Conversion to Judaism and Proselytes in the Context of *Halakhah* and Jewish History



Yithro, priest in Midian, Moshe's father-in-law, heard of all that G-d had done for Moshe and for his people Yisrael. And Yithro said: 'Blessed be G-d' ('Baruch Hashem'), Who has rescued you from the hand of Egypt and from the hand of Pharaoh; Who has rescued the people from the yoke of the hand of Egypt. Now I have realized that G-d is greater than all the gods (Exodus,20: verses1, 10 and 11)

The Midrash Tanchuma comments on these verses that Yithro was a truly convinced 'Ger Emet' (Midrash Tanchuma: Parashat Yithro, 1)

Giyur K´Halakhah – Conversion to Judaism according to *Halakhah* (its expectations and criteria)

On the homepage of my much visited website, <u>www.bestjewishstudies.com</u>, the following introduction to *Giyur* is given:

It is possible, in principle, for every human to become Jewish. Judaism is open to all people, irrespective of background. On the other hand, Judaism does not engage in active missionary work. On the contrary, those who wish to join the Jewish People have to meet stringent requirements. That is why the interested candidate must bear witness to much perseverance and a sincere motivation.

These words reflect a part of the spirit of Judaism. The possibility of joining the Jewish People is as old as the Jewish People itself.

Our ancestors Abraham and Sarah occupied themselves with proclaiming the faith in one G´D (see *Bereshit*/Genesis 12:5 and compare the comment of Rashi on that verse).

The words *Ger* (for a male) and *Giyoret* (for a female) derive from letters of the Hebrew root *Gimmel, Vav, Reish*, meaning to dwell/reside in *Ivrit*. Someone who converts to Judaism, wants to dwell/live with the Jewish people. The commandment to love the stranger (the *Ger*) is a direct consequence of the Jewish People being strangers in Egypt. The command occurs some 42 times in *Tenach*.

Even in the *Amidah* (Silent Prayer), that we *davven* (Hebrew verb for praying) three times each day, we pray for the wellbeing of the true and sincere proselytes. Some outstanding Biblical personalities were themselves *Gerim* (plural of *Ger*).

Among them were the daughter of pharaoh, the famous princess who saved the life of Moshe and who, according to the Rabbis, converted to Judaism and departed with the Children of *Yisrael* to the Land of Israel. In gratitude for her courageous act of saving a human life, G´D gave her the name Batya, which means daughter of G´D.

Yitro, the father-in-law of Moshe, who had practised all sorts of idolatry, eventually accepted Judaism, together with his whole family.

Pinchas, the well known fundamentalist and warrior for G´D, was a grandson of Yitro. Trough his actions he halted an epidemic among the People and acquired the priesthood and the Covenant of Peace (see *Bamidbar*/Numbers 25:1-15). The most well known *Giyoret* however is Ruth. She is the maternal ancestor of the

Davidic Kingship. According to the *Midrash*, Ruth herself was a Moabite of royal descent. When the wheel of fortune turned and the whole family of her mother-in-law Naomi died in Moav, Ruth remained loyal to Naomi. Ruth is responsible for the famous slogan, which can be found on every website of a Rabbinic *Beth Din* (Court of Law): For to wherever you go, I will go; wherever you lodge, I will lodge; your people are my people, and your G´D my G´D. Where you die, I will die, and there I will be buried. Thus may HaShem do to me and thus may He do more, for only death will separate between me and between you (Ruth 1:16-17). This is in essence the best and shortest definition of becoming a Jew.

The charismatic, colourful Prophet Isaiah declares: As for the foreigners who attach themselves to the LORD, to minister to HIM and to love the name of the LORD, to be HIS servants – all who keep the *Shabbat* and do not profane it, and who hold fast to MY Covenant -For My House shall be called a house of prayer for all peoples (*Yeshayahu*/Isaiah 56:6-7).

From Jewish history we know that at the time of Ezra many *Gerim* (plural for *Ger*) joined the Jewish People when they returned to Zion. According to Nehemiah the most important point in their *Giyur*-process was the abandonment of idolatry (*Nechemya*/Nehemiah10:27) and associating themselves with the G´D of Israel. We read in the book of Esther that Haman, the archenemy of the People of *Yisrael* and a descendant of the people of Amalek, the symbol of the hatred of the Jews, wanted to destroy all the Jews in the Persian Empire from India to Ethiopia, on 13 Adar. We see this model in our so called modern times in Hitler and Ahmadinejad of Iran, who had and have the same aim. At the turn of the plot, with the hanging of Haman and the permission of king Ahasuerus, for the Jews to defend themselves in the battles on 13 Adar, we read (Esther 8:17): And in each and every province and in each and every city, every place where the word of the king and his edict reached, there was joy and delight for the Jews, a banquet and a holiday. And many from among the people of the land became Jewish, for the fear of the Jews had fallen upon them.

The Hashmoneans were great heroes who together with the Maccabees drove the Hellenists from Judea, Jerusalem and the Temple and established 200 years of independence. This is one of the reasons we celebrate *Hanukah* every year. However, the Hashmoneans established a royal dynasty which was against the wishes of the Rabbis. This dynasty was corrupt and assimilated through and through. Some of the Hashmonean kings wanted political and territorial expansion

and forced the local populations to convert to Judaism, including circumcision for the men. The Rabbis did not approve of this policy of Jewification by the Hashmoneans. We know from history that all those forced to convert to Judaism were regressive in the end and left Judaism. The most well known among them was king Herod, whose father, Antipater, was a forced convert. We know Herod as one of the most brutal despots in history, who murdered the entire Hashmonean dynasty as well as many Rabbis and who was in fact a vassal of the Romans. He is responsible for the fact that after his death Rome became the ruler in Judea, culminating in the great uprising against the Romans in 70 C.E., with the dramatic end in exile to Europe and the destruction of the Second Temple.

In *Mishnah* and Talmudic times (200-500 C.E.) we can find important Rabbinic *Mishnah* and Talmudic Sages who were descendants of proselytes. Shemaya and Avtalyon are among them.

Rabbi Akiva ben Joseef, the greatest and most well known *Mishnah* Sage, was the son of proselytes.

Even descendents of Haman learned *Torah* in the city of Bnei Brak. Hillel *HaNassi* (the Prince) gave a proselyte, who challenged him to teach him the whole Torah while standing on one leg, the answer in the so called golden rule: do not do unto another what you would not have done to yourself.

