

Rabbi Bleich, spiritual leader of Congregation B'nai Yehuda, in New York City, is the well-known contributor of one of our most popular regular features, "The Survey of Recent Halakhic Periodical Literature," which will be resumed in our next issue.

BLACK JEWS: A HALAKHIC PERSPECTIVE

There is an apocryphal story which relates that when Ben-Gurion was a young man he met a gentleman from France who pointedly described himself as being a Socialist, a Frenchman, and a Jew — in that order. Ben-Gurion responded by indicating that he fully acceded to this descriptive order and explained himself by saying, "Because, you see, we Jews read from right to left." Political affiliation, national citizenship — and color — are all extraneous to the essence of Jewish identity.

Judaism is color blind; skin pigmentation is unknown as a halakhic concept. The problem of determining the status of the various communities of Black Jews is totally unrelated to color. The sole issue is that of Jewish identity. The question of recognition of Black Jews as members of the Jewish community must be seen within that context; as such it is simply one instance of the much broader question: "Who is a Jew?"

The problem of Jewish identity is a crucial one. It is not to be dismissed as being merely a theoretical question in the realm of speculative anthropology; it is an issue closely associated with Jewish survival. Jews have managed to preserve their identity over a period of millennia without becoming assimilated into the dominant culture of their lands of habitation whereas other ethnic groups have disappeared within relatively short periods of time. Despite their wide geographical dispersion, frequent (and sometime forced) migration and lack of an autonomous homeland, Jews have nevertheless somehow succeeded in preserving their ethnic identity.

The problem of Jewish identity is by no means a new one; it

Black Jews: A Halakhic Perspective

is as old as Judaism itself. *Yalkut Shimoni*¹ reports that at the time of the giving of the Torah on Mt. Sinai the gentile nations became exceedingly jealous. They, too, wished to be the recipients of the revealed word of God and to share in the prophetic experience at Sinai. The Midrash depicts God as brusquely rejecting their claim with the retort, "Bring me the record of your pedigree as My children are bringing." This, declare the Sages, is the meaning of the verse ". . . and they declared their pedigrees after their families . . ." (Numbers 1:18). In order to be counted among the members of the community of Israel and to be granted recognition as a Jew it was necessary for each of the wanderers in the wilderness to present documentary proof or to produce witnesses prepared to testify with regard to the genealogical purity of the petitioner's lineage. Apparently, even at that early date, there were individuals who sought to identify themselves as Jews but whose claims to lineal descent from Abraham, Isaac, and Jacob were spurious. An authentic claim with regard to genealogical identity, then as now, was the *sine qua non* for recognition as a member of the Jewish faith-community by virtue of birth. The sole—but crucial—condition which must be met by a claim to Jewish identity by virtue of birth is that it be predicated upon authentic Jewish parentage, i.e., birth into a family whose claim to Jewish identity is recognized as having already been confirmed, perhaps as far back in the family history as on the occasion of the original census taken by Moses when all families were required to "declare their pedigrees."

The only question with regard to the status of Black Jews which is germane is whether or not they have established a valid claim to Jewish identity either by virtue of birth or of conversion. There are, however, numerous distinct communities of Black Jews and the claim advanced by each group must be examined on its own particular merits.

I

Historically, the question first arose with regard to the Falashas, the Black Jews of Ethiopia. The earliest reference to the

Falasha community is contained in the diary of Eldad ha-Dani, a ninth-century merchant and traveler who professed to have been a citizen of an autonomous Jewish state in Eastern Africa inhabited by the tribes of Dan, Naphtali, Gad and Asher. The reports of Eldad ha-Dani were given credence as a result of the endorsement of the then Gaon of Sura, Zemach ben Chaim, who vouched for Eldad's reliability and trustworthiness. Although scholars such as Abraham ibn Ezra² and Meir of Rothenberg³ expressed reservations with regard to the veracity of Eldad's narrative, other rabbinic luminaries such as Rashi, Ravad and Abraham ben Maimon cite Eldad as an unquestioned authority. Eldad ha-Dani speaks of the Falashas as Jews and describes the religious practices followed by the Falasha community. Since at that time, and for generations thereafter, there was little or no traffic between Abyssinia and the Jewish centers of Europe and Asia, the question of the Jewish identity of the Falasha community was entirely a matter of speculative curiosity.

