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**Current Common Practice of Congregations Affiliated to the Southern African Union for Progressive  
Judaism**

# **MINHAG SOUTH AFRICA**

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## **Statement of Principles**

Progressive Judaism is an authentic stream within Judaism affirming the values and traditions of Torah, the unity of the pluralistic Jewish People and the singularity of God. Our beliefs affirm all people as creations in the image and likeness of God; our practices welcome all Jews and seek to include men and women, Jews by birth and Jews by choice as members of a community seeking *l'takein et ha'olam*<sup>1</sup>—to improve the world—through *talmud Torah*—study of the texts and traditions of the Jewish people, through *Avodah*—sacred service—and through *mitzvot*—sacred deeds. We seek to build egalitarian, welcoming communities that affirm personal autonomy as means of overcoming alienation, insularity and exclusion.

### History

Progressive Judaism is rooted in the prophetic tradition of emphasizing the ethical along with the ritual. Early Rabbinic Judaism sought to achieve a balance between the ethical and the ritual, between the needs of the ordinary individual and the demands of regulations created through interpretations of sacred texts. For more than two centuries during which Jews have been citizens of the nations in which we live, and especially in democracies such as South Africa, Jewish identity has been characterized by individual choice and voluntary allegiance. Progressive Judaism promotes the affirmation of citizenship through full participation in our society. This struggle to create opportunity, acceptance and inclusion of all citizens without regard to gender, ethnicity, national origin or sexual orientation, represents Judaism's ancient belief in the creative power of God interpreted in contemporary terms.

### Torah

The textual tradition of Judaism has been open to interpretation and reinterpretation for over two millennia. That ancient process remains a vital force for defining the boundaries of community, for marking the significant times and seasons of a Jewish life and for guiding lives shaped by social concern and informed choice. Codes of Law and ritual regulations take their place with the developing understanding of modern knowledge. Human psychology, ecology and theology share in guiding personal and communal standards. Renewal, process and creativity are enduring manifestations of Judaism.

### Community

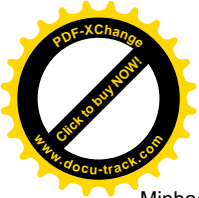
Progressive Jewish communities are autonomous and guided by local congregational leadership. Sharing the goals, principles and ideals of the international Progressive Movement, each synagogue community sets its practice and guides its membership. The document known as Minhag South Africa confirms the common philosophy and shared goals for Jewish life among the member congregations and affiliates. It informs the decisions of congregational leaders and Progressive Rabbis through standards and norms based in ancient tradition expressed in contemporary terms.

While these standards are important, final interpretation of specific matters referred to in this document are the prerogative and responsibility of each community and those empowered to lead, guide and direct Jewish life. This is a dynamic document that is amended over time. Drafted by the Rabbis of the SAAPR, changes are made through consultation and agreement of the Rabbis and the Congregations.

**Drafted by Rabbi Robert A. Jacobs and edited collectively 28 July 2009, Cape Town & 20 January 2010, Johannesburg**

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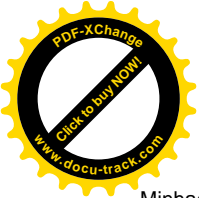
<sup>1</sup> See Glossary for definitions of most commonly used Hebrew terms in this document.



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## OUTLINE GUIDE TO MINHAG SOUTH AFRICA

### JEWISH STATUS

a. We have abolished the categorisation of Jews into Kohen, Levy and Israel, and we do not recognise the special role, privileges or restrictions regarding Kohanim and Levi'im.

b. An individual is Jewish:

- 1) If the mother is Jewish under accepted standards of the SAUPJ.
- 2) If the mother converts to Judaism prior to the child's 10<sup>th</sup> birthday under the auspices of the SAUPJ or other WUPJ organisation.
- 3) If accepted as a *Ger Tzedek* by the Bet Din Tzedek of the SAUPJ

c. Documents certifying admission as Jews must be satisfactory to the Bet Din Tzedek of the SAUPJ. The Bet Din may also determine on a case-by-case basis that another process of *gerut* is valid for acceptance as a member of the SAUPJ communities.

d. An archive of documents certifying Jewish Status and recording Life Cycle events will be maintained by congregations and the SAUPJ.

### LIFE CYCLE CEREMONIES

A *minyan* of ten (10) Jewish adults is traditionally required for public worship services, reading from the Torah and for celebration of a *Brit Milah* or any commemoration at which *Kaddish* is to be recited in the synagogue or at another location such as the cemetery or a house of mourning. While a minyan is preferred for these rituals, it is not regarded as essential. All Jews above the age of bar or bat Mitzvah are counted in the minyan.

Whilst a *minyan* is preferred for public worship services, reading from the Torah and for celebration of a *Brit Milah* or any commemoration at which *Kaddish* is to be recited in the synagogue or at another location such as the cemetery or a house of mourning, it is not regarded as essential.

In all cases, *Tzedakah*, especially providing food for the needy, is to be encouraged.

### BRIT MILAH AND BRIT CHAYYIM

Brit Milah for a son of a Jewish mother is to be held on the eighth day after the birth (inclusive) even where the eighth day is Shabbat or a Festival, including Yom Kippur. If delayed for any reason (including health considerations), the ceremony cannot take place on Shabbat or Festival.

The ceremony of Brit Milah consists of surgical and ritual ceremonies, where these ceremonies are conducted by a *Mohel* or a Jewish doctor. If no Jewish doctor is available, the surgical circumcision may be performed by a non-Jewish doctor. The religious ceremony may be conducted by a Rabbi or, in the absence of a Rabbi, a competent lay reader.

A female baby should have a *brit*—a covenantal celebration of Jewish birth—that includes a naming ceremony. This is often known as a Brit Chayyim.

Either a male or a female child's birth may be celebrated with a naming ceremony in the synagogue during a regularly scheduled service, preferably when the Torah is read.