Onkelos, who was a cousin of Titus, became a Jew according to the *Talmud*. Thanks to him we have the Aramaic translation of the *Torah* (*Targum*), which is still consulted up to this day.

According to history Judeo-Christians and Essenians were responsible for the fiasco of the uprising of Bar Kochba in 135 C.E. These *Gerim* who joined not by conviction, abandoned Judaism in great numbers during crises. They became regressive and returned to their former pagan faith.

Jews as well as Christians profited on a large scale from the decadent pagan lifestyle in ancient Rome. Many patricians and madonnas converted to Judaism at that time. This large movement towards Judaism halted with the rise of Christianity. In 333 C.E. Emperor Constantine, together with Pope Sylvester I, turned the Christian religion into a state religion. Converting to Judaism was forbidden, under threat of the death penalty. This line of action predominated throughout the Middle Ages, with only a few exceptions. One of the exceptions was Rabbi Avraham *HaGer* (the proselyte), a famous *Tosafist* from the school of Rashi in the 12-13th centuries C.E. Another was the famous student and follower of Maimonides, Rabbi Ovadja *HaGer*, from the same time.

Rabbi Avraham *HaGer*, was one of the most striking scholars from the famous *Tosafist* School from the Middle Ages. This school wrote, during a period of 200 years, the most famous *Tosafist* commentary on the complete Babylonian *Talmud*. About 300 eminent scholars worked on this project. It may be important to write about this famous proselyte because he gives an explanation for the ambivalent Talumdic statement that proselytes are a burden for the Jewish People. This on the surface uncomplimentary assessment of proselytes by the *Talmud* is explained by Rabbi Avraham *HaGer* as follows: converts to Judaism are burdensome for the Jewish People because they are more meticulous and accurate in the observance of the *Mitzvoth*. In this way they act as a sort of accuser of the Jewish People, who are often not so particular with the Torah. It is as if *HaShem* is sending the Jewish People a reprimand: look, the newcomers are more observant than you, who are a direct descendent of the Patriarchs and who have also made a Covenant with *HaShem*.

Rabbi Ovadja HaGer was a favourite student of Maimonides (1135-1204 C.E.). Among his many works is a famous letter by Maimonides to Ovadja HaGer which has come down to us. This letter is a testament to Maimonides humanistic concern for Gerim and is a lesson for Jews who are not respectful towards Gerim. Ovadja HaGer asks Maimonides the simple question if he, who is not of Jewish descent, may say in the *Amidah* (Silent Prayer, most important prayer said 3 times a day): our G´D, Elokhee (G´D) of our Fathers, Elokhee of Avraham, Elokhee of Jitschak and Elokhee Ja'akov. Or if he may recite in the Birkat HaMazon (blessings after the meal): We thank you, HaShem our G'D, for the good, desirable and spacious Land which you have given our Fathers. May he retain the original version, or should he delete the words G'D of our Fathers? Maimonides answers him that he is not allowed to change anything in the prayers. He is of no less value than the rest of Israel. Avraham is the father of all Gerim and so the G´D of Avraham is also his G´D and the Land that G'D gave Avraham is also his Land as a heritage. In fact, if one interprets Maimonides correctly, the proselyte is more esteemed before G'D, because he is a direct descendent of Avraham Avinu (our father).

One of the greatest philosophical works of classical Judaism is the 'Kuzari' by Rabbi Jehuda HaLevi (1075-1141 C.E.). This work describes a theological debate between representatives of Judaism, Christianity and Islam. The king of the Khazars wishes to choose one of these monotheistic religions for his people. Via the polemic discussions he reaches an understanding of very important fundamental issues of faith. Among others G´D, the Prophets, the special qualities of the Land Israel and of the Hebrew language are discussed. The conversation ends with the king's conviction that for him and his people Judaism is the right faith.

Historically we know that an area around the Caspian Sea, probably Georgia, was a Jewish monarchy around 800-1000 C.E., with many *Gerim* who lived a Jewish life together with their king. A letter written by Menachem ben Saruk (920-970 C.E.), a sage at the court of Rabbi Hasdai ibn Shaprut (915-975 C.E.), minister of the caliph of Cordoba, has been preserved. In the letter the wish is described to visit the king of the Khazars and his people and to get to know them.

The fate of the Khazar state is however a sad one. The kingdom and the people of the Khazars disappeared from history, probably through conquest by different Asiatic peoples. Still, it serves as a good example of a whole people accepting Judaism as their faith. One can well imagine that many pagans in Europe would have joined Judaism, had not the church forbidden this, with the death penalty as the ultimate consequence. The Spanish Inquisition is a lively example of the inhumane and barbaric acts of which the Christian church is capable in the name of religion. The sad fate of the Marranos is witness to this.



The tomb of Avraham ben Avraham, the martyred convert who died for his chosen religion

An impressive story of a proselyte is that of Avraham ben Avraham, from the time of the Gaon of Vilna (1720-1797 C.E.). Abraham ben Abraham was also known as Count Valentine Potocki (Pototzki). He came from a very aristocratic family in Lithuania – Poland. As an only child he enjoyed a bohemian lifestyle. So he travelled to Paris to enjoy more of the good life. Through various circumstances he got to know the Jewish community and their Rabbi there and soon decided to convert to Judaism, which at that time was only possible in Amsterdam, the Netherlands. There freedom of religion could be found for all religions, including Judaism. Many converts travelled from all over of Europe to the Netherlands where they did not have to fear the power of the church and its punitive expeditions with the death penalty as the ultimate consequence. Count Potocki also travelled to the Netherlands and became a Torah faithful Jew. On his return to Vilna he learned with the Gaon of Vilna. Through betrayal church spies found him and took him prisoner. He was given a public show trial in inquisition style. He was sentenced to burning in public. The verdict was carried out on the second day of *Shavuot*. His ashes were collected by students of the Gaon of Vilna and kept at the Jewish cemetery of Vilna. The Gaon of Vilna asked that his physical remains be buried next to the grave of this righteous Ger Avraham ben Avraham, as can be seen to this day.

In tsarist Russia the Orthodox-Christian church exerted its power through the Tsar. It was strictly forbidden to convert to Judaism. One can find traces of this attitude in the *Aruch HaShulchan*, an halakhic work by the famous Rabbi Jechiël Michel HaLevi Epstein (1835-1905 C.E.), in the *Halachot* on *Giyur*. These *Halachot* remained theory only, because they could not be brought into practise in Russia.