The matter did, however, become the subject of halakhic adjudication in the responsa of Rabbi David ibn Zimra (1479-1589). By that time, a fairly extensive slave trade preying upon inhabitants of North Africa seems to have developed. R. David ibn Zimra, or Radvaz, as he is known in rabbinic literature, was presented with a halakhic question which not only called for a clarification of the religious status of the Falashas but also describes the adversities which they suffered.⁴ A Falasha town or settlement was attacked, the males slaughtered and the women and children taken captive. One woman, whose husband was presumably among the slaughtered, was purchased as a slave by a Jew who subsequently entered into a sexual liaison with her which resulted in the birth of a son. Later, the son sought to marry a young lady of Jewish parentage and Radvaz was asked for a ruling with regard to the permissibility of the forthcoming marriage.

For Radvaz, the question of the captive's identity as a Jewess was not at all in doubt. "It is clear that she is of the seed of Israel, of the tribe of Dan," declares Radvaz. Describing the prevailing circumstances he writes:

Black Jews: A Halakhic Perspective

There is constantly war between the kings of Abyssinia, for in Abyssinia there are three kingdoms, part of the land is inhabited by Moslems, part by Christians steadfast in their religion, and part by Jews of the tribe of Dan . . . and daily they take captives one from the other.

Radvaz was concerned solely with the question of bastardy which, in turn, is predicated upon the possibility that the husband, unknown to his wife, may have been spared or may have escaped. If the captive's husband was yet living when she consorted with her master, the child born to them would, of course, be a bastard and forbidden to marry a Jewess of legitimate birth. If, however, her husband had indeed been killed, the captive's status would have been that of an unmarried widow. According to Jewish law, a child born out of wedlock to an unmarried mother does not bear the stigma of bastardy. Radvaz was called upon to decide whether, in the given instance, the child should be considered to be of legitimate birth, whether he should be declared a bastard or whether, in light of the mother's uncorroborated testimony with regard to the prior death of her husband, the status of the child must remain clouded by unresolvable doubt.

Presented in this manner, the question is simply the classic *agunah* problem in one of its many guises. As such, the question as raised was individual in nature and represented a matter of concern primarily to the persons involved.^{4a} However, the ramifications of this responsum go far beyond the question at hand. The question reflects a matter of far broader concern since it is one which could not conceivably arise unless the Jewish identity of the Falasha community is antecedently accepted. Since bastardy is a matter of concern only with regard to Jewish issue, no problem is posed unless it is assumed that the child is of Jewish parentage.

Radvaz was concerned with yet another factor which might serve as a barrier to marital alliances with any member of the Falasha community. This latter consideration, also, is germane only because Radvaz regarded the Falashas as Jews. The religion professed and practiced by the Falasha community is a form of Mosaism;⁵ the Falashas are totally ignorant of the Oral

Law. "They appear to be of the sect of Zadok⁶ and Boethus known as Karaites," declares Radvaz. Since they are indeed Jews, marriages contracted by them are entirely valid but, points out Radvaz, their divorces are defective because they are not performed in accordance with the usages of Jewish law. Furthermore, by virtue of their adherence to Karaite heresies, the Falashas are disqualified from serving as witnesses. Hence, any *get* (bill of divorce) signed and delivered in the presence of Falasha witnesses is invalid.⁷ The absence of a valid divorce, of course, precludes the wife from validly contracting a new marriage. The issue of any subsequent (invalid) marriage entered into by the wife would be halakhically categorized as bastards. Radvaz was one of many authorities who were concerned with the permissibility of marriage between Jews and Karaites. In view of the long period of time which had elapsed since the Karaite schism is the ninth-century it was inevitable that numerous Karaite women had, in the course of centuries, been divorced according to Karaite usage. Many undoubtedly remarried and gave birth to children halakhically forbidden to marry Jews of legitimate parentage. Thus, the suspicion arose that any given prospective Karaite bride or groom might bear the stigma of bastardy.