### Special Cases

1. Child of a Jewish father and non-Jewish mother, who has been accepted for conversion study:
  - a) For children born during the mother's period of study, a provisional Brit Milah/Covenantal Ceremony *l'sheim gerut*—for the purpose of entering the infant into the covenant—is performed after the eighth day with the understanding that the child's Jewish status becomes permanent through his/her acceptance of adult Jewish status as a Bar Mitzvah.



- b) When the mother is formally admitted and becomes Jewish, a separate certificate of Jewish status is issued for children below age 10 years (see Conversion, paragraph 9).

2. Where the mother does not wish to be converted, or fails to complete the process, but desires the child to be brought up in the Jewish faith:

- a) Parents are advised to have a male child circumcised. Parents should consult a Rabbi with regard to the naming of sons and daughters. A promissory document, committing the parents to limiting religious education to Judaism and the maintenance of a Jewish home may be required.
- b) Child can be admitted to religion school, with Bar or Bat Mitzvah then to serve as confirmation of the commitment made by parents at birth, if judged to have conformed to a Jewish way of life. Jewish status and eligibility for Bar/Bat Mitzvah shall be attested by a duly constituted Bet Din prior to the ceremony taking place.
- c) A certificate marking the young person's acceptance of Judaism is to be given immediately before the Bar/Bat Mitzvah ceremony.

## BAR MITZVAH /BAT MITZVAH

B'nei/B'not Mitzvah are required to have an understanding of Jewish festivals, rituals, liturgy, history and Hebrew *in accordance with these minimum standards:*

- a) Attendance at congregational religion classes or comparable private tuition under congregational auspices for a minimum period of three years, with allowance for exceptional circumstances.
- b) Attendance at Jewish Day School should be augmented by the congregational educational programme.
- c) B'nei/B'not Mitzvah ceremonies can take place at any age after the thirteenth birthday.
- d) Regular attendance at Shabbat and Festival services, accompanied by parents is required for at least the year prior to the ceremony.
- e) Congregations may set, administer and supervise their own standards and requirements that meet or exceed

For children with only one Jewish parent, refer to **Brit Milah/Chayyim** and **Conversion**.

## PARTICIPATION OF NON-JEWS IN CEREMONY

Non-Jews may not perform any ritual that is specifically a Jewish act including making a public benediction (reciting a *b'rachah*) or handling the Torah Scroll. A non-Jew may ascend to the Bimah, read a communal prayer, or be called forward as an immediate family member for a family blessing. Non-Jews must wear appropriate head covering, but should not wear a tallit.

## MARRIAGE

### 1. VENUE

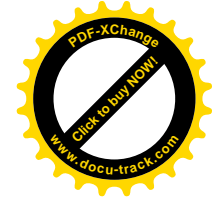
Both the civil and chuppah (religious) ceremonies may take place at any venue which is not forbidden by South African law and acceptable to the Officiant.

### 2. MARRIAGE OFFICIANTS

If no Rabbi is available to conduct a marriage ceremony, this may be conducted by a lay marriage officer, on the provision that a Rabbi has had sight of all the necessary documentation and has given authority for the marriage to proceed. The SAUPJ accepts the Civil Union Law of 2006 and permits each rabbi and marriage officer to become certified for both Civil Unions or only marriages as a matter of personal conscience. A lay marriage officer within the SAUPJ should (a) be a member in good standing of one of our congregations, (b) agree as a condition of application for authorization as a marriage officer to abide by this document and any subsequent amended versions.

### 3. DOUBLE CEREMONIES

On the principle "rejoicing should not be merged with rejoicing", we do not encourage "double ceremonies" or the marriages of siblings on the same day, i.e. two brothers or two sisters.



#### **4. MIXED MARRIAGES**

Rabbis will NOT officiate at marriages of Jews and non-Jews irrespective of whether it is a legal marriage, civil union or religious consecration of a legal marriage.

When counselling mixed-religion couples, every attempt should be made to encourage the Jewish partner to participate in Jewish life and to be as welcoming as possible to the non-Jewish partner and their families.

#### **5. PARTICIPATION IN CEREMONY**

The Bride, the groom, the 2 witnesses of the Ketubah, and M'sader Keddushin must be Jewish. Close blood relatives of the bride and groom should not act as witnesses to the Ketubah. Non-Jews may function in all other capacities under the Chuppah. They may be witnesses to the civil register.

#### **6. KETUBAH**

The text of Ketubot should be in a format as agreed by the SAAPR, and in accordance with the egalitarian principles of Progressive Judaism.

#### **7. FORBIDDEN DEGREES**

We do NOT marry parties who fall under the restrictions of marriage as listed in the Rabbi's Manual of the CCAR Page 235 (Ed. 1988) [see Addendum and footnote 1, page 16]. We pay no attention to restrictions on account of Kohanim, *Mamzerut*, Levirate marriage, or the marriage of an *Agunah*.

The decision to accept or reject a couple in marriage is solely at the discretion of the Rabbi of the congregation.

#### **8. MINYAN**

A Minyan is preferable, but not essential, at a marriage ceremony.

#### **9. RINGS**

In keeping with tradition, the groom must give a ring to his bride. This ring must be of some value and be made of plain metal without stones. The ring should have no breaks in it. There is no prohibition, in tradition, regarding engraving or hallmark. In the spirit of gender equality, an exchange of rings, between the partners is encouraged with the appropriate declarations to be made.

#### **10. FORBIDDEN DATES**

Marriages will not be solemnised on Shabbat, Festivals (other than Chanukah or Purim) or the 9th Av.

Marriages on the intermediate days of Pesach and Sukkoth, between Rosh Hashanah and Yom Kippur or at the end of a Shabbat or Festival are not to be encouraged, but when circumstances so dictate, the authorising Rabbi is free to exercise his/her discretion.

In accordance with Ashkenazi tradition, marriages are not solemnised during the Omer period between Pesach and Shavuot (other than 1st Iyar to Yom HaAtzma'ut, inclusive, 33rd day of the Omer and from 1st till 5th Sivan), nor during the period from 17th Tammuz till 8th Av. Here, too, the authorising Rabbi is free to exercise his/her discretion.

