

not appreciate what he needed to understand before declaring his full willingness to convert. It is clear that the law would frown upon accepting as a proselyte one whose judgment is clouded by emotional disturbance. In this case, the dictum of the Mishnah would apply (b. Kamma VIII: 4), that it is best not to have any dealings with a *shota*. The Mishnah means to say that if they injure you, they are not liable to pay any fine, and if you injure them, you have to pay. You lose either way.

Since we are under no *duty* to convert, we may therefore hesitate whenever the good name of the community is involved; and since, clearly, conversion requires of the convert a full and deep understanding of what is involved, it is much better to avoid any conversion in this case-

° 16 °

Miscegenation and Conversion of Negroes

Does intermarriage between the main races, black, brown, and yellow, constitute a violation of the commandment not to mix breeds? (From M.S.)

A problem has arisen in congregational policy over the conversion of a Negro who has applied for membership in our congregation. What is the policy of Reform Judaism on this question? (From Rabbi Richard G. Hertz, Detroit, Michigan)

One would imagine that marriage between the races, producing half-breeds and people of skin colors which have not existed before, would indeed be a violation of the commandments implied in Leviticus 19 : 19 and Deuteronomy 22 : 9, where one is forbidden to sow with mixed seeds or to breed animals of different species. None of the earlier commentators offer any explanation as to why it should be wrong to mix breeds of plants or animals. The first to offer any explanation was Nachmanides (thirteenth century). Nachmanides, in his commentary on Leviticus 19 : 19, suggests a reason why such mixing of separate species is a sin. It is due to the fact, he says, that the man who creates such new breeds implies that God, Who created the present species and gave them the power to perpetuate themselves, had not done a perfect work at Creation and that there is now need of new species of plants and animals. In other words, the species as they exist are God's work and presumably are perfect. To make new species is, therefore, a sin (cf. responsum on "Grafting of Roses," p. 222). This is a general consideration, but let us consider specifically the question of mixing the human races.

In Numbers 12 : 1, we are told that Miriam and Aaron rebuked Moses for "the Ethiopian woman" (Cushite) whom he had taken. The Targum (evidently in defense of Moses) translates "Cushite" as "the beautiful woman" and the Talmud (Moed Katan 16*b*) also explains away the word "Cushite" by saying that this is really his wife Zipporah and that she was called "Cushite" because, being a Midianite, her skin was deeply tanned by the desert sun. The Talmud in the same passage explains away the Ethiopian benefactor of Jeremiah, Ebed Melech, and implies that he was a Hebrew named Zedekiah.

Nevertheless, all this explaining away of the word "Ethiopian" by Targum and Talmud does not necessarily indicate that racial prejudice was involved. Also, the Tal-

mud (b. Berachos 59b) states that he who *sees* an Ethiopian must make a special blessing: "Praised be Thou, Who hast made a variety of creatures"—but this, too, is not anti-Negro prejudice because the same blessing, according to the Talmud, must be recited when one sees an unusually short man or an unusually tall man. So the law is recorded in the Shulchan Aruch, Orah Hayyim 224: 9.

Nowhere does the Bible prohibit the admixture of races. Ezekiel, speaking to the Children of Israel in chapter 16, verse 3, says: "The Amorite was thy father and thy mother was a Hittite." So, too, with regard to the vast mixed multitude which came out of Egypt. While this mixed multitude is sometimes deprecated as the source of sinfulness, there is no statement that I remember to the effect that the descendants of the Twelve Tribes kept from intermarrying with the mixed multitudes.

Thus, there is no sensitiveness in the historic traditions against the possibility of our being a mixed race. Furthermore, there is no statement in the law forbidding marriage between the members of different races, provided they become Jewish by conversion. There is, in fact, one important responsum which by eloquent silence indicates that there is absolutely no objection to intermarriage on the basis of race. I refer to the Responsa of David ben Zimri in his volume IV, no. 219, and volume VII, no. 9. The question involved a Falasha woman. In fact she is referred to plainly as a Cushite woman, therefore black-skinned. She is now in Cairo among white Jews. Her white master wants to marry her. The question involved is whether we shall accept or reject her claim that her original Cushite husband was killed in a raid in Abyssinia. But there is not the slightest question raised in the responsum about her skin color. Clearly, there *was* no objection on that ground.

As for the second question of practical policy in regard to the conversion, what is there to say? It is certainly a

troublesome situation. A Negro becoming a Jew subjects himself to double difficulties. If he does not feel at home in the Christian Church, which claims to be universal and holds out its arms to all races of men, and is proud of its world-wide missionary enterprise, how can he feel at home in a religion that is a family religion, that has not for centuries had a world missionary movement? This is, of course, the general, social, and historical situation which he himself might consider from the point of view of his own happiness. But that is not the consideration which must primarily concern us.

While Judaism has not been a missionary religion, we are certainly not a racial religion. The Bible implies the rebuke of Aaron and Miriam because they were opposed to the fact that Moses married an Ethiopian. The Ethiopian, Ebed Melech, is the hero of the Book of Jeremiah (38 : 7) who was merciful to the prophet when all others were against him.

It is clear that from the point of view of Judaism, race makes no difference; but it is equally clear from the social point of view that to include a man who is obviously different into an intimate, family type of religion involves much more difficulty than to integrate him into a religion like Christianity which, in fact, embraces a vast variety of human types. But that, as I say, is the Negro's own decision to make. It is our duty to recognize that race as such makes no difference in our religion.

You ask a practical question: whether we have ever converted a Negro. The answer is no. But that is because we avoid converts, except those who come for the purpose of marriage, and marriage between Jews and Negroes is rare. What if a Negro came to me and wanted to be converted in order to marry a Jewess? For the sake of their happiness, I would make every effort to dissuade him and his Jewish

bride-to-be. If I failed, I would, with many misgivings, convert him.

° 17 °

Unprovable Claims to Conversion

A man aged forty-five has been married for several months. His wife is seeking an annulment of their marriage on the grounds that he misrepresented himself as a Jew at the time of the marriage. The man claims to be a Jew and has considered himself a Jew all his life. His mother was born a non-Jewess. His father, now eighty, states that his wife (the man's mother) was converted by a Reform rabbi before their marriage. He can find no record of it. To add to the difficulty, the mother, now deceased, was buried in a non-Jewish cemetery. The son (who is now being sued for annulment) was circumcised at a Brith Mila, was Bar Mitzvah, and married by a Conservative rabbi. He was reared as a Jew and considers himself a Jew. He is contesting the annulment on the grounds that if he does not, he will be indicating that he does not believe himself to be a Jew. Is the man to be considered a Jew or not, as far as Jewish law is concerned? (From Rabbi Selig Salkowitz, Reform Temple of Fair Lawn, Fair Lawn, New Jersey)