Radvaz, however, does find grounds for permitting Karaites—and Falashas—to marry within the Jewish fold without restriction. He argues that although their divorces are defective by virtue of the use of unequalled witnesses, it may be assumed that members of the Karaite community are also married in the presence of Karaite witnesses. Since Karaites are disqualified from serving as witnesses, marriages contracted in the presence of Karaite witnesses have no halakhic validity. Since a valid marriage does not exist, it follows that a bill of divorce for its dissolution is superfluous. In light of these considerations, Radvaz rules that there is no suspicion of bastardy with regard to members of the Karaite or Falasha communities. Accordingly, declares Radvaz, marriage to a Falasha is permissible provided that the marriage partner is willing to accept the practices of rabbinic Judaism.

In a subsequent (and presumably later) responsum,⁸ Radvaz

Black Jews: A Halakhic Perspective

expresses grave reservations with regard to Falasha eligibility for marriage within the Jewish community, but is explicit and even more emphatic in his opinion that they are unquestionably of Jewish lineage. The responsum in question was written in reply to a query regarding how one should comport oneself *vis-a-vis* a Falasha who had been acquired as a slave. Radvaz states unequivocally:

Therefore, . . . with regard to the Falasha slave, since it has become clear that he is a Jew, this purchase is nought but the ransom of captives, not the purchase of a slave, and the obligation was incumbent upon all of Israel to redeem him . . .

Although the “slave” must be granted freedom, Radvaz stipulates that the ransomed captive may be obliged to serve as a laborer or as an indentured servant for a fixed period of time in order to compensate the purchaser for the sum of money which had been expended in the “ransom” of the captive.

Radvaz felt constrained to add that Falashas taken captive must be ransomed even though they conduct themselves as Karaites. The halakhic obligation regarding the ransoming of captives does not encompass sectarians and, accordingly, Radvaz affirms that there is no obligation to ransom a Karaite who is taken captive. Yet, despite Radvaz’s belief that the Mosaism of the Falashas is the result of Karaite influences, Radvaz rules that the Falashas have not placed themselves outside the pale of the Jewish community and are not to be looked upon as sectarians. With regard to the absence of an obligation to ransom Karaite captives Radvaz writes, “. . . it seems that this is so only with regard to those who dwell among the Rabbanites . . .” The Falashas in particular are not to be branded as sectarians, opines Radvaz, since

. . . these who come from the land of Kush are without doubt of the tribe of Dan and because there are not among them scholars, masters of tradition, they seize unto themselves the literal meaning of Scripture . . . they are as a child who has been held captive among idolators.

Consistent with this newly formulated position but in contradiction to his earlier stated view, Radvaz concludes:

TRADITION: *A Journal of Orthodox Thought*

But with regard to genealogy I fear lest their marriages be valid but that their divorces are not as has been ordained by the Sages, or blessed memory, for they are not at all acquainted with the form of divorces and marriages.⁹

A disciple of Radvaz, R. Ya'akov Castro, in a gloss to *Yoreh De'ah* 158:2, cites the opinion of his teacher and similarly declares the Falashas to be descendants of the tribe of Dan. But, curiously, the same author, in a gloss to *Yoreh De'ah* 267:14, reports that it was customary to execute a writ of manumission (*get shichrur*) in emancipating ransomed Falasha captives. Apparently, the established Jewish communities came into contact only with Falashas who had been captured and sold into slavery. It appears that the purchase or ransom of Falasha slaves by a Jew was not an infrequent occurrence. When a Falasha slave was acquired by a Jew, the question of the religious status of the Falashas became a matter of great significance in determining the master-slave relationship. Radvaz, as noted, ruled that since the Falashas were to be regarded as Jews they could not be held as slaves. Were they to be regarded as non-Jews their status would have been that of a "Canaanite slave" who upon emancipation by means of a bill of manumission acquires the status of a Jew. Since no bill of manumission is required for the release of a Jew from bondage, the fact that such writs were actually executed tends to indicate that the status of Falashas was beclouded and was at least a matter of doubt. Rabbi Castro, however, points out that were a Falasha belonging to a Jewish master indeed to be regarded as a Canaanite slave, in addition to a bill of manumission, immersion in a ritualarium would also be required upon emancipation in order for him to acquire status as a full-fledged member of the community of Israel. Rabbi Castro reports that while delivery of a writ of manumission seems to have been the accepted practice, paradoxically, it was not customary for immersion in a ritualarium to be carried out. Rabbi Castro accordingly concludes that "possibly" the writ was of no religious import but was drawn up simply to provide documentary evidence of the Falasha's status as a free man.

