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A SEPHARDIC BAN ON CONVERTS

The Syrian-Sephardic Jewish community is one of the strongest homogeneous non-Hasidic Orthodox Jewish communities in the United States. The core of the community are descendants of early twentieth-century immigrants from Aleppo, Syria, who (like their Ashkenazic brethren) came to New York's Lower East Side; along with the Allepean community came their sister community from Damascus. After a thirty-year period in Bensonhurst, the bulk of the community eventually settled in the Flatbush section of Brooklyn.

Over the decades, the community was joined by later immigrants from Syria, and more recently from Egypt and Lebanon. There is small community living in the area of Deal, New Jersey, where the majority of the Brooklyn community spends its summer vacation. Blessed with some fifty thousand souls, the community maintains a whole range of institutions, including synagogues, yeshivot, a *beit din*, *kollelim*, *mikvaot* in Brooklyn and Deal, a *bikkur holim* society, a community center, a network of social institutions, and its own independent rabbinical council.

On an individual level, there is a wide range of religious observance; yet the sense of community is usually able to transcend these differences. It is rare to find a non-kosher home, and virtually all children receive a basic Jewish education, either at one of the community-sponsored yeshivot or at the Yeshivah of Flatbush (one-third of whose students are Sephardic). Ideologically, the community is committed to Orthodoxy; a commitment to Torah and *hesed* permeates the every-day life of its institutions and members.

A close-knit pattern of social and economic inter-relationships motivates most people to marry within the community; indeed, better than ninety percent of the families are intra-communally married. However, it is the realization that no converts whatsoever will be accepted that keeps all but the most marginally affiliated from embarking upon serious social relationships with non-Jews. In 1935,

following the example of the Syrian-Sephardic Jewish community of Argentina, the Brooklyn *beit din* promulgated a ban on accepting any converts; this was reaffirmed by the rabbinical authorities in 1946 and 1972.

These various proclamations were initiated by the community's rabbinical leaders. However, in 1984, sensing the increasing social pressures, the lay leaders initiated a public affirmation of the ban; they recognized it to be a necessary and effective tool for maintaining the social cohesiveness of the community.

The ban is based on the right of the community to promulgate *takkanot* and prohibitions. This is codified in the *Shulhan Arukh* and goes back to talmudic times, when Rav found a problematic situation regarding oaths in the Babylonian community: *Bik'a matsa ve-gadar gader*—"He found an open valley and built a fence."

The current situation in America regarding conversions, whereby most *gerut* is done for the purpose of marriage, represents a sham and travesty of the Jewish tradition. But the Sephardic community's approach is proof of the power of a *kehilla* to protect its heritage and traditions, even though it may not be reproduceable across all American Jewish communities.

Our ban does not necessarily deny the legitimacy of any specific conversion; it does deny the convert and his or her Sephardic spouse (and their children) membership in the community. Of course, it does not apply to descendants of people who underwent a legitimate conversion prior to 1935 or to adopted children converted at birth.

What follows is an English translation of the Hebrew proclamations of 1935 and 1946, as well as the text of the 1984 proclamation.

A RABBINICAL PROCLAMATION

Adar 5695 (February 1935)

We have observed the conditions prevailing in the general Jewish community, where some youth have left the haven of their faith and have assimilated with non-Jews; in certain cases they have made efforts to marry gentiles, sometimes without any effort to convert them, and other times an effort is made for conversion to our faith, an action which is absolutely invalid and worthless in the eyes of the law of our Torah. We have therefore bestirred ourselves to build and establish an iron wall to protect our identity and religious integrity and to bolster the strong foundations of our faith and religious purity which we have maintained for many centuries going back to our country of origin, Syria.

We, the undersigned rabbis, constituting the Religious Court, together with the Executive Committee of the Magen David Con-

gregation and the outstanding laymen of the community, do hereby decree, with the authority of our Holy Torah, that no male or female member of our community has the right to intermarry with non-Jews; this law covers conversions, which we consider to be fictitious and valueless. We further decree that no future rabbinic court of the community should have the right or authority to convert male or female non-Jews who seek to marry into our community. We have followed the example of the community in Argentina, which maintains a rabbinic ban on any of the marital arrangements enumerated above, an edict which has received the wholehearted and unqualified endorsement of the Chief Rabbinate in Israel. This responsa is discussed in detail in *Devar Sha'ul, Yoreh Deah*, Part II to Part VI. In the event that any member of our community should ignore our ruling and marry, their issue will have to suffer the consequences. Announcements to this effect will be made advising the community not to allow any marriage with children of such converts. We are confident that the Jewish People are a holy people and they will adhere to the decision of their rabbis and will not conceive of doing otherwise.

Chief Rabbi Haim Tawil
Rabbi Jacob Kassin
Rabbi Murad Masalton
Rabbi Moshe Gindi
Rabbi Moshe Dweck Kassab

A SUBSEQUENT CLARIFICATION OF
THE ORIGINAL PROCLAMATION

Adar 5706 (February 1946)

On the 9th day of Adar I in the year 5706 corresponding to the 10th day of February, 1946, the rabbis of the community and the Committee of Magen David Congregation once again discussed the question of intermarriage and conversions. The following religious rabbinic decisions were promulgated and accepted:

1. Our community will never accept any converts, male or female, for marriage.
2. The rabbi will not perform any religious ceremonies for such couples, i.e., marriages, circumcisions, bar mitzvahs, etc. In fact, the Congregation's premises will be barred to them for use of any religious or social nature.
3. The Mesadrin of the Congregation will not accord any honors to the convert or one married to a convert, such as offering

him an Aliyah to the Sefer Torah. In addition, the aforesaid person, male or female, will not be allowed to purchase a seat, permanently or for the holidays, in our Congregations.

4. After death of said person, he or she is not to be buried on the cemetery of our community, known as Rodfe Zedek, regardless of financial considerations.

Seal of the Beth Din of Magen David Congregation

Chief Rabbi Jacob S. Kassin

REAFFIRMING OUR TRADITION

WHEREAS, throughout the history of our community, our rabbis and lay leaders have always recognized the threat of conversions and the danger of intermarriage and assimilation; and have issued warnings and proclamations concerning these evils in February 1935, in February 1946 and in May 1972.

NOW, THEREFORE, we assembled rabbis and Presidents of the congregations and organizations of the Syrian and Near Eastern Jewish communities of Greater New York and New Jersey do now and hereby reaffirm these proclamations, and pledge ourselves to uphold, enforce and promulgate these regulations. We further declare that Shabbat Shuvah of each year be designated as a day to urge our people to rededicate themselves to these principles.

IN WITNESS WHEREOF, we have caused this document to be prepared and have affixed our signatures thereto, at a special convocation held on this third day of Sivan 5744 corresponding to the 3rd day of June, 1984.

Dr. Jacob S. Kassin
Chief Rabbi

The proclamation was signed by the rabbis and presidents of every synagogue, yeshivah, and social organization of the Sephardic Jewish communities of New York and New Jersey.