

Answer: No.

(10) Question: What is a precentor and wherein does a cantor differ from a precentor?

Answer: There is no requirement for a "precentor" in Jewish law.

(11) Question: Does a cantor as such preach and teach the tenets of Judaism? Are the duties of a cantor akin to those of a rabbi as a preacher and teacher of Judaism?

Answer: The cantor is not a teacher, as a rabbi is.

(12) Question: Is it essential in Judaism that religious services or any portion thereof be conducted by a cantor, or may any individual competent to read the prayers, equally do so?

Answer: The services must be read aloud, usually with the traditional chant. The basic purpose of the audible reading is to fulfill the duty of worship for those who are unable to read the service themselves, but this reader need not be a cantor. Any member of the congregation can read the service aloud for the congregation. In fact, during most of the year, a member of the congregation (anyone, usually, who is commemorating the anniversary of a close relative) conducts the service. Some Reform congregations, therefore, do not have any cantor at all. The rabbi reads the service.

*ANSWERS TO C.C.A.R. JOURNAL*

THE questions asked by Rabbi Joseph Klein, Editor of the Journal, have a special interest beyond the fact that they

are living questions, arising from our present religious and social experience. Hardly any of these questions can be answered definitely by reference to some clear decision in one of the codes. All of them require some evaluation of the legal tradition below the surface, down to its unspoken implications. In addition, they all somehow involve the unsolved problem of the relation of Reform to the legal tradition. This relationship will be analyzed by all of us for a whole generation. We no longer need to fear that the Talmud and the Codes will restrict our freedom to reform. Our movement is too strong to necessitate a struggle against the legal tradition. For where a decision is contrary to our conscience (as to the marriage of a *Cohen* with the daughter of a convert) we simply feel free to follow our conscience. Yet we respect the law and are confident that basically it embodies the spirit and idealism of our religious tradition. Therefore we look for guidance from it, rather than for governance.

This guiding line is, of course, somewhat hazy, and so our decisions cannot always be too definite. They will always include personal judgments. To the extent that such vagueness and subjectivism are undesirable, I ask the pardon of my colleagues.

The following are the questions sent to me, and my answers.

(1) Question: A man who believes Judaism best fulfills his religious needs comes to a rabbi and asks that he be converted to Judaism. The man's wife has no intention of accepting Judaism—she is a faithful attendant of her church—and their three children are enrolled in the Sunday school of the wife's church. Should such a person be accepted as a convert?

Answer: On the face of it, this candidate is the

noblest and most desirable type of candidate for conversion. Jewish law has always been discontented over the fact that most candidates for conversion want to be converted in order to marry a Jew. The *Shulchan Aruch* says definitely (*Yore Deah* 268:12) that we do not receive any proselyte who comes to be converted because he desires a Jewish woman. Nevertheless, many Orthodox rabbis reluctantly convert such candidates. They base it upon the conversion made by Hillel, in *Shabbas* 31, and by Rabbi Chiya, in *Menachos* 44, and the conclusion of Joseph Caro in the *Bes Joseph* that the court can judge whether even such a candidate is really sincere. We frankly convert such candidates who convert for the purpose of marriage; but because of the dubiety in the older Jewish law, the Conference made a clear-cut decision in its "*Report on Marriage and Inter-marriage*," 1947, namely, that we do not consider the desire to marry a Jew to be any drawback to the acceptability of the candidate for conversion.

However, it is clear that in the mind of the inquirer there is an additional problem. This is indicated by the statement in the question that the candidate's wife means to remain a faithful attendant of her Christian church and, so, their three children also. The problem, then, becomes clearer. If we convert this man to Judaism, we divide that household's religion. We ourselves object to all mixed marriages also on this ground, namely, that a religiously divided household is under great spiritual stress and is likely to be unhappy. We should not say, therefore, that this is the personal concern of the candidate; for surely we are not indifferent to the happiness of his home.

But there is a more definite approach to this problem. The moment he becomes a Jew, he is a Jew married to a professing Christian, with his children being raised as Chris-

tians. (We leave out of the discussion the complication in the law as to what extent he, being converted, is now "a newborn child" and has no relatives any more.) Certainly, becoming a Jew, he is the head of a mixed-marriage family. It is our act of conversion which makes him in this regard a sinner. We are, therefore, violating the definite law of "putting a stumbling block before the blind" (see discussion in b. *Avodeh Zara*, 6). It is clear, then, that because of the divisive effect on his household and because our very act of converting him makes him a sinner in Jewish law, we should not convert him. We have no right to change a righteous Gentile into a sinful Jew.

(2) Question: A young woman, whose grandparents on both sides were Jewish, converts to Christianity. Her parents were reared as Christians and in turn, raised their children in the Christian faith. She is engaged to marry a Jew and asks a rabbi to solemnize the marriage. Before meeting the young man she had never had any connection with Judaism nor had she associated in any way with Jews. May a rabbi officiate at such a marriage without a prior conversion or without some promise on the part of this young woman that she will formally identify herself as a Jewess?

Answer: This question is one which is fairly clear in the law. There was plenty of opportunity in the history of the law to clarify it. The Marranos kept on coming from Spain and Portugal for centuries. Some of the later waves of refugees were already Christians for six or seven generations. What was their status in Jewish law? Did they need to be converted if they wanted to live as Jews again? The general basis of the decisions is that all who are children of a Jewish mother are Jews. Especially are their marriage rights unimpaired. The classic responsum is that of Solomon ben Simon Duran of Algiers (*Rashbash*, 89). He said