France, with the French Revolution and its well-known slogan *liberté, fraternité et egalité*, became one of the countries that pioneered freedom of religion. The American constitution also guaranteed religious freedom for all its citizens, which also resulted in freedom of religion for every citizen in Western-Europe. The Belgian and Dutch constitutions explicitly guarantee religious freedom for every citizen and a strict separation between church and state is adhered to, as can be found in most European countries. An effect of this is that someone's faith may not be stated on identity papers. Misuse of this policy occurred during the Second World War in Belgium and in the Netherlands, when the Nazi policy forced the Jews to register in a separate register. This greatly facilitated the deportation of Jews to the concentration camps, like Auschwitz, by the Nazis.

The *Talmud* explains that in the Messianic Era no more proselytes will be accepted, because conversion to the faith of and the People of Israel is only possible for altruistic motives. Conversion due to the glory of the Messianic Era would thus not be a legitimate *Giyur*. During the reigns of King David and King Solomon no proselytes were accepted either, because at that time the motivation for the *Giyur* was the glory and good times during the reign of the Royal House of David.

The phenomenon of *Giyur* - converting to Judaism – has shown a revival after the *Shoah*. Some good reasons can explain this phenomenon.

- 1. The steadfastness and loyalty of the People *Yisrael* towards *HaShem* despite the terrible events of the *Shoah*, which in any other religion would be a liability and which would most probably have led to the end of that faith.
- 2. The attitude of the Christian church toward the Chosen People during the Shoah. With a few exceptions, both in Protestant and Catholic circles, the churches tried to play down the events of the Shoah. Many priests condoned Hitler's policy of the destruction of the Jews. The Vatican, with Pope Pius XI as the representative of Peter and being infallible according to Catholic theological doctrine, did not utter a word of protest or use its moral influence to help the Jews in need. The convents of France, Poland etc. did take in Jewish children. This was however only done with the aim of converting them to Christianity later and with the refusal to return these children to the Jewish People as legitimate representative of the victims.

It is my heartfelt wish, also on behalf of the entire Jewish People, to thank those priests and others who, with danger to their own lives, saved Jewish children and returned them to their People of origin, and who also saved Jewish adults. These people do indeed belong to the Righteous among the nations and have a share in the world to come, according to the *Talmud*. These days the churches have internal, dogmatic and sociological problems through which many Christians do not feel at home in them any more. We need only think about the trinity, the immaculate conception, the incarnation, the labelling of the sexual relations between husband and wife as 'dirt and original sin'. The result is not only empty churches, or churches mainly occupied by the elderly, but especially a surge towards the origin of Christianity, by learning about Judaism and then becoming part of it. Added to this is the fact that the Catholic church has sunk to an unprecedented depth: paedophile behaviour was widespread among priests and the Catholic church never acted against paedophile priests, let alone handing over these priests to the justice system. The rule of celibacy, by which the Catholic church does not allow its priests to marry, seduces priests, who cannot behave according to the rules prescribed by G´D (this can lead to homosexuality, paedophilia and other perverse sexual relations).

3. The Messianic vision of the Prophet Amos, which in my experience is the reason for a large wave of Christians and non-Christians wanting to become part of the Jewish People. Amos speaks of a special hunger and thirst. A time is coming ... when I will send a famine upon the Land: not a hunger for bread or a thirst for water, but for hearing the Words of HaShem (Amos 8:11). We are now in Messianic times. The People of *Yisrael* have risen from the ashes of Auschwitz, Treblinka and all the other infernos, like a phoenix and have returned to their original home. According to the prophesies of the classical Prophets of Israel, the Land of Israel would again become fertile and the cities would be rebuilt, as part of the revival of the People of Israel. We can state with pleasure that a large part of these prophesies have been fulfilled. Compare Jechezk-el/Ezekiel chapter 37. Of course, many problems hang over the State, the People and the Faith of Israel. Examples of this are the reestablishment of the Sanhedrin (religious Supreme Court), the intensification of Halakhah, the method of and decisions enacted in the laws of Israel, the decisions of the Israeli Supreme Court, which are not always in accordance with the Teaching, morality and ethics of our Torah, and of course the ingathering of the lost remnants of Yisrael.

With the establishment of the State of Israel, a new problem has arisen: what is *Giyur* according to *Halakhah*? Is it a feeling for Judaism, or is it a real religious act? Until the establishment of Israel the guideline was clear. Only a religious act according to the precepts and expectations of the *Shulchan Aruch* (The Jewish Law Code) sufficed.

David ben Gurion (1886-1973 C.E.), the first Prime Minister and founder of the State of Israel, asked a hundred Jewish personalities 'who is a Jew?', in connection with the Right of Return of the Jews to the State of Israel. The Israeli Constitution states that every Jewish human automatically has the right to Israeli citizenship. Of these selected hundred personalities the vast majority wrote that becoming Jewish is only possible according to the *Halakhah* which has been practised for thousands of years. *Halakhah* prescribes that a child of a Jewish mother or one who has converted to Judaism according to *Halakhah* is a Jew. Mention should be made here of the fact that the mother, and not the father, decides the status of the child. Why is

this so? Maternity cannot be questioned, but paternity can. Besides this, the mother influences the child the most during its formative years.

What is *Giyur* according to the *Talmud* and the Jewish Law in the *Shulchan Aruch*?

In general *Halakhah* shows a reserved attitude towards *Giyur* and does not favour doing missionary work. According to the *Shulchan Aruch* the request of a potential *Giyur*-candidate must be turned down 3 times by a Rabbi, so that the candidate will think carefully if he/she should not go through life as a Noachide. Noachides are only obligated to perform 7 Mitzvoth, while a Jew has to fulfil theoretically 613 commandments and prohibitions. According tot the *Shulchan Aruch* the candidate must also understand that *Giyur* is an irreversible attachment to the Jewish People and the bad and difficult position of Jews in exile, who often have (had) to face persecution. There is indeed a phobia for Jews.

