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PRESERVING THE ONENESS OF THE JEWISH PEOPLE: CAN A PERMANENT SCHISM BE AVERTED?

I.

I regard the theme on which I write as being of supreme importance because of the gravity of the issues to be discussed. Let me emphasize at once the distinction of speaking on the *unity* of the Jewish people and on "preserving its *oneness*." Right at the start I want to make it absolutely clear that I will *not* be dealing here, as my main subject, with the unity of the Jewish people.

As will be explained presently, unity deals with questions such as how different elements of our people can work together, how we can establish solidarity in facing common challenges, how far we can transcend our differences in order to maintain a united effort in securing the future of Jewish life, having regard to the differences which separate us.

Now, on assuming my present office I drew a line of demarcation to which I have rigidly kept to the present day. By and large, generally speaking, it has worked extremely well. On all matters which do not impinge on our religious differences, I said, we would work together, while on matters which divide us, alas, we cannot work together. As a result, I believe we have gone relatively through a much more tranquil period these past two decades than certainly at any time during this present century. When I look back to the earlier history of Anglo-Jewry there have been far more signs of bitter disunity than we have witnessed of late, despite the occasional

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arguments and controversies and upheavals which, obviously in a vibrant community such as ours, erupt from time to time.

By way of comparison I want to give you just a cursory survey. During the vaunted Adler days—first Chief Rabbi Nathan Adler and then his son Hermann Adler—Anglo-Jewry has witnessed its major period of fragmentation. During that more than half-century the principal break-away movements from the establishment community occurred. The first Reform congregation was founded in 1845. The Liberal Movement emerged in 1902, created by Claude G. Montefiore. Even within the Orthodox community there has been much fragmentation and bitter dissension in that period. The Federation of Synagogues, established in 1887, has just celebrated its centenary. The Machzikei Hadass was created in 1891 out of a most acrimonious conflict. Later, during the tenure of Chief Rabbi Hertz, the Adath, now known as the Orthodox Union, was set up in 1926. All this happened well before our contemporary experience.

In fact, in the allegedly “stable” days of my last-but-one predecessor, Chief Rabbi Hertz, some of the most bitter controversies to afflict our community were conducted with extreme virulence. Their like would cause a shudder to our present generation, as did the “religious crisis” which rocked Anglo-Jewry during Chief Rabbi Brodie’s tenure, and these convulsions bear no comparison to more recent times, certainly not since I have been in office.

By way of illustration I will read just two passages from the writings of Chief Rabbi Hertz to give you the flavor of the vehemence with which divisions were argued out at that time. In his *Affirmations of Judaism* (published in 1927) he recorded a collection of three sermons under the title “The New Paths” against the then nascent Liberal Congregation:

... the Liberal synagogue reproduces with alarming accuracy the attitude of mind which prevailed eighteen centuries ago in the Jewish-Christian Church. To all competent observers, Liberal Judaism is a moving staircase carrying those who have taken their stand on it out of Judaism. In the long run, there will be no other Judaism but Traditional Judaism. Cut flowers wither; the tree alone, with its roots deep in the soil, survives. Those who sever themselves from the Tree of Historical Judaism doom themselves to speedy disappearance and death.

What is even more topical at the present moment, having scored a very significant success in overcoming another concerted threat to shechita—and having done so, let it be recorded, with the support of all sections of our community who have joined in the battle—is the following passage in a sermon delivered by Chief Rabbi Hertz at the St. John’s Wood Synagogue in January 1926:

And recently in England, when a formidable agitation threatened to rush Parliament and public opinion into a condemnation of the oldest humane method of slaughter in the world, on the alleged ground that it was cruel; at a time when the religious liberty of English Jews was in jeopardy—the minister of the local Liberal synagogue permitted himself to speak of the “conflict” between the laws of shechita and the latest views of experts on the requirements of humane slaughtering. He ignored the considered opinion of the world’s leading authorities—Lister, Virchow, Dubois-Reymond, Haffkine, Leonard Hill and literally hundreds of others who uphold the humaneness of shechita—and was quite prepared to strengthen the hands of the maligners of his people.