A mourner should not marry until after the Sheloshim period except where wedding preparations had been concluded before death occurred. If at all possible, the wedding should be postponed at least until after the Shivah period. The final decision here rests with the authorising Rabbi who should also be consulted about aspects of the celebration that might be appropriately curtailed.

#### **11. RELIGIOUS MARRIAGE ONLY**

No marriage union will be consecrated unless all civil legal requirements have been met. No civil marriage will be conducted by an SAAPR Rabbi unless followed by a religious ceremony within a short space of time.

#### **12. DRESS**

Modest and dignified dress is required for the marriage ceremony.

#### **13. SAME-SEX MARRIAGE**



In accordance with South African legislation in force from January 2007 (November 2006), SAUPJ congregations should be prepared to facilitate same-sex marriages between two Jews, provided that the restrictions of points 7 (Forbidden Degrees) and point 10 (Forbidden Dates) are observed. Rabbis are encouraged to seek certification as marriage officers under the November 2006 Civil Union Law. Each rabbi remains free to choose whether or not to officiate at same-sex marriages.

#### **14. RESTRICTIONS**

See point 2 under “Marriage of Divorced or Widowed Persons”.

### **MARRIAGE OF DIVORCED OR WIDOWED PERSONS**

#### **1. WIDOWED PERSONS**

We place no restrictions on the remarriage of widowed persons other than those as mentioned under “Forbidden Degrees” (See point 8 “Marriage”) or “Forbidden Dates” (see point 11 “Marriage”). However, a sense of propriety should be observed.

#### **2. DIVORCEES - GITTIN**

In general, a civil divorce decree suffices for remarriage after divorce.

It is a traditional religious obligation for a husband to provide a *Get*—Bill of Release—to a wife. When questions of *gittin* arise, it is incumbent upon the Rabbi to inform the parties concerned of certain grave difficulties which may arise from other sectors of the Jewish community for the offspring of a re-married divorced woman who has not received a *Get*. Women civilly divorced, whose former husband has not fulfilled the legal and ethical obligation of providing a Jewish Bill of Divorce—*Get*—may be married by a Progressive Rabbi.

A divorced man should be strongly encouraged to deliver a traditional *Get* to an ex-wife as a precondition to a marriage under the auspices of the SAUPJ/SAAPR. Upon presentation of a final decree of civil divorce, the absence of a *Get* shall not be judged to make her an *agunah*—anchored woman—but shall suffice, at the discretion of the officiating Rabbi, for marriage under the auspices of the SAUPJ.

Either partner may request the Bet Din Tzedek of the SAUPJ to issue a religious divorce document. In most cases this procedure should only be applied in the case of a former marriage under Progressive Jewish auspices.

#### **3. MARRIAGE OF A KOHEN TO PROSELYTE OR DIVORCEE**

See point (b) under Jewish Status. We, therefore, permit marriages between a Kohen and a divorcee or a proselyte.

### **BURIAL AND MOURNING PRACTICES**

#### **1. DAYS ON WHICH FUNERALS AND TOMBSTONE CONSECRATIONS SHOULD NOT BE HELD**

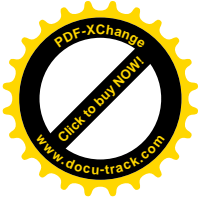
Funerals, both burials and cremations, are not solemnised on Sabbaths, Pilgrimage Festivals, Rosh Hashanah or Yom Kippur. While funerals may be held on the “second day” of the Pilgrimage Festivals according to *halachah* only immediate mourners may participate, and Jewish cemeteries in South Africa are likely to be closed for the observance. In such circumstances burial is postponed until the next available day. It is also permitted to delay a funeral to allow reasonable travel time for immediate mourners to reach South Africa from great distances.

#### **2. Funeral and Memorial Service Offerings**

- a. The organisation and content of funeral and memorial services, including liturgy, rituals and eulogies are entirely at the discretion of the Rabbi. A non-rabbinic officiant should consult with an SAAPR Rabbi for guidance.
- b. It is not customary to bring flowers, photos or other objects to a funeral or cremation or the consecration of a *matzevah*. Placing of stones on or around *matzeivot* is customary.

#### **3. KOHANIM**

See Jewish Status.



#### **4. KERI'AH**

Although cutting of clothing as a mark of mourning, accompanied by the *Brachah*, “*baruch Dayan ha’emet*”—blessed is the true judge—is an established Jewish practice that marks the tearing of the fabric of a family's life through bereavement. Out of respect for individual autonomy, *Keri'ah* is optional.

#### **5. CREMATION**

While we recognise that cremation has become a relatively common practice in South Africa, we do not recommend or encourage it. Cremation is an energy inefficient process whose ecological consequences should be considered. It is historically tainted after the *Shoah*. The decision in this matter rests with the deceased and his/her family. Ashes should be treated with respect and buried in the ground or in a Wall of Remembrance, and not scattered. When a specific instruction for cremation has been left in writing, there is a moral obligation to honour the wishes of the deceased. All traditional mourning rituals should nevertheless be observed in order to allow the community to comfort the mourners.

#### **6. ORGAN DONATION FOR TRANSPLANTS**

Organ donation is to be encouraged on the grounds of *pikuach nefesh*.

#### **7. HOUSE OF MOURNING PRAYERS**

It is our custom for the House of Mourning Prayers to be held for at least one evening. Mourners should attend public worship services on the Sabbath, at which time no outward sign of mourning (cut garments or mourning ribbons) should be worn.

#### **8. DAYS WHEN SHIVAH IS NOT OBSERVED**

- a) If the funeral took place on Friday, home prayers may be held after Shabbat ends or on Sunday night.
- b) If death took place on any day during the Festivals of Pesach or Sukkoth, prayers will be held at the conclusion of the Festival. Visits to the bereaved after the funeral during the festival and *Chol HaMo'ed* are encouraged although the formal Shiva period is delayed.