Despite the unequivocal declaration of Radvaz with regard

Black Jews: A Halakhic Perspective

to the origins of the Falasha community, Radvaz's halakhic decision, handed down in the sixteenth century, may not be valid in the twentieth. In the course of the intervening four centuries it is entirely possible that there was extensive intermarriage between the Falashas and the indigenous Abyssinian population. It is reported that R. Chaim Soloveitchik of Brisk adopted a similar position with regard to the Karaite community. R. Chaim contended that, while in earlier periods of Jewish history there was room for significant disagreement regarding the permissibility of marriage between Jews and Karaites, there is no question that, in our day, such marriages are forbidden according to all authorities. R. Chaim pointed out that over the centuries the Karaites accepted gentile converts but did not do so according to the prescribed ritual. Indeed, since Karaites are disqualified from serving as members of a *Bet Din*, conversions performed by them would be inefficacious even if the Karaite *Bet Din* were to adhere scrupulously to all details of the conversion ritual. As a result, declared R. Chaim, every Karaite now has the status of a *safek akum* and his identity as a Jew is in doubt.¹⁰ The same considerations may well be applicable to the Falasha community. On the other hand, the Falashas may differ significantly from Karaite communities with regard to the incidence of conversion. The Falashas are known to be shunned as pariahs by the dominant Ethiopian tribes with the result that social intercourse between the communities is severely limited. On the basis of available published information it is impossible to determine whether acceptance of converts over the generations was a common or rare occurrence among the Falashas.

Despite any qualms which might be voiced, the authenticity of the claims to Jewish identity advanced by the Falashas was affirmed not only in the middle ages but in modern times as well. The Falasha community was rediscovered over a century ago and their plight brought to the attention of western Jewry. In 1864 Rabbi Ezriel Hildesheimer, a prominent rabbinic spokesman, issued a call for action in order to counteract missionary activity among the Falashas.¹¹ This was followed by a fact-finding mission undertaken in 1867 by the noted orientalist and Semitic scholar, Joseph Halévy. However, it was not until the

beginning of the twentieth century that meaningful endeavors were undertaken on behalf of the Falashas. A relationship with the Falasha community was established largely through the efforts of a single individual, Dr. Jacob Noah Feitlovitch, whose efforts on behalf of the Falasha community were endorsed in the strongest terms in a public manifesto issued in 1921 by the then Chief Rabbi of *Eretz Yisrael*, Rabbi A. I. Kook.¹²

Although neither Rabbi Hildesheimer nor Rabbi Kook addresses himself to the thorny question of the permissibility of marriage between Jews and members of the Falasha community or to the question of the possible requirement of a conversion ceremony because of intermarriage over the course of centuries, both epistles speak of the Falashas in the warmest of terms and proclaim the responsibility of world Jewry both for their material support and for their religious education. Reflected in both statements is deep concern lest the Falashas forsake the Jewish faith.

More recently, the Sephardic Chief Rabbi, Rabbi Ovadiah Yosef, reiterated the commonly accepted halakhic view in stating that the Falashas are "descendants of the tribes of Israel . . . and without doubt the aforementioned authorities who determined that they are of the tribe of Dan investigated and reached this conclusion on the basis of the most reliable testimony and evidence."¹³ Therefore, declared Rabbi Yosef, it is obligatory upon the Jewish community to rescue them from assimilation and to "hasten their immigration to Israel, to educate them in the spirit of the holy Torah and to coopt them in the rebuilding of our holy land."¹⁴ Rabbi Yosef specifically calls upon the government of Israel and the Jewish Agency to facilitate immigration of the Falashas. It has been reported that Rabbi Yosef has, on other occasions, counselled that Falashas should undergo a conversion ceremony in order to eliminate any possible question with regard to their status as Jews. Curiously, until very recently, a completely antithetical policy was adopted by secular officials of the State of Israel. For many years it was the stated policy of the Israeli government that "Israel does not regard the Law of Return as being applicable to the Falashas" and "is not enthusiastic about the prospect of Falasha immigration."¹⁵ This

Black Jews: A Halakhic Perspective

posture was seemingly motivated by considerations of international diplomacy. Following the fall of Emperor Haile Selassie an inter-ministerial committee was appointed to review the status of the Falashas. As a result of the deliberations of the committee the Falashas have been recognized as eligible for Israeli citizenship and other rights under the Law of Return.¹⁶

II

The Falashas were accepted as Jews by Radvaz and by others on the basis of the report of Eldad ha-Dani who testified to their long history of Jewish identification. The same cannot be said of other groups seeking to identify themselves as Jews.