Then the passage continues in a note:

At the height of the anti-shechita agitation, Mr. C. G. Montefiore wrote to me objecting to the fact that, in my letter to *The Times* in reply to the Duchess of Hamilton, I had spoken of shechita as the “Jewish method of slaughter” and had declared it to be “an essential part of the Jewish religion.” He desired me in future to insert the word “Orthodox” whenever I wrote of Jews and Judaism in connection with shechita! In the course of my answer to this communication, I said:

It would sound both pedantic and absurd to describe shechita as the “Orthodox” Jewish method of slaughter. Meat from animals killed in any other way is prohibited to Jews—no matter what lax Jews or Liberal Jews may do to the contrary; and the Jewish Ecclesiastical Authorities are in duty bound to see to it that the possibility at least of observing these laws is given to all Jews.

Now, it would be inconceivable today that we should be divided on an issue such as this, or use language in attacking one another such as is recorded in these writings of some sixty years ago. I have little doubt, therefore, that in terms of the unity in working together, in caring together, worrying together and having certain platforms that unite us, we have had less fragmentation, certainly less virulence and bitterness than marked all these previous eras, despite the fact that we obviously witness today a far greater polarization in Jewish life, something we have in common with Jews throughout the world—in Israel, where it is much more marked than in this country, or in America, or even as far away as in Australia. This is a global feature which is a fact of life and which is in itself no barometer of unity or disunity. Even if there are disparate parts which move further apart from one another, unity exists so long as we affirm certain common concerns and common interests, working together for common objectives. In this way we can have more harmony, as we do in fact enjoy, than in previous ages. (If in some of my quotations hereafter I use the term “unity,” I refer to it in the sense of “oneness,” not of “harmony.”)

II.

Let me now leave the unity theme which is entirely irrelevant to the rest of my subject proper on this occasion which is the oneness of the Jewish people. The oneness of the Jewish people means above all that every Jew regards every other Jew as his brother, that we all belong to a common peoplehood. This oneness of the Jewish people, which has nothing to do with working together or having different opinions, means that we all regard ourselves as belonging to the same body politic, having the same origin, the same history, and the same destiny, and therefore looking upon each other as brothers, able to marry one another, to live with one another, to allow our children to mix with one another. It is this oneness of the Jewish people which is now gravely under threat. It is being attacked, it is challenged by the incursions of non-traditional Judaism into the area of personal status—in defining who is a Jew, and who is eligible for marriage according to Jewish law. Most notable, of course, are the inroads into two specific areas which are absolutely critical here: firstly, the remarriage of a couple civilly divorced but with their religious marriage not yet dissolved by a *get*, with disastrous consequences to the offspring of any such second marriage, by creating children who as *mamzerim* are ineligible for marriage to fellow Jews under normal conditions.

Secondly, there is the area of conversions. If the admission of converts is accepted by some Jews and rejected by others, we will not have identical definitions as to who has been properly converted and is therefore Jewish. This will clearly lead to a situation in which there will be an increasing number of people whom one section of our people will regard as fellow Jews, as part of the fellowship of the Jewish people, while others will regard them as non-Jews.

This problem has now assumed catastrophic proportions. It is estimated that there are now in America alone no fewer than 100,000 converts by acts carried out under non-traditional auspices, so that they are regarded as Jews by those non-Orthodox movements, and as non-Jews by the Orthodox, thus living in a kind of no man's land, where their status is in dispute. Since this affects their children as well, this number will geometrically grow in the course of time, not to mention new conversions which do not carry the approval of the whole Jewish people. I gather there are also in America alone—and this is primarily an American problem—in excess of 10,000 children born to what are traditionally regarded as adulterous marriages, that is, second marriages without the first having been terminated by a *get*, with disastrous consequences for all future times.

That is the measure of the gravity of the problem, a problem gathering momentum by increasing dramatically by reason of these inroads.

III.

The rest of my presentation I want to devote to trying to analyze first the nature of the problem and then the attempts which have been made to cope with it and to counter it, and finally to discussing what the prospects are of eventually finding a solution to a problem far graver than the problem of disunity. Whether we sit together at the same table, whether we pray together, whether we talk to one another—all this leaves no permanent mark on our people. If we cannot somehow find a commonly accepted formula whereby Jewish identity is defined with the agreement of all Jews, then we face the prospect of a schism within our people which is irreparable, causing damage which can never be undone or remedied.