#### **9. CONSECRATION OF MATZEIVOT**

It is incumbent upon mourners to erect a permanent monument within the first year following burial, before the first *Yahrzeit* (traditionally observed on the Hebrew date of the burial). We recommend that a respectful period of time elapse before tombstones are erected and consecrated, but a minimum of 30 days should be observed (the traditional “sheloshim”) unless circumstances dictate otherwise. A ceremony of consecration is optional.

#### **10. YAHRZEIT**

Mourners should be encouraged to observe *Yahrzeit* by attending services and abstaining from arranging festivities on this day, and by the customary kindling of a “Yahrzeit candle” in the home. While *Yahrzeit* is observed on the anniversary of the funeral the first year after a death, in subsequent years the date of death is noted. It is also most fitting to attend Shabbat service at which the name of the deceased is read out prior to the Kaddish.

#### **11. NON-JEWISH FAMILY RELATIVE**

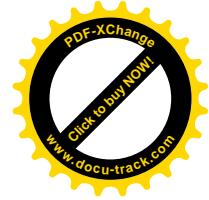
Rabbis of the SAAPR and *Ba'alei Tefilah* would not officiate at the burial of a non-Jewish person by conducting a Jewish ceremony. A surviving Jewish individual may observe appropriate Jewish mourning rituals, and convene prayers at a house of mourning in such instances.

There could be no objection to conducting a non-denominational ceremony for a cremation or a burial in a non-Jewish cemetery in ground not consecrated by any faith.

Attendance at a non-Jewish religious ceremony is permitted, although participation in the sacraments of another faith is inappropriate. It is within a Rabbi's discretion to accept an invitation to address the family at such ceremonies.

Jews are obliged to mourn, say *Kaddish* and observe *Yahrzeit* for parents, spouse, siblings and children regardless of their religion.





## **PUBLIC WORSHIP**

### **1. KIPPAH**

We require the wearing of a “kippah” at all indoor ceremonies and appropriate head covering at outdoor ceremonies. Covering the head during prayer is equally appropriate for men and women.

The placing of a handkerchief, hand or other objects not intended as head-gear on the head is most unseemly and should not be encouraged.

### **2. TALLIT**

A *Tallit* is customarily worn when ascending the *Bimah* or directly attending the Torah. A *Tallit* should be worn at times when the Torah is read or taken out of the Sacred Ark including morning services, and at *Kol Nidrei* and *Simchat Torah* services.

The wearing of a *Tallit* during the customary services is equally appropriate for men and women, and is strongly encouraged for all called to the *Bimah*.

### **3. TEFILLIN**

The wearing of *Tefillin* at weekday morning services and other customary times is a matter of personal discretion for both men and women.

### **4. GENDER**

There shall be no gender or gender orientation discrimination. All Jewish adults are entitled to participate equally in every facet of the services and at home and lifecycle rituals, and to occupy every congregational office.

This also applies to the hiring and participation of Rabbis and *Shlichei Tzibbur*.

### **5. KOHANIM AND LEVI'IM**

No preference is given to the calling of *Kohanim* or *Levi'im* to the recital of the blessings for the Torah reading.

### **6. MAJOR FESTIVAL OBSERVANCE**

- a) Customarily, the major festivals are observed according to Biblical and Israeli custom: *Pesach*—first and seventh day, *Shavuot*, *Sukkot* and *Sh'mini Atzeret/Simchat Torah* are each observed for one day. There is no objection to the observance of a second day for Rosh Hashanah.
- b) The Israeli calendar is observed for the cycle of Torah readings.

### **7. SHOFAR, ETROG AND LULAV ON SHABBAT**

When Rosh Hashanah falls on Shabbat, it is the established practice for the Shofar to be blown on that day. This is irrespective of whether a second day of observance is to be held.

Likewise, on Shabbat during *Sukkot*, the ritual of the *Lulav* and *Etrog* is observed.

### **8. SMOKING**

It is an accepted rule to ban smoking in the public halls of the synagogue at all times and in accordance with public and accepted health standards. Smoking anywhere on synagogue premises particularly on Shabbat and Yom Kippur, and on other sacred festivals, is contrary to the intent of this document.

### **9. OBSERVANCE OF KASHRUT**

Biblically forbidden foods are not served at any function on the synagogue premises or under synagogue auspices. Each synagogue shall establish a congregational standard of *kashrut* governing congregational events and celebrations on synagogue grounds and at other venues but not private celebrations. This standard of *kashrut* is strongly encouraged in the homes and private practice of individuals within the congregation. The Rabbi should advise congregants likewise not to serve these foods at synagogue-linked functions, such as *B'nei/B'not Mitzvah* celebrations or weddings and other life cycle ceremonies being held at outside venues.

Highest ethical standards should be applied to the observance of *kashrut* including an ecologically sound understanding of food production, processing and consumption. In addition to the traditional restrictions of Jewish



dietary law and custom, consideration should be given to concerns including animal welfare, energy consumption and best practices in agriculture.

## **GERUT**

### **1. APPLICATION FOR GERUT**

- a. Applicants considering *Gerut* should be welcomed by the congregation and Rabbi without reference to gender, ethnicity or sexual orientation. Students should be guided through a course of study that, when conscientiously followed, can result in an invitation for qualified candidates to meet with a Bet Din leading to acceptance as a member of the Jewish community.
- b. The Rabbi should point out the disadvantages and obligations of affiliating to the Jewish people (anti-semitism etcetera) and likewise make it clear that a Progressive *Gerut* is not recognised by the Orthodox authorities either in the Diaspora or in the State of Israel. However, as the Israel Law of Return presently stands, Progressive Converts are entitled to Israeli Citizenship.
- c. Following this first interview, the applicant and partner (where there is one) must begin to attend services on a regular basis. A partner is expected to attend instructional meetings, classes and other events.
- d. Applicants should be advised of costs involved in the process.

