

Reform rabbi in America can refuse to marry him. He is, however, a mean fellow who refuses to allow his former wife, since he refuses to give her a *get*, to be married to the man of her choice. It is certainly our moral duty to persuade him to be considerate and to urge him to go through the ceremony of a *get*, even though to him as a Reform Jew it will have little meaning. We may even go so far as to speak to him and his new intended bride and say that unless he gives the *get*, the Orthodox rabbinate would consider this intended marriage invalid, though of course we do not. If after all pleading he refuses to be of help to his former wife, I do not see how we can refuse to officiate at his marriage.

(4) Question: A woman, married to a Jew for forty years, dies. Her husband produces a marriage certificate proving they had been married by a prominent rabbi who is no longer living. The husband claims his wife was also converted to Judaism by this rabbi but lacks a certificate of conversion as proof. The deceased woman had never been a member of a synagogue nor had she ever identified herself with Jewish life. All the children of this couple have married outside the Jewish faith and none have identified themselves as Jews. The cemetery officials question the right of the husband to have his wife buried in a Jewish cemetery despite his possession of the Jewish marriage certificate. What should be the position of the rabbi when the cemetery officials ask him to rule on whether or not this woman may be buried in the Jewish cemetery?

Answer: The question does not state what sort of a congregation conducts the cemetery in question. If it is a Reform congregation, then there is no problem at all. Reform Judaism in America had decided seventy-five years ago to permit the burial of an unconverted spouse in the

Jewish cemetery (see *Reform Jewish Practice*, Vol. I, p. 137 ff.). Of course, the presumption, then, is that the Christian funeral service is held in the chapel or in the home, but that in the Jewish cemetery there be no Christological services or symbols on the grave.

But what if this is not a Reform cemetery and there is no documentary proof that she was converted? The question of a person claiming to be converted without giving documentary proof has received considerable and complicated attention in the law, going back to the Talmud, in *Yevamos*, 47a, and has been discussed in the *Tur* and the *Shulchan Aruch*, *Yore Deah* 268:10, 11. Of course, if this family had lived as Jews, their claim would be accepted with almost no question, but they have not lived as Jews, and that would make the Jewish authorities more dubious.

Yet, in general, the tendency of the law is to accept such claims of having been converted. See Joel Sirkes (*Bach to Yore Deah* 268) who says, "At all events, it is our custom to believe a man's claims and to marry him to a Jewess." If the mood of the law is to accept such claims even for marriage, then surely they would be accepted for burial. Besides, the fact that they have a marriage certificate from a prominent rabbi creates a presumption, if not an absolute proof, that the Gentile woman had been converted.

(5) Question: A Jewish father and a non-Jewish mother, who has not been converted to Judaism, adopt a child. The child has been enrolled in a Jewish religious school. Is this a Jewish child?

Answer: Orthodox responsa are increasingly concerned with the question of adoption, a question which almost never was discussed before in Jewish law. Certainly the Orthodox Jaw would require (based upon the Talmud