At this stage I want to present a very brief, perhaps even superficial historical survey, to show where this problem fits into the history of what we might call the movement of dissent from the time-honored traditions of our people, departure from submission to Jewish law, from the sovereignty of the *Shulhan Arukh*—in other words, the history of the Reform and Progressive movements, in terms of our subject at hand with the perspective from which it must be viewed.

There were three quite distinct stages in the development of Reform, originating as it did at first in 19th-century Germany and then soon exported from there to America where it was also at first a German phenomenon. But ultimately of course it manifested itself world-wide, including in Israel and virtually all other countries of our Diaspora.

This occurred in three entirely distinct phases, and only one of these three has anything to do with our subject.

The movement began originally as part of the whole process of Emancipation, the desire of Jews to be equals and to be accepted by their environment, notably in Germany.¹ In those early stages it therefore dealt primarily with what we might loosely call rituals, or ritual observances. The founders were concerned, for instance, with the decorum at synagogue services. As someone once said, Reform began with the elimination of the second *Yekum Purkan*. In our *Authorised Prayer Book* we recite two very similar versions, both of them in Aramaic, the one no more intelligible to the average worshipper than the other. And so they started putting some

cosmetic touches on our prayers. For several decades the whole movement was concerned primarily with synagogue services, to make them more acceptable, for example, by deleting prayers that were regarded as offensive and hindered the process of integrating Jews into German society. References to Zion were censored; Hebrew was reduced and partly eliminated altogether as a foreign language. The mode of the service was changed to include the organ, approximating other forms of worship more familiar to fellow citizens of other faiths. At that stage the movement limited its concerns mainly to divine services, proceeding either to abolish or to modify certain parts of our liturgy and aspects of Jewish conduct known as ceremonial observances. This led to other adjustments of "ceremonials," of laws like Sabbath observance or kashrut, in order to ease the passage of Jews and their acceptance into the new vaunted age of equality and emancipation.

IV.

In those early times, the Reform Movement had nothing to do with matters of personal status. It did not tamper with the definition of marriage or conversion. In fact, the movement was very slow to enter into that area, challenging the oneness of our people.

To give a personal example, I was raised in Germany until I came here as a refugee from Nazi oppression at the age of 16, towards the end of 1936. My late sainted father was a *Gemeinderabbiner*, that is, Rabbi of the *Grossgemeinde*, of the general community of Berlin, in which there were Orthodox synagogues and Liberal or Reform synagogues, all under one synagogal roof-organization. But the Beth Din and all matters relating to it were under Orthodox control. My father was Head of the Communal Beth Din so that matters of marriage, divorce, conversion, and other Beth Din items were under Orthodox administration, even though the community itself had Orthodox and Reform sections within a common organization.

But let me go a little further. In Israel since its foundation forty years ago and indeed before that, Ben Gurion and his successors were most anxious to ensure that on matters of personal status there should only be one uniform law governing all the Jewish citizens of Israel, expressed in the famous *status quo* formula whereby marriage, divorce, and conversion were left to the exclusive jurisdiction of the Rabbinate which in Israel is of course Orthodox. Not that Ben Gurion was a great believer in the Orthodox interpretation of Judaism. But he accepted this formula simply because he feared that if there were to be any incursion into that sphere there would be non-

identical definitions as to which marriage is validated by the State and which is not, or what conversions are recognized or not recognized, leading to a schism, a fissure in the Israeli Jewish society. They recognized this danger and were determined to avert it.

This was widely endorsed by all sections of the population—so much so that recently, being invited by the leaders of one of the principal political parties dedicated to the overthrow of religious control by legislation in Israel, known as “religious coercion,” I was told quite plainly that their opposition did not include any desire to revise the marriage laws in Israel. The group I met were the leadership of RATS, the Civil Rights Movement, and rabidly secularist as they are, they still affirmed their agreement to maintain laws on personal status under Orthodox rabbinical control. They also could see that any interference with the *status quo* in this matter would lead to non-identical definitions of Jewishness and Jewish status, breaking up the essential oneness of the Jewish people inside Israel.