### **2. REQUIREMENTS**

The Rabbi has sole authority in accepting students for an Introduction to Judaism class and extending an invitation to meet with a Bet Din for the purpose of *Gerut* and setting the curriculum for the study process. The curriculum shall include a list of holiday and festival services, communal programmes and life cycle events at which attendance is required.

Where the Rabbi does not him/herself teach an Introduction to Judaism Course, he/she may appoint a suitable teacher.

Applicants and partners must attend regular classes, as laid down by the teacher. Such classes should follow the broad outline of a curriculum as recommended by a member of the SAAPR<sub>1</sub> formulated in consultation with the designated congregational leaders.

The minimum requirements include celebration of *Shabbatot* and a complete annual cycle of Jewish sacred days and festivals, as well an array of Jewish life cycle ceremonies. The required curriculum set by the supervising Rabbi should be made clear and presented in writing.

The applicant and partner are encouraged to participate in social and cultural activities of the congregation. Participation in home ceremonies (e.g. *Erev Shabbat*, *Pesach Seder*) is also essential.

The Jewish partner must be a member in good standing of the congregation before the conversion course commences.

### **3. PERIOD OF STUDY:**

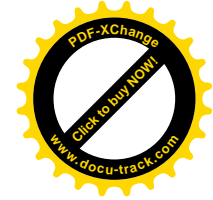
It has been agreed that the period of conversion should extend for a MINIMUM of one Jewish calendar year. This enables the applicant to experience the full cycle of Festivals and to reflect adequately on the step being taken. It also enables the Rabbi (and committee) to observe and ascertain the qualities and sincerity of the applicant.

### **4. FINAL PROCESS**

After completion of the requirements listed above, based upon the applicant's standard of knowledge and commitment to Judaism, the supervising Rabbi may recommend that the applicant for *Gerut* meet with the Bet Din Tzedek of the SAUPJ. The applicant will then be interviewed by a duly constituted Bet Din under the auspices of the SAAPR, consisting of three *dayanim*, including at least one rabbi and two other qualified assessors.

It is recommended that each acceptance interview shall be on an individual basis.

### **5. CIRCUMCISION**



In the case of male candidates for conversion, circumcision must be carried out prior to the completion of the conversion process and medical confirmation supplied to the examining Board. The requirement may be waived only on medical grounds, *including attested psychological grounds*. Circumcised males are to be counselled with respect to the tradition of *Hatafat Dam Brit*.

#### **6. TEVILAH**

Some Rabbis encourage ritual immersion prior to acceptance to Judaism. In the absence of access to a *mikveh*, in fulfilment of the obligation to *Maiyim Chaiyim*, an open body of water or swimming pool may be used with appropriate arrangements to ensure modesty for those being immersed.

#### **7. GERUT CEREMONY**

A ceremony may take place following the acceptance of the candidate by the Bet Din as a *Ger/Giyoret* or at a ceremony during a designated congregational service.

#### **8. CERTIFICATE**

A Certificate of Conversion should be presented at the conversion ceremony or, where there is no conversion ceremony, at the acceptance interview. One duplicate is to be lodged in the congregational records and another copy forwarded to the SAUPJ for their records. It is of vital importance that records be kept scrupulously confidential, but accessible to legitimate enquirers. Ideally, we would like a standardisation of certification with unused certificates in the possession of Rabbis of the SAAPR only. A separate confirmation of Jewish status may be issued.

#### **9. CHILDREN OF FEMALES GIYOROT TO JUDAISM**

In the case of females who have young children born prior to their acceptance as *giyoret*, and where these children are to be brought up in the Jewish faith, proper certification must be issued for them also. No formal conversion ceremony is necessary for children under the age of 13 beyond those mentioned in section 2c, Life Cycle Ceremonies. Only children of 10 years and under may be converted with their mother. All children over that age must be converted in their own right. Children above the age of 10 must be invited to a Bet Din prior to being called as a bar or bat Mitzvah and issued certification of presumptive Jewish status that becomes permanent through bar or bat Mitzvah.

NB: Should the children in their custody be from a non-Jewish father, then the legal position must be clarified in writing in case the father has objections.

#### **10. CHILDREN OF GIYORIM**

The same procedure applies to a male, converted to Judaism, who has custody of children from a former non-Jewish wife, providing there is no legal impediment to bringing up the children in the Jewish faith.

#### **11. NAMING OF THOSE CONVERTED TO JUDAISM**

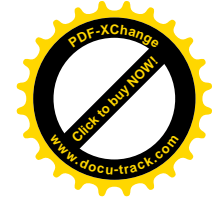
A Jewish name consists of one or more forenames and the names of the Jewish parents. While traditional practice calls all those converted to Judaism bat/ben Avraham v'Sarah, for those with Jewish parents, whether adults or children, the parents' names may be used as part of the Hebrew name at the discretion of the Bet Din Tzedek of the SAUPJ.

#### **12. ADOPTION AND SURROGACY**

Jewish concern for infertile couples has roots in Biblical narratives. Contemporary medical practice offers many remedies for couples who wish to have children but fail to achieve conception for an extended period. Alternatively, adoption should be given consideration. Competent medical advice should be sought and counselling should be offered to relieve the childless couple of their suffering.

Conscience dictates that all Jews be concerned with the plight of children whose parents are unable to provide a loving home; all Jews should weigh their ability to provide such a home for these children through adoption.

Modern medical technology includes both in vitro fertilisation and implantation of the resulting fertilised egg in the womb of a surrogate mother. Traditional Jewish law disregards the biological source of the child and determines religious status solely through the birth mother. From a Progressive perspective, the biological and genetic identity take on a new importance; if the birth-mother is not Jewish but the egg and sperm donors are, the discretion of the congregational Rabbi or the SAAPR, directs the appropriate procedure for naming the child.



At the birth of a child via a surrogate mother, a clear Jewish identity should be established through celebration with customary ceremonies as outlined in this document, subject to legal restrictions and agreements between the surrogate mother and the intended parent(s) of the child.