Rashi, in his commentary to Numbers 1:18, indicates that in the wilderness either of two modes of proof of genealogical identity was acceptable: a written document certifying the family pedigree or witnesses testifying to *chezkat leidatam*, i.e., witnesses presenting presumptive evidence with regard to birth. In Great Britain, prior to the reign of Queen Victoria, it was the practice for both the Archbishop of Canterbury and the Lord President of the Council to be in attendance at every royal birth in order to certify the identity of the newly-born princeling. Jewish law makes no such requirement. Witnesses are not required to be present at the moment of parturition in order to testify to the identity of the infant. A Jew is known and accepted as a Jew on the basis of *chazakah*, presumptive evidence based upon deportment and interpersonal behavior. Such presumptive evidence is, in the absence of contradictory evidence, accepted with absolute credibility.

A similar *chazakah* serves to establish the existence of familial relationships which, in turn, may, in certain eventualities, lead to imposition of capital punishment. Wounding a parent is a capital offense. But how can the existence of a filial relationship be established? It is sufficient, declares the Gemara, *Kiddushin* 80a, for evidence to be adduced demonstrating that the person, as a child, was customarily in the mother's tow. The general conduct and deportment of an individual engenders presumptive evidence with regard to determination of matters of

personal status. Exhibition of maternal concern and filial dependence, when continued over a period of time, suffices in and of itself to establish the existence of a parent-child relationship. No further corroboration is required. This *chazakah* establishes not only the individual's identity as a member of a family unit but also as a member of a larger family, the community of Israel. Since Jewish identity depends upon maternal Jewishness, the selfsame mode of conduct which serves as the basis for the establishment of filial obligations and restrictions *ipso facto* establishes identity as a Jew. Subsequent to the establishment of a distinctive faith community, a *prima facie* claim to Jewish identity may be established by means of a simple declaration, provided there is no information or presumptive evidence pointing to non-Jewish parentage.¹⁷ However, apart from documentary evidence, testimony establishing this *chazakah* was apparently the sole manner in which such identity could be established at the inception of the community of Israel.

Halakhah, of course, provides for yet another mode of acquiring status as a Jew. A person may be a Jew by virtue of birth or he may enter the community of Israel by means of conversion. Acceptable evidence of conversion may be adduced in one of two ways: either by means of witnesses who are able to identify the proselyte and to testify that they were present during the course of the conversion ritual; or on the basis of a *chazakah*, presumptive evidence derived from the individual's comportment and life style. Rambam's codification of the relevant laws with regard to this point is very instructive:

. . . a proselyte who conducts himself according to the ways of Israel . . . and performs *all* (italics added) the commandments is assumed to be (*bechezkat*) righteous convert even if there are no witnesses who testify before whom they were converted . . . Nevertheless if they come to marry in Israel, they are not to be married until they bring witnesses or until they immerse in our presence since they were known (*huchzaku*) as gentiles.¹⁸

Rambam clearly indicates that a person claiming to be a convert may substantiate that claim on the basis of conduct and behavior alone. It is the *chazakah* which establishes presumptive

Black Jews: A Halakhic Perspective

evidence with regard to the authenticity of this claim despite the individual's antecedent identification as a gentile. R. Abraham Isaiah Karelitz, popularly known as *Chazon Ish*, rules¹⁹ that the person seeking recognition as a convert must have conducted himself as a Jew for a period of thirty days and have been unquestionably accepted as a Jew by all observers during that time in order for his claim to be deemed valid.²⁰ *Chazon Ish* adds that such presumptive evidence is acceptable, even though it is generated by self-serving actions on the part of the applicant for recognition as a convert, because it may be assumed that the *Bet Din* of the city would not have allowed such conduct to go unheeded. If, during the period in which the applicant conducted himself as a member of the Jewish community, the local ecclesiastical authorities make no attempt to challenge the *prima facie* status created by his conduct, it may be assumed that the *Bet Din* had sufficient reason to conclude that a valid conversion had, in fact, been performed.