Let me go even further. Never mind Israel, which obviously is concerned to maintain a uniform definition as to personal status. In the 1977/78 *Yearbook* of the *Encyclopaedia Judaica* there is an entry under the heading of “Reconstructionist Approach to Halakhah” (p. 333). The Reconstructionist movement in the United States is in many respects the most extreme of all non-traditional movements, not even accepting our definition of Judaism’s “theism,” regarding Judaism rather as “a civilization.” The entry is written by Ira Eisenstein, the leader of the movement, himself the son-in-law of the movement’s founder, Mordecai Kaplan. He declares that the attitude of his movement varies between matters of ritual and ethics on the one hand, and matters of personal status on the other hand. He then explains:

The major difference between the first category and the second is that in the first no one is affected by deviations from the traditional halakhah whereas in the second which deals with relations of people to one another the halakhah really enters fully into the category of law. It is for this reason that Reconstructionists have encouraged and even sponsored modifications in ritual observance and liturgical texts, but they have taken no action—with one major exception—in the area of interpersonal relations.

The exception concerns the case of a child whose mother is not Jewish, but whose *bar mitvah* or *bat mitzvah* shall be regarded by Reconstructionists as the equivalent of formal conversion. To this Eisenstein adds:

Reconstructionist leaders are careful, however, to point out to the family that the recognition of such a child as a full-fledged Jew is confined to the ranks of

the Reconstructionists; outside those ranks of various denominations will have various opinions as to whether or not that child is actually a Jew. *It is clear that if that aspect of halakhah which deals with interpersonal relations is to grow and evolve it will have to be the result of world-wide collective effort on the part of the Jewish people, with the fullest participation of Jewish scholars and other leaders, and with the recognition of the fact that conscious evolution must be undertaken if Judaism is not to suffer a crisis of discontinuity in the 20th century.* (My emphasis.)

These are responsible words of a leader who obviously does not subscribe to traditional Jewish teachings or law, and nevertheless recognizes that this is an area he cannot allow to be touched, for the sake of preventing “the discontinuity” of Jewish existence.

V.

Against this historical background, let me now come, for the first time in public, to a recitation of some of my involvements in this particular sphere which, needless to say, is new to me neither as a problem nor as an area in which I have not been previously engaged over the years, with a view to searching, groping, and even negotiating hopefully for a solution.

My first involvement as Chief Rabbi, though not of Britain but of Ireland, occurred in 1957 at the foundation meeting of the Conference of European Rabbis in Amsterdam, established as it then was by my distinguished predecessor Chief Rabbi Brodie together with Chief Rabbi Schuster of Holland. I was invited to deliver a paper on “A Blueprint for Rabbinic Leadership.” This address was given purely to Orthodox Rabbis, and it included the following as the last of the six points I presented as a program to my colleagues:

I believe we have to decide whether to write off the Reform movement and its followers as a dead loss, and try to insulate it completely from the adherents of Orthodoxy, or go all out to retrieve what can be salvaged even at the cost of some formal compromise with them.

In the havoc wrought by these dissenters we must distinguish between irreparable damage, which will leave sores festering on the body of our people for generations to come, and purely temporary infractions of the sanctities of Jewish life, causing wounds which can be healed by individual acts of repentance.

Into the former category belong notably the Reform’s arbitrary incursions into the spheres of marriage and proselytization in complete disregard of Jewish law, leading to untold personal tragedies and, above all, to the increase of persons who cannot be recognized either as legitimate or as Jewish by the law-abiding majority of our people. To eliminate this appalling evil, gnawing at the very roots of Jewish existence, must be our foremost aim.

It might be worthwhile, therefore, to explore the possibility of offering the Reformers, as an earnest of our anxiety for the preservation of Jewish

unity, some kind of truce based on their acceptance of our exclusive jurisdiction in all matters affecting marriage and conversion, even if this meant closing our eyes to their forms of synagogue services and religious education for the time being.