We can state three things concerning Giyur:

- 1. In general the *Talmud* and also *Halakhah* notes that we have a duty to make the *Mitzvoth* known (*Hoda´at Mitzvoth*). It is clear that one does not have to learn the complete corpus of *Halakhah* before admission to Judaism can take place. Making known some *Mitzvoth* is in fact an introduction to Judaism, to practise and to grow in these and other *Mitzvoth* later, after admission. Some more heavy *Mitzvoth* which are mentioned in the Talmud are for example *Shabbat* and *Kashrut*. A more light *Mitzvah* that the Talmud describes is for example the duty to give to the poor. From the Talmud it is clear that the preparation for *Giyur* is a starting point and certainly not the finishing line. The *Giyur*-candidate will later immerse him-/herself in and specialise in the different *Halachot*, *Tefillot*, etc.
- 2. In effect every *Torah* observant *Beth Din* these days sets its own standard of expectations, which for some *Beth Din* concerns only observation and little attention for the halakhically funded knowledge of the *Shulchan Aruch*. Others emphasize the *Giyur*-candidate's very detailed knowledge of *Halakhah* and emphasize the philosophy of Judaism much less.
- 3. Later most Halakhah-authorities expanded the elementary condition of making known the Mitzvoth with the concept of Kabbalat Mitzvoth, namely that the Giyur-candidate must accept the complete corpus of Mitzvoth on his-/herself, without any reservation. During the questioning the acceptance of all the Mitzvoth is again examined and at the immersion in the Mikveh, which

is the final step of conversion to Judaism, this question is again raised, besides the repetition of the 13 Principles of Faith of Maimonides, and with the emphasis on the fact that the *Giyur* is irreversible, so that from the standpoint of Judaism, the *Ger* or *Giyoret* will never be able to exit.

Halachic requirements

- 1. *Brit* (halakhic circumcision)
- 2. Mikveh (Ritual bath)
- 3. Beth Din (Court of Law)

Brit (halakhic circumcision)

For male candidates halakhic circumcision is compulsory. In ancient times this was certainly a barrier, because the surgical procedure was accompanied by much pain as the operation was performed without anaesthetics. These days, thanks to the progress in the medical world, progress has also been made in this area. Circumcision is in principle a light surgical procedure which can be performed by most urologists. A local anaesthetic is given and needles are used in a mostly ambulatory procedure. This easy circumcision has a recovery period of on average no more than 2 weeks and one can take care of it oneself.



After the circumcision of an adult *Giyur*-candidate he is blessed by the *Beth Din* and he also receives a Jewish name at this point in time.

However, the *Giyur*-candidate has not undergone a *halakhic* circumcision if it was not done in the presence of a halakhically recognised *Beth Din*, so he will have to undergo a symbolic *Brit* (*H´Tafat Dam*) immediately before entering the *Mikveh*. A

drop of blood on the male genital organ suffices to make it a halakhically legitimate circumcision.

The ideal is however if the surgical operation is done by a religious Jewish doctor or by a *Mohel* under a local anaesthetic and in the presence of the *Beth Din*. This operation is then the *halakhic* circumcision (Brit).



An adult *Giyur*-candidate is congratulated with *Mazal Tov* by the *Mohel* (in *Talit*), the members of the *Beth Din* and friends.

I wish to take this opportunity to record a few words on circumcision. Circumcision is called the Covenant or *Brit* of Avraham and has been a prerequisite for acquiring the Jewish identity for millennia. Besides it being the wish expressed in the *Torah* that we consider the (halakhic) circumcision also as a Covenant with G'D, it is also the first *Mitzva*h given to Avraham, our ancestor and founder of monotheistic religion. The *Torah* stresses that the *Brit* should be performed on the eighth day. Aside from the hygienic and medical reasons that famous scientists ascribe to circumcision, we must state that circumcision is not solely a sign of Jewish descent. Muslims and large parts of the general population in America are circumcised as babies. In Europe the Christian church (by way of Paul) abolished circumcision for understandable reasons, so as to have more success in its mission amongst pagans: the fear of becoming a Christian was removed in this way. The church emphasised the so called circumcision of the heart, in stead of the literal circumcision (see *Yirmiyahu*/Jeremiah 4:4).

It is lamentable that in the 21st century some doctors in San Francisco and the Netherlands consider circumcision as a mutilation of the male genital organ. In this way they want to prohibit parents circumcising their male children for religious reasons. The Netherlands especially was known in the late Middle Ages as a very tolerant country, especially for Jews. These days the situation is very different and

the Netherlands has become a country hostile to people of faith. Dutch society is an nonreligious society and religious people have to constantly defend themselves against infringements of religious freedoms, as can be seen in the *Shechita* dossier and more recently with circumcision. If one thinks as freely as the Dutch pretend to think, on modern issues like euthanasia, marriage of homosexuals, abortion, one should on the other hand also be more tolerant towards minorities. This however unfortunately leaves much to be desired. Especially the Jewish and Islamic minorities are at the vanguard of the intolerance of the Dutch.

One can certainly speak of mutilation in the case of female circumcision, which is however strictly forbidden in Judaism (unlike among certain Islamic groups in Africa). This barbaric mutilation of women, or perhaps we should call it castration, is a violation of conventions and resolutions on human rights of the United Nations and only serves to diminish the libido of women.

Current cases of non circumcision

In the American reform movement circumcision is not demanded of a male candidate. Many immigrants from the former Soviet Union states who emigrated to Israel or the Bundes Republic Deutschland (now Germany) have for understandable reasons declared themselves to be Jewish for economic reasons, to obtain a residential and work permit. Even if we assume that they are indeed Jews according to Halakhah, one has to unfortunately state that these so called Jews are mostly uncircumcised and do not pass circumcision on to their children either. In Germany and Israel a portion of these immigrants claimed to be Jews for economic reasons, but certainly not for religious reasons. One can understand that during the communist era, when circumcision was strictly forbidden, it was not practised in the former Soviet states, with the exception of Georgia (the state of Stalin). This is however no excuse not to perform circumcision or to pass it on these days in Germany or Israel. The practice of some marginal movements within Judaism, like *Chabad*, to bring these people back to Judaism is controversial. Jews from these movements teach these uncircumcised men to put on Tefillin, call them up for the Torah reading, count them in a Minyan etc.

One can pose the critical question, what the point is of calling someone to the *Torah*, or of putting on *Tefillin*, if this Jewish male does not meet the requirement of the first *Mitzvah* given Avraham, the founder of the Jewish faith, namely the *Brit* or halakhic circumcision. Personally I have no understanding whatsoever for this practise by *Chabad*, because it is an approval of a practise that is not compatible with the spirit of the *Torah*.

Jews who are not circumcised and who do not pass circumcision on to their children can be found especially in Germany and Israel, where many Russian Jews live who have no religious inclination and have inherited this from the 70 year of communist rule. It was then strictly forbidden to practise circumcision on males, because it was against the atheistic dogma of the communist party. The communists forbade every religion, especially Judaism.