1. Children of Jewish parents who are not able care for them may be adopted in accordance with South African Law. A child so adopted customarily retains the Hebrew names of the birth parents. If adopted at or shortly following birth, *Brit Milah* and naming follow custom as outlined in this document.
2. Children of a non-Jewish mother may be adopted in accordance with South African Law. For male children, circumcision should take place at the earliest time permissible with respect to the rules of custody and permanent adoption status set by law. Naming for adopted children traditionally includes *bat/ben Avraham v'Sarah*. A Naming celebration may take place as outlined in this document relating to naming a child and *Gerut*.
3. It has become acceptable for an adopted child to use the Hebrew names of Jewish adoptive parents.

## GLOSSARY

**AGUNAH**—literally, anchored woman, refers to a woman married and abandoned by a man. Traditional Judaism required that only men initiate a divorce proceeding (*Get/Gittin*), and does not recognize “legally dead” in cases of disappearance. A woman left in this state is not permitted to remarry, as any children of the second marriage would be deemed *mamzer/im/ot*. Progressive Judaism completely disagrees with this matter and a) recognizes civil divorce as adequate; b) permits women to initiate divorce in accordance with civil law; and c) recognizes state declaration of death, even without discovery of the deceased or witness to the event.

**ANINUT**—the period from the death of an immediate relative until after the burial/funeral.

**ASHKENAZ**—appears in the Book of Obadiah along with *Sepharad* and *Tzarfat*. These have acquired the meanings: *Ashkenaz*—Jewish Europe north of the alps and east of the Rhine; *Sepharad*—Jewish Europe originating on the Iberian Peninsula and as dispersed following the expulsions of 1492 (Spain) and 1497 (Portugal) throughout the Mediterranean basin, and today used to include—albeit incorrectly—Oriental communities from various areas of Mesopotamia east to India and China; and *Tsarfat*—Jewish Europe identified today as France.

**AVELUT**—mourning is the extension until the 11<sup>th</sup> month of mourning for a parent. During this period it is desirable to be part of a public prayer service with regularity and to recite the Mourner's *Kaddish* as part of a minyan. During the final month before the *Yahrzeit*, a separation is made so that intent is increased when saying *Kaddish* at the death anniversary.

**AVODAH**—Sacred service; in Modern Hebrew, ordinary labour.

**BAR/BAT MITZVAH** (plural: *b'nei/b'not Mitzvah*)—literally obligated for the observance of commandments, the ceremonial version publicly marks the entry of a Jew into adult life and acceptance as a witness for religious matters. Progressive Judaism celebrates this milestone in an egalitarian manner at or shortly after the 13<sup>th</sup> birthday with a first *Aliyah* to Torah as *Maphtir* (reader of conclusion of the Torah section for the day and of the appropriate Prophetic reading, or *Haphtarah*).

**B'RIT**—covenant—the essential sacred contract expressed in various forms in Torah and retained as the enduring connection of God to the Jewish people.

**B'RIT MILAH**—Covenant of Circumcision, the ceremonial and surgical procedure customarily performed on the 8<sup>th</sup> day after birth. Cf. Genesis 17 & 20.

**CHOL HAMOED**—Intermediate days of the festivals of *Pesach* and *Sukkoth* during which regular life continues modified by the eating of unleavened bread on *Pesach* and dwelling in the booth/taking of the 4 species on



Sukkoth. Questions relating to customs concerning other events, joyous or sad, during these days should be addressed to the congregation's rabbi.

**CHUPPAH**—bridal canopy covers the bride and groom at minimum and is supported by 4 poles. Like the ancient Tabernacle it is both portable and temporary. To add decorum to the moment, the poles are often set into stands (like flagpoles), but the custom of pole-holders persists. The covering, or canopy itself, is made of cloth. A large *Tallit* might be used for this purpose or suspended inside the *Chuppah*. The canopy may be erected on the *Bimah*, out of doors (traditionally in the synagogue courtyard (*shulhof*) or at another venue.

**GER TZEDEK (Ger/Giyoret, plural: Gerim, Giyorot)**—Righteous Proselyte—Often referred to as a “convert” the process of choosing Judaism comes as a result of study, commitment and the acceptance into the civilisation of Judaism. Religious conversion involves a moment of faith acceptance. While that might occur in Judaism it is not the usual process.

**GET/GITTIN**—Bill of Divorce documenting the dissolution of a Jewish marriage. Tradition holds only a husband may initiate and that the custom-written document be cut and handed in person to the wife, thus dissolving the *Ketubah*. Progressive practice is to offer a *Te'udat Preidah*—document of dissolution—as a mark of the spiritual end of the union, but to accept the civil divorce as sufficient for remarriage.

**HALACHAH**—Jewish Law represents the body of Jewish Law as it has evolved over time and in different communities. This is an ancient, complex and at time contradictory interpretive tradition that serves to guide Jewish practice along with local custom (*Minhag hamakom*) that is to be respected inside the community as having legal status.

**KADDISH**—A prayer of praise in Aramaic, often popularly associated with death and mourning. In its various forms, this ancient vernacular prayer praises God. The version used by a mourner, *Kaddish Yatom* (Mourner's or literally, Orphan's, *Kaddish*) includes a reference to life (*v'chaiyyim*) but none to death. A *minyan* is customarily required for recitation of any form of *Kaddish*.

**KETUBAH**—marriage document or contract has been in use in Jewish marriage since the late days of the Second Temple, although broad variations in the content of *Ketubot* have been used over time. A *Ketubah* comes into effect when signed by the marital partners and witnessed by two Jewish adults. It customarily contains the names of each, in English and in Hebrew, as well as the corresponding dates on the secular and Jewish calendars. The tradition of artistically rendered *Ketubot* is venerable. A *Ketubah* is often hung with pride in a Jewish home.