VI.

Subsequent to that statement thirty years ago, on assuming my appointment here and moving rather closer to center stage in the European Rabbinate than I had been in Dublin, I pursued this matter in a prolonged series of very intensive discussions and negotiations with leaders of the Progressive movement at that time in 1969—in other words, two years after I took up my office in 1967. I will read to you, from the actual letters which were exchanged, just one major item which could be of consequence today as it might have been then had our overtures not been rejected. This was the letter written by the then Director of my Office. It was dated July 7, 1969:

After careful consultation with the Haham, the Chief Rabbi has drawn up the enclosed statement which he thinks would sum up the tentative understanding reached with you following your recent discussions with the Chief Rabbi.

The Chief Rabbi will be pleased to receive your observations as to the next stage in implementing this statement . . .

In order to remove a major obstacle to communal harmony and indeed a growing threat to the unity of the Jewish people created by the rising marriage barriers between the Orthodox and non-Orthodox sections of the community, the Union of Liberal and Progressive Synagogues agrees:

1. not to entertain or undertake any action in respect of the divorce of any members of an Orthodox congregation nor to effect the conversion of any person contemplating marriage with a member of an Orthodox congregation nor to effect the remarriage of any person who belongs or belonged to an Orthodox congregation without ensuring that no impediment exists in Jewish law;

2. not to deal with a divorce, remarriage or conversion of any person whose application is currently being dealt with by an Orthodox Rabbinical authority or has previously been rejected by such an authority.

This was in the nature of formulating a proposal that resulted from what I believed to have been a tentative understanding. In due course a reply reached me in which it was denied that there was any such tentative understanding, and I quote from the reply:

There was no "tentative understanding," and there was no question at this juncture of drawing up a statement . . .

I want you to be absolutely clear on this matter. While I understood your point of view, this understanding should not be interpreted as a "tentative understanding". . . I do hope that [the Director's] letter is only

badly phrased and does not imply an interpretation of our discussion which I could not accept.

The recipient of this letter from my office and the writer of the reply was none other than Sidney Brichto. Thus he was a party to these intensive discussions and to the rejection of the proposals made, as presented above. Alas, we had to drop the effort, made at that time quietly and with perfect goodwill on all sides, because no agreement could be reached, as you can see from the wording of the letter I received.

A further effort was made in 1975 and 1976, among intermittent attempts to arrive at a solution of this ever more painful problem. The subsequent discussions were greatly expanded in scope, and still conducted with great descretion in a sense of responsibility on all sides for what was at stake. From our meetings there emerged a two-tier system of recommended procedures. One related to long-term objectives, and I will read to you the text as it was then drafted:

As agreed, I am herewith setting out a kind of "position paper" on what should and could be achieved in the light of our discussions, from our point of view.

Principal Objectives

We should seek to reach agreements designed, above all,

(a) To restore and preserve the unity of the Jewish people now gravely and increasingly imperilled by the consequences of diverse norms in the attitudes to marriage, divorce and conversion whereby admissibility to Jewish status and/or Jewish marriage is disputed for a large and ever growing number of people who are recognized as Jews and/or eligible for marriage in the eyes of some congregations and denied such recognition by the rest; and

(b) To avert the personal tragedies often inflicted on individuals, or their descendants for all future times, arising from their disputed status, in the event they or their children should ever seek acceptance, or the right to marry, within the traditional community.

Long-term Solutions

Ideally, our problem would be solved by adopting the pattern which prevailed in German-Jewish "Grossgemeinden." While Orthodox and Reform congregations naturally differed widely on religious services and other observances—perhaps even more widely than they do here—and despite the Orthodox often being in a minority, both sections were united under a common community administration and jointly submitted to the jurisdiction of an Orthodox Beth Din in matters normally within its purview, such as kashrut and shechita as well as divorce and conversion . . .

Any agreement on such lines to be eventually reached here could not be retroactive; and existing marriages or conversions of doubtful halachic validity would remain unaffected. But at least we would prevent any new cases being added to grievous toll of communal bitterness, personal tragedies and national disunity afflicting our people today.