With the exception of the Falashas, whose claim to Jewish identity was, according to rabbinic sources, predicated upon a claim to descent from the tribe of Dan and who, in any event, are not known to have been of definite gentile genealogical origin, all contemporary Black Jews are known to have been *bechezket akum*, i.e., to have been descended from progenitors known to have conducted and identified themselves as non-Jews. The Jewishness of all such groups is of fairly recent vintage and the *chezkat akum* is easily traceable. In view of their earlier known identification with Christianity any claims advanced by, or on behalf of, these groups to descent from the ten lost tribes of Israel or to being the only authentic descendants of the original ethnic Jewish community must be dismissed as sheer fabrication. From the halakhic perspective such claims are clearly negated by the earlier *chezkat akum* growing out of their own prior conduct and deportment. Any claim to recognition as Jews can be based only upon a contention that they, or their forebears, were at some point converted to Judaism. When no claim to prior conversion is made—and indeed many find the very suggestion insulting since they contend that they, and they alone, are descendants of the original Jewish people—any claim to

Jewish identity on their part must be rejected as spurious.

Hypothetically, if an individual, or group of individuals, were to claim Jewish identity by virtue of conversion, or by virtue of descent from ancestors who were converted to Judaism, such a claim, to be given credence, must be supported by conduct indicative of membership in the community of Israel, *viz.*, observance of all commandments as indicated by Rambam. Furthermore, this *chazakah* or presumptive evidence, in the opinion of *Chazon Ish*, is given credence only when the status of the individual manifesting such conduct is recognized by the entire community without question or reservation.

With the exception of a small number of individuals who have been formally converted to Judaism in recent years and who have been recognized without reservation as righteous converts, those claiming to be Black Jews fail to meet one or more of these tests. None of these groups observe all of the precepts of Judaism. If the opposite were the case, such observance might serve to substantiate the validity of a claim to having undergone conversion at some time in the past. The members of these communities were never unreservedly accepted as authentic converts by the general Jewish community as required by *Chazon Ish*. Quite to the contrary, responsible religious spokesmen have repeatedly cautioned that the claims of those purporting to be Black Jews require careful investigation before they may be accepted as authentic. Such cautionary exhortation clearly served to thwart the establishment of a *chazakah*. Moreover, virtually all of those whose conversion cannot be authenticated openly concede that neither they, nor their progenitors, ever sought to acquire Jewish identity by means of formal conversion.

Claims or, more accurately, speculation that present-day Black Jews may be descendants of converted slaves who belonged to Jewish slaveowners are entirely without factual foundation. It has been established that, for sociological as well as religious reasons, Jewish slaveholders made no attempt to convert their slaves to Judaism.²¹

It is indeed true that Halakhah requires that a gentile slave acquired by a Jew undergo immersion in a ritualarium and, in the case of a male, calls for circumcision as well. In the absence

Black Jews: A Halakhic Perspective

of voluntary compliance on the part of the slave the Jewish master is forbidden to retain ownership of the slave but may dispose of him by sale to a non-Jew.²² The slave, having undergone this ritual, is required to observe all negative commandments and those positive commandments whose fulfillment is not restricted to stated times. The slave, however, upon manumission, acquires full status as a Jew. A slave might, however, validly stipulate against circumcision and immersion prior to his sale to a Jewish master.²³ The Jew is then permitted to retain the slave and the slave incurs no further religious obligations other than the duty to abide by the Seven Commandments of the Sons of Noah which are incumbent upon all non-Jews. In practice, it appears that for many centuries, Jewish slaveholders made no attempt to circumcize their slaves or to have them undergo immersion in a ritualarium. Rema indicates that this practice lapsed because conversion of any non-Jew to Judaism was illegal in many countries. Halakhic authorities ruled that, since a Jew might quite correctly agree at the time of purchase not to convert the slave, such an agreement should universally be assumed to be part of the contract of sale. Thus, every acquisition of a slave contained an implied agreement against conversion.²⁴ It is indeed the case that there exists no halakhic impediment which would preclude a slave who has not previously undergone immersion for the purpose of acquiring the status of a Canaanite slave from voluntarily converting to Judaism subsequent to his acquisition by a Jew. In fact such an act of conversion carries with it automatic manumission.²⁵ There is, however, no evidence that this actually occurred in the United States during the antebellum period.