**KOHANIM**—descendants of Aaron, of the ancient tribe of Levi, and responsible for carrying out the sacrificial cult of old. Restricted by Leviticus from ritual impurity through contact with the dead and marriage to proselytes, divorcees or widows, but empowered for the first Aliyah to Torah, Redemption of the First Born (*Pidyon haben*) and offering the Priestly, three-fold benediction (*Birchat haKohanim*, “duchening”). Neither the restrictions nor the privileges of *Kohanim* are generally observed in Progressive Judaism. In any case they apply only to male descendants, females prior to marriage or married to a *Kohen*, a distinction Progressive Judaism sees as unacceptable.

**K'RI'AH**—Cutting of garments—at the time of loss, those present with the deceased, and again at the funeral custom dictates the tearing of a garment in a triangular—non-repairable way as a symbol of the tear in the fabric of a family that occurs when a loved dies. Only the traditionally official mourners make this tear, on the left for an individual of a different generation, on the right for one of the same generation. While commendable and rich in symbolism, it is the right of an individual not to make this cut.



**LEVI'IM**—Descendants of Levi (Levites) other than the *Kohanim*. Responsible for bearing, erecting and dismantling the Tabernacle in the Wilderness [*haMishkan*] and for maintaining the physical aspects of the Temple in Jerusalem. Traditional congregations reserve the 2<sup>nd</sup> Aliyah to Torah for them.

**LEVIRATE MARRIAGE**—is an ancient custom that is illustrated in many places in Scripture, including Genesis 38 and the Book of Ruth. In the unfortunate instance of a premature death without an heir, ancient tradition called upon the next brother in the family to create an heir for the deceased, to ensure continuity of inheritance. With the move to monogamy in medieval Christian Europe (Rabbeinu Gershom, ca. 1000 c.e.) the practice became less tenable and the scripturally sanctioned ceremony of *Chalitzah* (loosening the shoe) gained greater acceptance. Progressive Judaism does not practise either Levirate marriage or *Chalitzah*, seeing each as repressive of women and demeaning to their personal autonomy and equality.

**MAMZER/MAMZERUT** is a legal definition for a child of an adulterous union, but not necessarily born out of civil wedlock. While an individual decision on the status of a Jew is to be made by a Rabbi or Bet Din, Progressive Judaism makes every possible effort to reduce this disqualifying status.

**MINHAG**—Jewish custom. This is a diverse and often loosely defined body of common knowledge and practice that guides a community. It is commonly asserted that local custom has the force of law.

**MINYAN**—Prayer quorum of 10 Jewish adults. In traditional Judaism, men only, except those in *Aninut*—the period from the death of an immediate relative until after the burial/funeral. In Progressive Judaism, women are clearly to be included in this number under identical conditions once they have achieved the age of *bar/bat mitzvah*.

**MITZVOT** (Singular, mitzvah)—literally, Commandments; often understood as sacred and/or obligatory actions. Mitzvah is a fundamental concept in Jewish life.

The knotted fringes (*tzitzit*) on a *tallit* serve as a visual reminder (Numbers 15: 38–40).

There is no statement of the number of mitzvot in the Tanakh (Bible) or in the Mishnah.

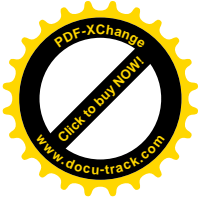
Philo (Alexandria, 1st Century) counts 613 letters in the Ten Commandments. Rabbi Simlai (Babylonia, 3rd Century) proposes 613 mitzvot, 365 negative (corresponding to the days of the solar year) and 248 positive (corresponding to the parts of the body per Mishnah, Oholot 1: 8). Proposed lists of the 613 (a prime number, adding spiritual significance) include different *mitzvot*, many of which are theoretical in our times. An arbitrary number, Rabbi Simlai thus teaches: 'Love and serve God all the time with everything that you are.' The proposed number of mitzvot teaches that we should treat them seriously as part of our search for ways to holiness.

**PIKU'ACH NEFESH**—Saving a Soul refers to the supreme obligation to work toward saving a life, or a Sefer Torah, even when required to violate other commandments and restrictions.

**SEFER TORAH**—Scroll of the Law each of which contains the entirety of the Pentateuch (Five Books of Moses) central to Jewish life and identity. Written by hand on parchment (leather) using a quill and consecrated ink, the tradition of Jewish scribal arts remains continuous for at least 2000 years. Columns of text are justified, paragraph breaks are noted, but no punctuation or vowel signs are indicated. The text is mounted on wooden staves (*aytz/atzei Chaiyyim*) and rolled from start to finish through the annual reading cycle. Scrolls are customarily adorned with mantle, breastplate (*choshen*), pointer (*yad*) and crown (*rimonim*). Many make it a practice to touch the mantle of the *Sefer Torah* with a sacred object—the *tzitzit* (knotted corner fringes on the *Tallit*) or a *Siddur* (prayer book). When called to the Torah, touching the parchment is to be avoided, to prevent staining the parchment with oils from skin or rubbing letters off the text, which would render the scroll unusable for public reading. Reading from the *Sefer Torah* customarily requires the presence of a *Minyan*.

**SEPHARAD**—see *Ashkenaz*

**SHIVAH**—Hebrew, seven, is the first period of public mourning that follows the funeral or memorial service. There are many customs for the observance of these days, when mourners stay at home and receive visitors. Some sit



on low chairs, abstain from wearing leather garments or shoes and conclude the period with a walk around the block to mark their first journey after Shiva other than for the attendance at Shabbat worship, when no formal mourning is to take place.

**SHELOSHIM**—Hebrew, thirty, is the second period of mourning that continues after *Shiva*. During this month immediate relatives return to many aspects of their lives, but refrain from joyous celebrations.

**TALMUD TORAH**—Jewish learning especially the study of sacred texts. Sometimes used as the name of a school; this is written the same way but pronounced slightly differently, often with a Yiddish rather than a Hebrew inflection.

**TZARFAT**—see *Ashkenaz*

**TIKKUN OLAM** [*l'takein et ha'olam*]—literally, repairing the world as found in the ancient prayer, Aleinu. Understood as the Jewish obligation to work for betterment of the world and circumstances of all creatures.