However, as an “intermediate measure,” the following was added:

Pending such admittedly drastic restructuring of our intercommunal relations and organization, it should prove possible progressively to introduce a number of measures aimed at the above objectives in the spirit of our discussions . . .

Accordingly, we believe that the following proposals would substantially advance the cause which has united us in our deliberations:

1. For members of Orthodox synagogues the exclusive jurisdiction of Orthodox rabbis should be upheld. Such members, or parties applying for conversion with a view to marriage to such members, should under no circumstances be admitted for remarriage or conversion if such acts would not be sanctioned by Orthodox authorities. Progressive synagogues should never be used as a haven for “rejects” of the Orthodox community.

2. Non-Orthodox divorcees applying for remarriage should also be advised that they must first obtain a “Get” universally accepted by all rabbinic authorities, so as to preserve the unity of the Jewish people and to prevent the tragic disabilities of any children who may be born within the second marriage. Should efforts to obtain such a “Get” prove unavailing, such exceptional cases should not be further considered until the lapse of at least two years.

3. Similarly, all applications for conversions should in the first instance be referred to Orthodox Batei Din, so as to give them unquestioned validity, and not be entertained for acceptance under non-Orthodox auspices for at least two years following the original application.

The strictest enforcement of these provisions would substantially reduce, if not altogether eliminate, the incidence of *Mamzerut* and the admission of persons whose Jewish status would be in dispute. It would also remove the principal cause of bitterness and dissension between our respective communities.

4. On the Orthodox side, undertakings should be given to deal with all applications with the utmost dispatch, courtesy and sympathy. Appeal procedures should be set up to take effective action on any complaints of undue delay, alleged lack of civility, etc. Representatives of the Progressive Ministry should be entitled to pursue such complaints on behalf of their members.

As in 1969, so again in 1976 our efforts proved abortive. On both occasions the extended discussions had to be abandoned as the proposals were in the end not acceptable to the Progressives.

VII.

My last direct personal involvement in this area was once again on an international platform and not in this country. In 1986, I took part, together with leaders of all the various streams, under the aegis of President Herzog, in high-level discussions in Jerusalem dealing with this area. I am grieved to report, as has not previously been made

public, not only that this took place but that we could not find, despite some of the finest minds of our people being collected on this occasion, a formula which commended itself to acceptance by all participants, representing, as they did, all the religious sectors of our people.

So the matter has not been allowed to rest, either locally within Anglo-Jewry or internationally as far as world Jewry is concerned, and no doubt the increasing sense of urgency, through the enormous spread of the problem numerically as well as otherwise, is bound to heighten the pressure for at any rate attempting to seek a solution to this most painful of all internal problems afflicting us.

I might also mention that while, for my part, all these involvements date from 1957, efforts have been made prior to that in America in important discussions that were on the threshold of success, between Rabbi J. B. Soloveitchik, the distinguished mentor of the present generation of the modern Orthodox community the world over, and Professor Saul Lieberman, the brilliant scholar of the Jewish Theological Seminary, who is no longer alive and who led the discussions on behalf of the Conservative Movement. Their attempt went in a different direction, exploring whether they might devise a system of constituting a formal Beth Din constructed on strictly halachic lines but nevertheless also enjoying the endorsement of the Conservative community. And even that proposal at the time could not be pursued and was dropped well before I came to the United States in 1958.

VIII.

Moving from history to the prospect now facing us, let me first say in a few sentences what cannot be done, and therefore what need not even be attempted, since it would be futile to invest energies into an effort that would be doomed to fail before it starts.

What has recently been described as an "unprecedented and revolutionary offer," namely, to place all these matters under Orthodox jurisdiction, contains among other conditions in the rather small print, or strings attached, which included the following:

The Orthodox Beth Din could demand only knowledge of Orthodox practice and not its observance.