<u>Mikveh</u>

My student for many years and *Giyur*-candidate Elisheva Daniëla, is congratulated by the Orthodox *Beth Din* of Bnei Brak, Israel, after the *Mikveh*. On the left is the *Rosh Beth Din HaRav HaGaon* Rabbi Jisrael Wiesel, *Shlitah*.



Elisheva Daniëla together with the Mikveh- lady after the Giyur procedure.

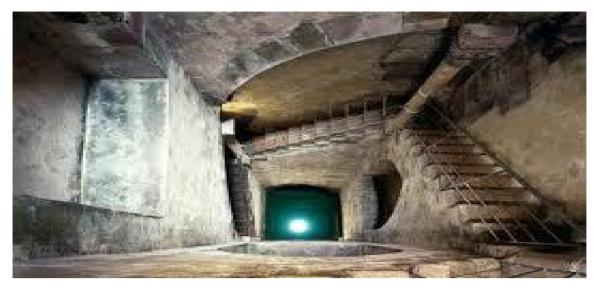


Elisheva Daniëla calls all her friends and acquaintances to inform them of her successful coming out as a Jewish woman.

The word *Mikveh* is usually translated in English as ritual bath. This might not be a bad translation, but it does not convey the true meaning of the word. The Prophet Jeremiah speaks as follows (*Yirmiyahu*/Jeremiah 17:13): O Hope of Israel! O LORD! ... For they have forsaken the LORD, The Fount of <u>living waters</u>. According tot the Prophet, the *Mikveh* is here the Hope of Israel, but both the Prophet in the *Tenach* and Rabbi Akiva in the *Mishnah* (*Yoma* 8:9) speak of *HaShem* Who cleanses the People of Israel spiritually and Who brings them to turn around and return, like a *Mikveh*. The Hebrew letters of the root of *Mikveh* are *Quf, Vav, Hej* and indeed both interpretations are in conformity with the Hebrew etymology, as the Hope (*Tikvah*) of Israel or a *Mikveh* in the meaning of a reservoir of living water.



The oldest *Mikveh* can be admired in the stronghold of Masada, Israel, where *Mikvoth* (plural of *Mikveh*) of around 2000 years old can be found.



The *Mikveh* of Friedberg is the most beautiful *Mikveh* from the Middle Ages in Europe.

In Europe one can also find very old *Mikvoth* of more than 1000 years old. Among them is the *Mikveh* of Worms, the so called Rashi *Mikveh* from the 11th century, and the *Mikveh* of Speyer from the 12th century. The most beautiful *Mikveh* can be admired in the small city of Friedberg in Hessen, Germany. This *Mikveh* has an admirable architecture which leads down to about 7 floors below the ground. Lighting comes in via a natural way from above, and the *Mikveh* has a small cubicle for the change of clothes in which also lanterns and candles were used. The natural water comes from the river Main. The *Mikvoth* of Worms and Speyer receive their water from the Rhine. Our oldest mothers were real heroines to enter a natural *Mikveh* with icy water, a few floors below the ground, without heating or any lighting.

In principle a river, a source, an ocean or a natural lake are kosher to serve as a *Mikveh*. However, our Sages have a great reluctance regarding these and even forbid the use of these natural sources of water, for the following reasons.

- 1. No discretion and private sphere, because of which the users may not do the ritual properly according to the requirements.
- 2. Flowing water can carry away a person, or draw the person into a vortex.

These days the *Mikveh* is a masterpiece of learning in *Halakhah*, but also of understanding of architecture and mathematics. Only a specialised Rabbi can plan and guard a *Mikveh* or give it a *Kashrut*-certificate. Our Rabbis have a great

knowledge of all the complicated *Halachot* and also of geometry and mathematics, architecture and *Mikveh* specific requirements. There are in principle two water reservoirs which are adjacent, namely the *Mikveh* itself in which people immerse themselves and a reservoir for rainwater. This *Mikveh* is always cleansed and there is a continuous circulation of newly treated water. Besides this there is a sort of water well which is fed with rainwater. The rainwater comes from the roof of the *Mikveh*-building through a direct pipe into the water well and thus provides for enough rainwater and no shortage due to evaporation occurs. The well is connected directly through a big hole that ends up in the ritual bath.

Except for the cleansing of the *Mikveh* the connection is shut off. Other regulations for the *Mikveh* are too complex to describe here.

The modern *Mikveh* meets all norms of aesthetics and halakhic requirements. Thus every *Mikveh* for women has a private bathtub, a shower and a washbasin with mirror. Heating is built in. Most *Mikvoth* also have a beauty corner where a hairdryer and other cosmetic devices are at hand. The *Mikveh* for women is overseen by a *Mikveh*-lady, who also accompanies the women. A married woman must visit the *Mikveh* after her days of menstruation plus seven cleansing days and, after a thorough ordinary washing, immerse herself in it, completely naked, without any jewellery or cosmetics. After this it is a *Mitzvah* and a duty to renew the anticipated sexual relations with her husband. Since this concerns a duty laid down by the *Torah*, the *Mikveh* and has assumed the correct position. The hair of the woman is a special problem, because it must be completely covered by the *Mikveh*-water.



Super modern kosher Mikveh in Washington D.C., United States of America

The *Torah* forbids a woman, even today, to have physical contact with her husband during her menstruation and seven more days which the Rabbis added onto this duty. This prohibition is very strict and is taught both women and men very thoroughly. The degree of piousness of a woman is measured by this *Mitzvah* and two others, namely *Shabbat*-observance and *Kashrut*. The man also has these *Mitzvoth*, besides putting on *Tzitzit* and *Tefillin* to be considered religiously dependable. The first time a Jewish woman goes to the *Mikveh* is immediately before her wedding. Living together before marriage is thus not possible and is not encouraged either. Even if the woman goes to the *Mikveh* before her marriage, she may not have sexual relations with a man.

The immersion process and the *Halachot* concerning *Niddah* (a woman during her menstrual period) are only applicable to a Jewish woman or to a woman who has converted to Judaism.

In the *Mishnah*, *Talmud* an law code *Shulchan Aruch*, the Rabbis demand that someone who converts to Judaism also, with the necessary discretion, goes to the *Mikveh* as a decisive act of incorporation into Judaism. This obligation rests on both men and women.

The Rabbis who lived around the time of Jesus and his followers have had an influence on Christians. Thus we find for example John the Baptist, who immersed his followers in the Jordan, and through this immersion made them new Christians. A newly born Jewish child does not need a *Mikveh* because the Covenant of Sinai encompasses all the generations. Children of women who have converted to Judaism do not need a ritual immersion at birth either.



