Jewry showing (depending how you interpret the statistics) that 45-52% of Jews who married since 1985 have chosen non-Jewish partners; that only one in 14 (7%) of intermarriages involve a conversion to Judaism; and that only about a third of the children of mixed marriages are being raised as Jews.

Remembering the Goal

How might we gauge the success or failure of the patrilineal descent decision? To do that we need to remind ourselves of what the critics warned it would do, and also of our own hopes for what the resolution did and did not say. It did not say that from now on Jewish descent would be traced through the father. It did not say that the children of Jewish fathers and non-Jewish mothers were Jews. It said, instead, that Jewish status may be conferred on a child of mixed marriage by either the mother or the father. It added, in a significant innovation, that such status was provisional and potential; it must be "established" by the child's participation in *mitzvot* such as *berit milah*, acquiring a Hebrew name, and receiving a Jewish education leading to *bar/bat mitzvah* and confirmation.

In other words, patrilineal descent made it possible for Jews whose spouses were unable or unwilling to convert to Judaism to raise their children as Jews. It was based on the belief that a non-Jewish parent, male or female, could be genuinely committed to, and capable of, rearing Jewish children, provided he or she had the assistance and support of the Jewish parent and the synagogue. It is difficult to argue with the truth of this assertion when so many of us know non-Jewish fathers and mothers who are doing just that. One of them, Andrea King, has written a

book in which she described exactly how other couples might do the same (*If I'm Jewish and You're Christian, What Are the Kids?*, UAHC Press, 1993).

Unity Was Not Further Damaged

But the validity of patrilineal descent does not depend solely on whether it is based on a correct assumption. Perhaps, given sufficient support, it is possible for a non-Jewish parent, even a mother, to help rear Jewish children. Should the Reform movement then recognize such children as Jews? Does that not split the Jewish community irrevocably, shattering the unity of *klal yisrael*? Does it not send a message that conversion is unnecessary, thus encouraging Jews to intermarry and removing incentives for non-Jewish spouses to convert?

These were the primary charges leveled by the critics of patrilineal descent. Have their predictions been fulfilled over the past ten years?

Patrilineal descent, it was argued, would create a sizable group whose Jewish status was disputed--recognized as Jews by the Reform movement but by no

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one else in the Jewish world. Marriage with such "patrilineal" Jews would be impossible for Orthodox and Conservative Jews, consequently making marriage to any Reform Jew a risky business, since one could never be sure if he/she was "really" Jewish. It's important to realize that the same dire predictions have been uttered for decades, ever since Reform rabbis began to convert people to Judaism and chose to recognize civil divorce in lieu of *gittin*. Has the Jewish world been shattered? Certainly the various denominations work in relatively separate enclaves though we are still able to cooperate on projects of common concern. In practice, these decisions of the Reform movement did not make marriage between Reform and Orthodox Jews impossible; they simply meant that more couples sought to be married by non-Orthodox rabbis. If *klal yisrael* survived the *gittin* decision which created the problem of *mamzerim* for which there is no halakhic solution, it will surely survive the patrilineal descent decision, since a halakhic solution is readily available--namely, Orthodox conversion.

Don't Make Patrilineality the Whipping Boy

And what are we to make of the recent study conducted by Dr. Egon Mayer, in which 70% of the Conservative laity surveyed said that if a grandchild of theirs was being raised as a Jew they would recognize him or her as Jewish, even if the mother was a non-Jew? In the court of public opinion, it seems patrilineal descent has triumphed. Most Jews, Reform and Conservative alike, do not want to lose their grandchildren. Patrilineal descent has not split the Jewish community; it has only embroiled us in another denominational dispute when our energies are better spent elsewhere.

What of the second and more serious charge? Has patrilineal descent promoted intermarriage and discouraged conversion? Certainly the intermarriage rate has continued to rise. But patrilineal descent, like the outreach program, was not an effort to stop intermarriage. It was a strategy for coping with the inescapable fact that thousands of Jews had chosen non-Jewish marriage partners--partners who for whatever reason had not (yet) made the decision to convert. It left the door open for Jews who, despite having married out of the faith, retained a genuine attachment to their people and wished to transmit Judaism to their children. The demographic studies bring us the sad news that too few intermarried Jews have chosen to raise Jewish children. The studies tell us, however, not that patrilineal descent was a mistake, but that most interfaith couples are either unaware of, or indifferent to, its message.

The conversion issue is especially crucial. While the number of conversions has risen steadily since the mid-sixties, it is still far too low. Studies have shown that there are vast differences between mixed married and conversionary homes, that the latter are far more likely to join a synagogue, educate their children Jewishly, observe Jewish holidays, give to Jewish causes and visit Israel. Certainly it is in our interest to promote Jewish marriage and conversion to Judaism as assertively as possible. Our movement has taken steps to address this issue, and I hope it will do much more.