III

There is only one reference to a Jewish Black to be found in historical records of the pre-Civil War period. In 1857, Maurice Meyer, who served at the time as rabbi of the Jewish community of Charleston, published an article in a German periodical²⁶ in which he described a Black Jew, a freeman who was a retired newspaper carrier. This person was apparently converted out-

side of the United States and was described as the "most observant of those who go to the synagogue."²⁷ From Meyer's account it is obvious that the phenomenon of a Black Jew was a rarity. There is no evidence whatsoever to support the claim that some present-day Black Jews are descendants of slaves converted by Jewish slaveowners.²⁸

The existence of groups in this country describing themselves as Black Jews can be traced to the latter part of the nineteenth century. One group, known as the Church of the Living God the Pillar Ground of Truth for All Nations was founded in Chattanooga, Tennessee in 1886 and later relocated in Philadelphia. Ten years later, a group known as the Church of God and Saints in Christ was organized in Lawrence, Kansas. This group is very active in the Washington, D.C. area and for many years its headquarters have been in Belleville, Virginia.

These groups, whose origin and development parallel the rapid development of Black Christian sects whose devotions and liturgy focus heavily on the Old Testament, claim Jewish identity based upon genealogical descent from the Jews of the Bible. The rise of these sects, both Christian and "Jewish" is not difficult to understand. Old Testament accounts of the persecution and election of the people of Israel had a ready appeal to an enslaved people. Recently-emancipated Negroes saw a commonality of experience and anticipation between themselves and the Israelites of the Bible. The parallel between their own situation and that of the ancient Hebrews who had been rescued from bondage and led to freedom is readily perceived. It is for this reason that typical Negro spirituals show a predilection for biblical motifs. These early group of Black "Jews" showed little interest in the white Jewish community.

The Church of the Living God was established by S. J. Cherry, a black seaman and railroad worker. Cherry claimed that God had appointed him as His prophet and that it had been revealed to him that all Jews of the Bible were black. He further claimed that only Blacks are real Jews but conceded that not all Blacks, either now or in the Biblical period were Jews. Esau was the first red (or white) man and was hated by God. Jacob was black. It follows that white Jews are not born of the stock

Black Jews: A Halakhic Perspective

of Jacob. It is only because the true Israelites were unknown for such a long period of time that "so-called white Jews" succeeded in fraudulently identifying themselves as Jews. Cherry, apparently rejecting the efficacy of conversion as a means of acquiring identity as a Jew, taught that one may be a Jew only if born a Jew. Hence, although white Jews may be "Jewish" in their religious observances they are not really Jews. Only Black Jews may validly claim to be Jews by virtue of descent from the patriarchs.²⁹ This church is presently headed by the "Prophet's" son and successor "Prince" Benjamin F. Cherry. Members of this group observe the Sabbath on Saturday, celebrate Passover and refrain from eating pork and fish lacking fins or scales. Gambling, smoking, swearing, television and movies are banned. The Christian origin of this group is manifest in the continued veneration of Jesus.³⁰

The second such sect to emerge, the Church of God and Saints of Christ, was founded in 1896 by William S. Crowdy, a Negro cook on the Sante Fe Railroad. Crowdy believed he was a prophet charged by God with leading His people, the Black race, to Judaism. Crowdy claimed to be the recipient of a series of revelations in which, among other things, he was told that Blacks were descendants of the ten lost tribes of Israel. Crowdy maintained that all Blacks are Jews and that originally all Jews were black. White Jews lost their black pigmentation as a result of intermarriage with whites. Crowdy's followers adopted such distinctive Jewish practices as circumcision, the Jewish calendar, observance of Saturday as the Sabbath, Passover and the wearing of skull caps. At the same time, as indicated by its very title, the sect retained the central beliefs of Christianity, practiced baptism, celebrated a form of the Eucharist, and engaged in other Christian practices as well. The present leader of this sect, Bishop A. Z. Plummer, was appointed to his post by "Prophet" Crowdy. Plummer is viewed as a direct descendant of Abraham and called "Grandfather Abraham" by his followers.³¹ Various estimates of the church's membership made between the 1930s and 1960s suggest that the church has between 34,000 and 38,000 adherents among its 112-200 branches. In Belleville, the site of the church's central authority, the group forms a co-