Left: Maimonides, in his most well known portrait, that has nearly become an icon. Right: The famous statue of Maimonides in Cordoba, Spain, his place of birth. The great philosopher and biblical scholar Maimonides (1135-1204 C.E.), who is counted a rationalist, writes in his Codex Maimuni: "The *Halakhah* and everything connected to the *Mikveh* cannot be explained rationally. We will assume that it is the will of *HaShem*, that all the water in the world cannot cleanse a woman of her *Niddah* status. Only the *Mikveh*-water is able to accomplish this. This also applies to a proselyte, who can only be integrated into Judaism with an immersion in a *kosher Mikveh* as the decisive act."

With all due respect to Maimonides, we shall here try to introduce a few rational explanations for the *Mikveh*.

- The human embryo is surrounded by the amniotic fluid of its mother. When a human being immerses him-/herself in a *Mikveh* of **living water**, he/she returns to his/her primordial situation. This is certainly an explication for a married woman going to the *Mikveh* after her period to cleanse herself ritually.
- We are told in the story of Creation (*Bereshit*/Genesis 1:2) that the whole world was under water before Creation and that the Presence of *HaShem* hovered over the water. The **living water** of the *Mikveh* simulates this primordial state of Creation.
- The famous story of the Aramaic general Na'aman, whose body was covered completely with leprosy and who had to immerse himself according to the instructions of the Prophet Elisha in the Jordan, to reappear as a newly born, with the skin of a child (*Melachim Beth*/ II Kings 5:14). The Jordan river is considered a natural *Mikveh*. Especially in the *Giyur* procedure the immersion in the *Mikveh* is considered a new birth. The past of a *Ger/Giyoret* is no longer relevant and the proselyte begins a new page in his/her life, namely as a Jewish man or as a Jewish woman.
- A different motive can be found with the Prophets Ezra and Nehemiah, namely the renunciation of the past and the attachment of oneself to *HaShem*. The Prophet writes of many who attached themselves to the Jewish People to serve the true G´D and to separate themselves from idol worship. Washing in the *Mikveh* is considered a sort of cleansing of the past (*Nechemya*/Nehemiah 10:27). This spiritual state of purity can only be achieved by immersion in a *kosher Mikveh*.

For both male and female *Giyur*-candidates it is a duty to perform the immersion in the presence of the *Beth Din*. For men there is no problem of discretion or

immorality, but for women there is. Before the actual immersion the 13 Principles of Faith of Maimonides are repeated and the irreversibility of the process is stressed. Two possible solutions are used for the immersion of women in the *Mikveh*.

- 1. Especially in Israel, both at the Chief Rabbinate and the *Charedi* Rabbinate, the ritual bath is covered with a non transparent plastic, through which only the head can immerge. The woman immerses herself completely in the bath, and the *Mikveh*-lady guides the immersed woman so that she can reappear with her head again above the water. In total 4 immersions are necessary, at which the *Berachah* (blessing) for the *Mikveh* of the *Ger/Giyoret* is said besides the *Berachah* for reaching and living through this occasion. After dressing the candidate reappears before the *Beth Din* and is given a Jewish name, which counts as the new identity of the proselyte, who is now considered a son or daughter of Avraham and Sarah, besides being a full member of the Jewish People and Faith. The proselyte is wished '*Mazal Tov*', many blessing of G'D on his/her new path of life. Some weeks later the *Ger/Giyoret* will receive the *Giyur*-certificate by post, with which he/she can enlist in a religious *Torah* faithful community and enjoy all the rights and duties which accompanies this.
- 2. A variation of the immersion in the *Mikveh* takes place as follows: the *Giyoret* enters the *Mikveh* under the guidance of the *Mikveh*-lady. The Rabbis are not present in this space, but in an adjacent space that does however have an acoustic connection. The *Mikveh*-lady is a sort of go-between who conveys the necessary conversations. The *Beth Din* has no contact with the woman during the immersion. For the rest the procedure is the same. This sort of immersion is practised especially outside Israel. As the chairman of the *Beth Din* in Frankfurt am Main, I myself practised this method for the immersion of women.

Beth Din (Court of Law)

Giyur is primarily a religious act at which, according to the *Shulchan Aruch*, only a halakhically recognised *Beth Din* is authorised to accept the *Gerim* into Judaism. Most of us know that a *Beth Din* is composed of 3 authoritatively recognised *Dayanim* (judges), of whom one is the chairman (*Av Beth Din*). The task of a *Beth Din* is to ascertain whether the candidate is well prepared to be integrated and taken up into Judaism.



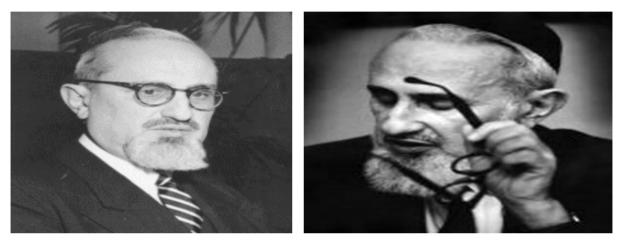
Left: my *Talmid* (student) for many years, Baruch Shlomo van Sant, before the *Beth Din* for *Giyur* of the Chief Rabbinate in Kiryat Gat, IsraelRight: Baruch Shlomo says the *Shema* by heart.



Left: Baruch Shlomo is handed a provisional *Giyur*-certificate, with which he can live and work permanently in Israel and with which he can apply for Israeli citizenship. Right: Baruch Shlomo together with *Rav* Yitzchak Jacobowitz, *Shlitah*, director of the *Beth Din* for *Giyur* of the Chief Rabbinate in Kiryat Gat, Israel



Left: Baruch Shlomo (middle) after the *Mikveh* together with the Mayor of Susya, Israel (left) and Aryel Tsion (right). Aryel Tsion is these days assistant and experienced specialist at the Chief Rabbinate, section *Giyur*, in Kiryat Gat, Israel. Right: Baruch Shlomo at the *Kotel* with *Talit* and *Tefillin* as a fully fledged religious Jewish man. To be able to function as a *Rabbi* or *Dayan* these days, one needs an ordination (*Semikhah*) as a *Rabbi* or *Dayan* from a renowned institute or of a well-known and respected Rabbi who has received the authority for this, like Rabbi Moshe Feinstein (1896-1986 C.E.) or Rabbi Ovadiah Yosef, *Shlitah* (1920 C.E). I myself received my ordination of the world-famous Rabbi Joseph B. Soloveitchik (1903-1993 C.E). He was then the chairman of the seminary for the instruction of Rabbis at the Yeshiva University in New York.