A Commitment for the Future

Does patrilineal descent send a counter-productive message? I don't think so. Not unless we assume that matrilineal descent has sent a similar message to Jewish women for thousands of years, encouraging them to marry non-Jewish men, assuring them that the fathers need not convert for the children to be Jewish. Patrilineality, properly understood, is not an invitation to intermarriage. It is a refusal to give up on the already intermarried. It is a refusal to bludgeon non-Jewish women into a *pro forma* conversion in time for the wedding or the birth of the first child--a conversion that is both halachically and morally unacceptable. It is recognition that sincere conversion may be a long process (fully one-third of conversions occur sometime after marriage) and that the way to draw non-Jews closer to the Jewish people is not by coercing them into conversion but by welcoming them into our synagogues, giving them the tools to maintain a Jewish home, helping them to taste the richness of Judaism as fully as possible.

In a sense, the dispute over patrilineal descent revolves around a question of power--namely, do we have the power to prevent or at least reduce intermarriage? Or must we accept it as inevitable and simply come to terms with it as best we can? I happen to believe we do have some power in this area. Not we rabbis alone; it is clear to me that individuals marry people they love despite rabbinic pronouncements or policies. But we as a total Jewish community have power. From what I have seen of intermarried couples, it is the partner with a stronger religious commitment who determines the religious identity of the family and children. We have the power and the obligation, then, to raise as many Jews as

In the court of public opinion, it seems patrilineal descent has triumphed.

possible with powerful religious commitments. Parents and schools, synagogues and federations must work together to produce children whose attachment to our faith and people is so profound that they know they will not be happy in marriage unless their partner supports them in their desire to live as a Jew and raise Jewish children. □

Patrilineality

Sheldon Zimmerman

As one who supported and advocated for the patrilineal decision of the Central Conference of American Rabbis, it is important for me to review why we did what we did and what time and further review have brought with them.

Nearly fifty years ago, Rabbi Solomon Freehof, *zt'l*, had articulated the position that children of interfaith marriages whose families affiliated with our congregations would be accepted in our religious schools. Further, with the completion of their education and confirmation, we would accept them fully as Jews. Bar/bat mitzvah and confirmation were accepted as equivalent to the ritual of conversion. This has been the position of the Reform movement even longer than fifty years and predates the "patrilineal" decision with all its media hype. There are generations of Jews in our congregations and communities whose Jewish loyalty, commitment and involvement were formed in this way.

A Jewish Mother is not Sufficient

The 70's brought significant demographic changes. Interfaith marriages have increased dramatically in number. The number of children in interfaith families also increased. Many of these families did not affiliate and thus there were so many children (many of whom were Jewish by halakhic definition, i.e., the children of Jewish mothers) who were not receiving any form of Jewish education. There were so many children of Jewish fathers (not Jewish by halakhic definition) who were not receiving any Jewish education. In both cases, children who were or could be Jewish were being lost to us.

There were concerns voiced that the biological definition of Jewishness, i.e., birth to a Jewish mother, was not sufficient to capture the hearts and souls of our young and ensure continuity. Surely one's Jewishness was dependent on acts of commitment, education, living a Jewish life, mitzvot, etc. Could we still argue that a birth definition was adequate or sufficient? Our feeling was that it was no longer adequate or sufficient. Particularly in the case of interfaith marriages, birth to a Jewish mother was no longer a guarantor or even an adequate sign of one's Jewish identity or commitment. Acts of affirmation and education were necessary.

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adequate or sufficient?**

In addition, the argument of sexual equality and *yosher* was made. Although there may have been historical reasons at one time for a matrilineal definition of Jewishness, those reasons no longer held. In addition, why should a Jewish father have any less claim on the Jewish identity of his child than a Jewish mother?

In light of these arguments and some others, the Central Conference of American Rabbis decided that children born to interfaith couples, regardless of which parent was Jewish, were to be presumed Jewish, with their Jewish identity to be affirmed by education, mitzvah observance and other Jewish acts.

Pluses and Minuses

What have been the results? Thousands of interfaith families now had and made use of the opportunity to educate their children and raise them as Jews. Children of Jewish fathers, in particular, felt fully a part of the Jewish community without being segregated or looked down upon because the "wrong" parent (in view of the biological definition) was Jewish. This has been and continues to be a *plus*.

Many in interfaith families now understood that their children's Jewishness could not be based on birth alone. The "halakhic" definition was found wanting. In the case of children of interfaith marriage, Jewishness and Jewish identity were determined *now* by what you did, the mitzvot you followed, the quality of Jewish life in your home and other acts. Thus, the Reform movement *raised the standards and expectations* for children of interfaith marriages. Ideally, another plus!

Yet, there have been minuses. Many misunderstood the position and decision. They thought that birth to a Jewish parent was adequate and sufficient. Rather than

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