

Personal Status in Modern Responsa Literature
Rabbi David Ellenson
Spring, 2013

Course Description

This course is designed to present an overview of halakhic writings on a whole host of issues relating to personal status in the modern world. Through a close reading of these writings, the course intends to introduce students to major halakhic decisors from Israel, Europe, and the United States during the past two hundred years. In so doing, the hope is that the student will obtain a familiarity with these figures and the issues related to questions of Jewish identity and status in the modern period. As future leaders of the Reform Movement, your literacy in these matters is critical if you are to function as active participants and dialogue partners in the larger Jewish world as well as in the Progressive Jewish community. While most of the sources we will explore in this course are Orthodox ones, the course encourages you to consider what the implications are that these sources hold for your own self-understanding as Reform rabbis, cantors, and educators devoted to the Reform Movement and *Klal Yisrael*.

Books and Sources

1. David Ellenson and Daniel Gordis, Pledges of Jewish Allegiance: Conversion, Law, and Policymaking in Nineteenth- and Twentieth Century Orthodox Responsa
2. Booklet of Primary Sources and Secondary Articles

Course Requirements

1. Students are expected to come to class having prepared primary sources and completed secondary readings.
2. Classes will be taught in a seminar style and will center on an analysis and discussion of the primary texts. Student participation is actively encouraged.
3. During the last two sessions of the course, students are expected to present a responsum or responsa of their own choosing to the class. You are encouraged to work in groups of two or three for this assignment if you so choose. An oral presentation of the material will be presented in the class. Following the oral presentation, you will receive feedback from the instructor and your student colleagues and will be expected – on the basis of this feedback and in light of your own assessment of the materials you present – to present a written analysis of 10 to 15 pages of your work. Alternatively, you can present a lesson plan that would include a translation of the primary source(s) you employ and an explanation as to how you would use this material for an adult education or other class you might teach. This assignment will be due at the end of the examination period.

Syllabus and Class Schedule

- I. Course Overview and Introduction of Classical Sources (January 22 and 29)
 - A. Talmud (Yebamot 47b; Bechorot 30b; Yebamot 24b; Bikkurim 1:4; Sanhedrin 99b, Ketubot 11a; Shabbat 31a, and Mencahot 44a)
 - B. *Mishneh Torah, Hilchot Issurei Bi'ah* 13
 - C. *Shulchan Aruch, Yoreh Deah* 268
 - D. *Beit Yosef on Yoreh Deah* 268:12.
 - E. Isaac Klein, A Guide to Jewish Religious Practice, pp. 440-448.
 - F. Ellenson and Gordis, Pledges of Jewish Allegiance, pp. 1-37.
- II. Conversion and Inter marriage – Central Europe and Israel (February 5 and 12)
 - A. Yaakov Ettlinger, *Binyan Tziyon* 149.
 - B. Esriel Hildesheimer, *She'e'lot u'teshuvot rav Azriel*, Y.D. 234
 - C. David Zvi Hoffmann, *Melammed L'ho'il*, Y.D. 83.
 - D. Guttmacher, *Aderet Eliyahu*, Y.D. 87.
 - E. Ben Zion Uziel, *Piskei Uziel*, 75.
 - E. Ovadiah Yosef, “Ba'ayot ha-giyur bizman hazeh,” *Toshba* 13, pp. 21-32.
 - G. Tuvia Friedman, “Giyur K'halachah,” in David Golinkin, ed., *Teshuvot Va'ad Hahalakhah shel Knesset Harabbanim b'yisrael* Vol. 3, pp. 59-68.
 - H. Ellenson and Gordis, Pledges of Jewish Allegiance, pp. 38-89 (Feb. 5) and 121-164 (Feb. 12).
- III. Orthodox Conversion and the Existence of a Reform Rabbinate – Europe, America, and Israel (February 19 and 26)
 - A. Hoffmann, *Melammed L'ho'il*, *Yoreh Deah* 85.
 - B. Menachem Kirschenbaum, *Menachem Meishiv* 42.
 - C. Moshe Feinstein, *Iggerot Moshe*, Y.D. I:160; and *Even HaEzer* III:3.
 - D. Esriel Hildesheimer, *She'e'lot u'teshuvot rav Azriel*, *Yoreh De'ah* 234.
 - E. Yehiel Yaakov Weinberg, *S'ridei Eish*, *Yoreh Deah* 100.
 - F. Shlomo Goren, *Torat Hamedina*, “Mi-hu yhudi bir'i hadorot,” pp. 165-171.
 - G. Moshe Zemer, Evolving Halakhah: A Progressive Approach to Traditional Jewish Law, pp. 125-142.
 - H. Ellenson and Gordis, Pledges of Jewish Allegiance, pp. 90-120.
- IV. Conservative Responsa Regarding the Legal Status of Reform Conversions (March 5)
 - A. David Fine, ed., Responsa, 1980-1990: The Committee on Jewish Laws and Standards of the Conservative Movement (Joel Roth, Akiba Lubow, and David Novak), pp. 379-422.
- V. Infant Conversion – Germany and the United States (March 12 and 19)

- A. Isaac Halevi Bamberger, *Yad Haelvi* 3:46.
- B. Samson Raphael Hirsch, *Shemesh Marpei* 58.
- C. Tzvi Hirsch Kalischer, *She'e'lot u'teshuvot rav Azriel*, Y.D. 229-230.
- D. Marcus Horowitz, *Mateh Levi*, Y.D. 54.
- E. David Zvi Hoffmann, *Melammed L'ho'il*, E.H. 8.
- F. Avram Israel Reisner, "On the Conversion of Adopted and Patrilineal Children," in David Fine, ed., Responsa, 1980-1990: The Committee on Jewish Laws and Standards of the Conservative Movement, pp. 391-417.

March 26 and April 2 (Passover Holidays)

VI. Retroactive Annulment of Conversion (April 9 and 16)

- A. David Ellenson, "Retroactive Annulment of Conversion," in Walter Jacob and Moshe Zemer, eds., Conversion to Judaism in Jewish Law, pp. 49-66.
- B. Haim Amsalem, *Zera Yisrael*.
- C. Rav Kuk, *Ezrat Kohen*, 13 and 14.
- D. David Ellenson, "The Rock from which They Were Cleft," Jewish Review of Books (Winter, 2012).
- E. David Fine, ed., Responsa, 1980-1990: The Committee on Jewish Laws and Standards of the Conservative Movement (Steven Saltzman, Avram Israel Reisner, and Morris Shapiro), pp. 442-464.

VII. Student Presentations and Course Summary (April 23 and 30)

- A. Ellenson and Gordis, Pledges of Jewish Allegiance, pp. 165-170.