My *Rebbe* and esteemed teacher, Rabbi Joseph B. Soloveitchik z.l., from who I received my Rabbinic ordination.

Originally the *Semikhah* or Rabbinic ordination goes back to Moshe *Rabbenu* (our Teacher), who according to the Tradition ordained (empowered) the *Sanhedrin*¹ and his trusted pupil and servant Jehoshua (Joshua) at the command of *HaShem* to function as judges and as religious leader of the Jewish People.

Joshua in his turn again ordained the elders to continue the chain of ordinal Tradition. The golden age of this institution was towards the end of the Second Temple era. Despite the destruction of the Jewish state and the Second Temple the *Sanhedrin* remained in function until about 300 C.E. The *Sanhedrin* thus still existed for a time, despite the destruction of the Temple. Because of the hostile attitude of the Romans the *Sanhedrin* was moved constantly, to at least 10 different locations in *Eretz Yisrael* (the Land of Israel). From the period of the Second Temple onward the highest office was, beside the *Nasi* (president), the *Av Beth Din*, or chairman of

¹ The *Sanhedrin* was the High Court, made up of 71 members from the religious and intellectual elite. The word is derived from Greek and means council of elders. The Nazis have misused this in a grotesque way to introduce their policy of destruction and extermination, by instating a council of elders in every Jewish community, which then had to do their bidding.

the *Sanhedrin*. Their authority consisted in establishing the calendar and giving an authoritative, definite ruling for all important halakhic religious questions. They also in theory had the authority to carry out the death penalty. This was more of a theory, because the Romans continually restricted the authority of the *Sanhedrin*. Thus Jesus was not sentenced by the *Sanhedrin*, but by Pilate, because the *Sanhedrin* refused to carry out the death penalty. This can even be read in the so called new testament.

The famous Rabbis from this long period had the authority to ordain students who according to them fulfilled the expectations and criteria to be able to function as religious leaders in Israel.

In *Eretz Yisrael* these Rabbis were called *Rabbi*. Outside of Israel, especially in Babylon, they were called *Rav*. One could obtain a higher qualification if one met the expectations and specialisations concerning what was permitted and what was forbidden, like *Shechita* (ritual slaughter), *Treifah* (laws concerning forbidden food) and *Kashrut* (laws concerning foodstuffs).

From the 3rd century C.E. the *Sanhedrin* stopped functioning, because of the constant oppression of the Jews in *Eretz Yisrael* and thus the ordination of Rabbis was halted. During the 3rd till 16th centuries C.E. all Rabbis served as laymen,

despite being appointed by a famous Rabbi or by an acknowledged *Yeshiva*-leader. They were permitted to use their title as Rabbi and had the authority to make decisions on all matters of *Halakhah*, but strictly speaking they remained laymen, simply because the Tradition of ordination had been broken due to the persecution by the Romans.

A big controversy started over the reintroduction of ordination in Judaism in 16th century Safed, Israel, then the world centre of Rabbinic Judaism, with Rabbi Yosef Karo (1488-1575 C.E.), the author of the *Shulchan Aruch*.



Rabbi Yosef Karo (1488-1575 C.E.)

Two world renowned Rabbis have controversial and diametrically opposed opinions on the question of reintroducing the Rabbinic ordination and the *Sanhedrin*.

• Rabbi Ja'akov Berab

Rabbi Ja'akov Berab (1474-1546 C.E.) was a proponent of the reintroduction of the *Sanhedrin*. According to him reinstating the *Sanhedrin* is possible in *Eretz Yisrael* if the majority of the *Chachamim* (the Sages) are in favour for this. He of course also saw this as a first step of the Messianic preparation (*Yeshayahu*/Isaiah 1:26): I will restore your judges as of old and your counsellors as of yore. After that you shall be called City of Righteousness, Faithful City. In addition to this there was the difficult problem of the Marranos (Jews who were forced by the Inquisition to become Christian, but remained true to Judaism in secret), who luckily could escape Portugal and Spain to practise their Judaism openly. The halakhic problem concerned the forbidden relations or the impossibility of a *Get* (letter of divorce), which, according to Rabbi Ja'akov Berab, required the authority of a *Sanhedrin*. Rabbi Ja'akov Berab ordained two students with *Semikhah*, namely Rabbi Joseph Karo and Rabbi Moshe Alshich (1508-1593 C.E.), the famous Kabbalist and commentator on the Torah.

• Rabbi Ja´akov ben Chaviv

Rabbi Ja´akov ben Chaviv, a contemporary of Rabbi Ja´akov Berab, was also one of the most famous Sephardic stars. He was the Chief Rabbi of Egypt and was later chosen to be the Chief Rabbi of Jerusalem. He was an ardent opponent of the introduction of *Semikhah* and the reintroduction of the *Sanhedri*n, because this is connected to the Coming of the Messiah.

In history two more attempts were made to introduce the Sanhedrin. One occurred under Napoleon Bonaparte, but this attempt was not crowned with success. In took place in Paris in 1807 C.E., under the chairmanship of the Chief Rabbi of Strasbourg, Rabbi David Sinzheim (1745-1812 C.E.).



Left: Rabbi David Sinzheim, Chief Rabbi of Strasbourg and chairman of the Napoleonic Sanhedrin.

Right: the opening session of the Sanhedrin in Paris, 1807 C.E. The next attempt was made by the first Israeli Minister of Religion, Rav Jehudah Leib Maimon z.I. (1875-1962 C.E.). He even wrote a book about the reintroduction of the Sanhedrin, a brilliant plea, in which he had to admit himself that most Rabbis would not want to reintroduce the *Sanhedrin* so as not to loose their positions of power. Without going into this controversial matter, I can assure you that many of our contemporary halakhic problems, within and outside of Israel, would be solved authoritatively with a *Sanhedrin*. Especially concerning *Giyur* a clear guideline on what is and what is not recognised should be drawn.



Rav Jehudah Leib Maimon, z.l. (1875-1962 C.E.), first Minister of Religion of the State of Israel.



Rav Jehudah Leib Maimon at the historic proclamation of the State of Israel, 14th of May 1948 C.E. in Tel Aviv. He is seated next to Ben Gurion, on the left.