Now this is just not on. It is one thing for those who have abandoned our traditions not to believe in them, and therefore to require only a knowledge of them. But as traditional Jews, as Orthodox Rabbis, who are bound by conscience, and by the terms of

the trust reposed in us, to uphold the *Shulhan Arukh*, we cannot make hypocrites of ourselves, telling converts, all you have to do is to know what is expected of you, but you do not have to observe it. This would turn us into hypocrites, never mind the convert. Any non-Jew could know all there is to know about Judaism; there are plenty of very learned non-Jews, but that does not make them into Jews. You do not become a Jew by having knowledge of Judaism. Therefore any such proposal is too laughable even to be referred for serious consideration. The last thing we can do is to sell our consciences and make a mockery of our convictions, by subscribing to the idea of separating between knowing what is right and carrying it out.

Similarly we are asked:

The Orthodox Beth Din would have to find loop-holes to nullify the marriage when it cannot proceed to a proper dissolution by *get*. No Beth Din can be told you must find loop-holes. If they do not exist, you cannot invent them. Once again, these are suggestions which are simply non-starters, to put it mildly.

However, having said what cannot be done, I do want to make two important additions here of a more positive nature.

IX.

There keeps on being put to us, formally and informally, privately and publicly, a plea to the Orthodox administrators of Jewish law, and especially dayanim of Batei Din, in this country, in Israel, the world over. The plea, and I am sure a profoundly genuine plea, is for compassion. That word is very much in vogue in connection with this whole problem. After all, we are dealing here with human problems, with lives, with whether people can establish a marital liaison with parties whom they love, or cannot; with whether some youngsters altogether can get married or not; or whether a conversion can or cannot take place—all these are obviously matters that affect the inner core of the very being of the applicant, of those who turn to us. And, therefore, we keep on hearing that we ought to be a little more compassionate, have more feelings in our decisions. Let me here relate to you an experience that will never dim in my memory.

Some four or five years ago I led a delegation of the Standing Committee of the Conference of European Rabbis—that is the Chief Rabbis of Europe and a few other leading rabbis—at a meeting lasting for a week in Israel, both for internal deliberations and for meetings with leading personalities, being shown over the country, visiting many institutions, etc. Included in our program was a

reception graciously given to us by the then President of the State, Yitzhak Navon, at the President's Residence. Here were some twenty of us, and as we walked in, after we had been greeted by the President, he called his aide and said "bring me in that letter I received this morning from Haifa," and he read the letter to us.

The letter came from a stricken and absolutely distraught woman, as we could tell by the tenor of the text. She was facing the prospect of an *'iggun'*—that means, an inability to be remarried because she could not obtain a release from her previous marriage by Jewish law. I will not go now into the detailed circumstances, which are of no consequence here. So the President who was asked by one of his citizens to do something, to intervene, to go to the rabbis and ask them to be a little more humane, more compassionate—and here the President had his chance, a captive audience of twenty leading rabbis. He read the letter to us and said, "you rabbis, what are you going to do about this?"

As President of the organization and spokesman for its members, I gave him the following reply. In brief, I said, "Mr. President, first I want you to know that these heart-rending pleas made to you by this distraught woman are heard by us as rabbis in communities fairly often. There are cases, exceptional cases they may be, but there are cases, where alas we cannot help. We are, after all, only administrators of the law; we cannot undo the law. We try and find every possible loophole if it exists but nevertheless, if all attempts fail we recognize that we are here in a predicament of unspeakable proportions. However, Mr. President, I also want you to know that this is not a matter of indifference to us. Never think that these are simply cases referred to us and we look up the text on the law, and we say this is the verdict—finished.

"Mr. President, my late father was a rabbi all his working life, and had been Head of the Berlin Beth Din till he left as a refugee from Germany for Britain. Then he became a dayan of the London Beth Din for the last two years of his life. When he was stricken with a grave heart attack, after the last night of his life, he woke up in the morning disturbed, and said—partly delirious—'I could not sleep at night,' and when I asked him why, he answered: 'Because the *Agunot* appeared before me, the women whom I could not help, they would not let me sleep; and if I became grey it was because of the *Agunot*, not because of the Nazis.' So I told the President: 'Do not think it is a matter of indifference, that we do not have the same feelings as any other human being has, but feelings in themselves do not make law, and hard cases certainly do not make good law.'"

"Secondly I said to him, 'Mr. President, for every such letter that you receive, and for every one case—perhaps one in a thousand