The fact is that we do not have a *Sanhedrin* and neither the Rabbis who follow in a direct *Semikhah* line from either Moshe *Rabbenu* or Rabbi Ja´acov Berab. Thus, all *Torah* faithful Rabbis of today are really laymen. Still, even as laymen they can be authorised to function as a Rabbi and as a *Dayan*, if they have a thorough knowledge of the complete domain of *Halakhah*, passed down to us in the *Shulchan Aruch*, and especially if they are G´D fearing, with reverence for Heaven and thus adhere to the handed down *Halakhah*.

The great teacher and codifier, Rabbi Moshe ben Maimon, better known as Maimonides (1135-1204 C.E.), states in his codex that if a proselyte becomes regressive (i.e. he reverts to on his original faith), this is the fault of especially the *Beth Din* (of course also of the teachers), because the judges did not investigate thoroughly enough the motivation and the skill in *Halakhah* of the *Giyur*-candidate. Maimonides, the *Shulchan Aruch* and all *Torah*-faithful halakhic authorities expect the members of the *Beth Din* to adhere to the *Torah* in its totality, with all the Rabbinic fences, and that their behaviour is also geared to this.

Of course the *Beth Din* is required to have a well-founded knowledge of *Halakhah*, in all its facets, including the big responsa literature.

That there is no unanimously satisfactory answer to the question of who is a Jew, is proven by the fact that nearly during every term of the Israeli Parliament (the *Knesset*) this question has been raised. Consider that David ben Gurion (1886-1973 C.E.), the first Prime Minister and founder of the State of Israel posed

the same question to 100 Jewish personalities over the entire world, from Rabbis to freethinkers, and that a majority answered that one must take account of the millennia old Tradition, that a Jew is only a Jew through a Jewish mother or by *Giyur* according to the criteria of *Halakhah*. This position is incorporated into Israeli law, however without the proviso: according to *Halakhah*. This was done for political reasons, so as not to offend the reform and liberal movements, and also the conservative movement (especially in America). As a consequence of this ambivalent attitude a hiatus exists between the attitude of the Chief Rabbinate of Israel and the Israeli Ministry of Interior Affairs. For example, if someone arrives with a *Giyur*-certificate from a reform or conservative *Beth Din*, the Israeli Ministry of Interior Affairs will recognise this as Israeli, but not as Jewish. It is obvious that the Chief Rabbinate of Israel will never recognise such a *Giyur*. This more or less outlines the situation in present day Israel.

According to my humble opinion the question of 'who is a *Rabbi*' according to *Halakhah*, must and may also be raised. May someone who does not accept the *Shulchan Aruch* in its entirety and violates it, call himself a *Rabbi*? Not to mention the women who, through feminist feelings of inferiority, profile themselves rabbis. It is well known to every novice that in Judaism there is no Tradition whatsoever for appointing women as rabbis: not in the *Talmud*, *Shulchan Aruch* or *Torah*-faithful responsa-literature.

If one does everything to imitate the church, from the lifting of the separation between men and women in the synagogue, or the official permission to violate the *Shabbat* because of the availability of a parking space, if one eats in so called kosher-style, which in effect means one eats glatt-Treife, one will certainly not be allowed to bear the title of Rabbi. It would be more honest if these people called themselves priest, pastor or clergyman as their term of address. This is in keeping with their way of life.

How is it possible to bear the title of Rabbi if one officiates at weddings of gay couples under the name of *brit ahava*, while every beginner knows that this is against both the Written and Oral Torah? How can one possible continue to appear as a Rabbi if one performs interfaith marriages together with a Christian priest?



Left: the first gay wedding in Amsterdam under the title of *brit ahava* on 16-01-2011 C.E., performed and sanctioned by rabbi Menno ten Brink. Right: a lesbian wedding in Berkeley, San Francisco. The most inappropriate clothes of the women cannot be overlooked.



Left: Chelsea Clinton with her Jewish bridegroom, Marc Mezvinsky, at an interfaith wedding in 2010 C.E.

Right: A duo of a rabbi and a priest, who perform a halakhically illegal and ridiculous wedding.

How can Jews in the American reform-movement accept people as Jews, without them being circumcised? How can one declare someone to be a Jew, if the Jewish roots stem only from his/her father? According to *Halakhah* these rabbis are not religious and are not authorised to perform marriages or to carry through a religious divorce procedure, which may cause the children of these unions to be *Mamzerim* (bastards).

Mamzerim are children who are born from a union forbidden by the *Torah*, for example children from an incestuous relationship or children of a married Jewish woman who is not divorced according to *Halakhah*. If a married Jewish woman marries another man without a halakhic *Get* or bill of divorce, the children are *Mamzerim* according to the *Torah*, and they are not permitted to marry Jewish people. I wish to stress that the child of a single Jewish mother or of an unmarried Jewish couple is not a *Marmzer*, as is often supposed. As a consequence, the great halakhic authorities of the 20th century C.E., like Rabbi Moshe Feinstein (1895-1986 C.E.), Rabbi Yosef Shalom Elyashiv (1910-2012 C.E.) and Rabbi Ovadiah Yosef, *Shlitah* (1920 C.E.) have proclaimed the marriages, divorces and *Giyurim* of sectarian Judaism, like reform, liberal, conservative-masorti and reconstruction as null and void and invalid, so the problem of *Mamzerim* does not occur.

Personally I think that for the coming 2 generations a Torah-faithful Jew will not be able to marry someone from the reform-liberal or conservative movements, because he or she might be a *Mamzer*.

All these strange and macabre phenomenon are against the laws and spirit of the Shulchan Aruch and are unacceptable for Torah-faithful Judaism. I further wish to mention that the historic sects of the Sadducees at the end of the Second Temple era and the Karaites (till about 1300 C.E.) at least accepted and practised the Written Torah, albeit according to their mistaken interpretation. However, the reform and liberal, and all other sectarian secessions of Torah-faithful Judaism, are less than the Sadducees and Karaites, because they practise neither the Oral or the Written Torah, but fill in as they see fit. One can certainly label these so called rabbonim (plural of rabbis in Hebrew) as bad children of Israel, as the Neuologen (conservatives) were usually called in Hungary among *Torah*-faithful Jews. They are causing an irreparable division among the Jewish People and in this context a most fitting quote is that concerning Korach and his fellow rebels against Aharon and the Priests. Moshe speaks to the People of Israel: "Turn away from near the tents of these wicked men and do not touch anything that is theirs, lest you perish because of all their sins" (Bamidbar/Numbers 16:26).

Which is a fitting lesson to us all!

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