## EXPLANATORY NOTES

### **BRIT MILAH**

This rite is embedded in the life of the Jewish people and we unequivocally uphold it and require it for male children and adults who convert to Judaism. The only exception is where responsible medical advice indicates the *physical or mental* health of the individual would be endangered by undergoing circumcision.

### **WHY A DOCTOR?**

It is a complete misapprehension to consider that a Brit (circumcision) must be performed by a Rabbi or a specially appointed person known as a Mohel. *Mohalim may be male or female*. Jewish law explicitly states that it is the duty of the father to circumcise his child. It then states: "If he is unable to do so personally then the person best fitted to do so should carry it out on his behalf." As few communities boasted professional doctors until recent times, it became customary to have a minor congregational official perform the ritual. The methods to be followed were laid down in the 15th Century, and this method is followed, more or less in the same pattern, by the modern "Mohel". The objection to doctors carrying out the ritual, even if they are Jewish, is because they may not be fully ritually observant. For example, they may travel by car on the Sabbath. We feel that a medical professional is the person best fitted to carry out this ritual, as required by the Shulchan Aruch, the 16<sup>th</sup> Century compilation of Jewish practice.

### **PATRILINEAL OR MATRILINEAL**

The Bible accepts the Jewish identity of a child as stemming from the father. This is evident in the stories of the Patriarchs, the Priestly clan and the royal dynasties. The Talmudic sages changed this practice, and laid it down that the ethnic identity of the mother was passed on to the child; no reason is given in the Talmud. In our times, we find that where one parent is Jewish and the other is not *we have the obligation to encourage the parents to share a common faith tradition and to raise the child with an undivided Jewish identity*. (This is the reasoning behind points 1 and 2 under Brit Milah, special cases).

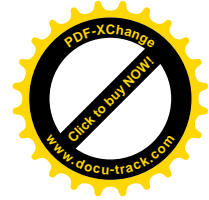
## BAR/BAT MITZVAH

### **PARTICIPATION OF NON-JEWS IN SERVICES**

Covering of the head in Jewish tradition is considered to be a sign of respect. Hence, non-Jews at a Jewish Service should also be required to follow this practice.

The wearing of a *tallit*, however, is a mitzvah ordained for Jewish people and it would be incongruous for a non-Jew to wear a *tallit*.

As non-Jews are not obliged to perform mitzvot during a service, we do not encourage their participation in areas which would deny a Jew the obligation to perform such mitzvot.



Where a Jew is not obliged to perform a *mitzvah*, i.e. the opening of the Ark during the recitation of a *Bar/Bat Mitzvah* prayer or a Baby Blessing and Naming, then a non-Jew may take an active part in the ceremony.

## **MARRIAGE**

### **MIXED MARRIAGES**

A Rabbi conducts a marriage as "sanctification according to the laws of Moses and Israel." The non-Jewish partner in a mixed marriage owes no allegiance to these laws and practices and, therefore, rabbinic participation in such a marriage would be out of place. In South Africa, same sex couples are accorded full recognition and equality under the Constitution and in law. Identical standards are to be applied for all couples applying for marriage by any Rabbi or Marriage Officer accredited to the SAUPJ.

### **MAMZERUT**

The Torah lists as a *Mamzer* any child of a forbidden marriage. This includes the offspring of an adulterous relationship of the mother. The Torah decrees that such a person should be completely excluded from the community until the 10th generation. (Deut. 23:3).

Torah outlines forbidden marriages, as referred to in the body of this document. It is an error to equate such prohibitions with the western legal concept of "bastard", a child born out of wedlock. While there might be some genetic reason for discouraging the offspring of a forbidden decree marrying within the community, it seems harsh and unjust to ban such a marriage, unless specifically prohibited in law.

Progressive Judaism pays no attention to restrictions other than those required by the laws of the State.

We might comment that – in the latter case, the child of an adulterous union – this law is mainly applied today to the child of a divorced woman married with an acceptable Ketubah who has remarried without a 'Get', or whose 'Get' has been issued by a Beth Din not acceptable to the ecclesiastical authorities dealing with the matter. Such authorities then consider the woman as still being married to her previous husband and consequently, her union with a subsequent husband is adulterous and any children of such a union are deemed Mamzerim. *Some courts erroneously invalidate the Jewish status of a marriage solemnized outside their ecclesiastical community.*

### **FORBIDDEN DATES**

This restriction is mainly in the interests of communal harmony. While we would, no doubt, agree that marriages should not be solemnised on Fast Days, such as Tisha B'Av; we would be more lenient where the Omer period is concerned.

## **MARRIAGE OF DIVORCED OR WIDOWED PERSONS**

### **DIVORCEES - 'GITTIN'**

The Torah decrees that a man may not just expel his wife from their home "because she no longer finds favour in his eyes". (Deut. 24:1). As a safeguard against such action, he was to provide her with a legal document. This would permit her to remarry. The Talmudic Rabbis added further restrictions and formalities. All this was in the interest of the wife. Until modern times, there was no legal provision for divorce by a civil authority. Therefore, the Rabbis, in their capacity as the legal authorities of the community, dealt with such matters. The 'Get' is a completely legal document; there is no reference to God, but only to the legal details. Only the husband can divorce his wife, according to Orthodox law. Under that rule, the wife can initiate a divorce from her husband only under exceptional circumstances. In any case, the document becomes valid only when accepted by the wife.

In these days, outside the State of Israel, the legal powers in connection with divorce reside exclusively with the civil authorities. The Orthodox Rabbinate insists the 'Get' is still required, and where there is no 'Get', the woman is considered to be still married to her previous husband. This demand has raised tremendous difficulties for many women. The husband can refuse to give her a 'Get', which means that she cannot remarry, or he can use it to blackmail her. Indeed, this has become a real problem and Orthodox circles have been trying to find some way round the impasse for many years without success. When one group of Rabbis is ready to agree to a process, another group denounces it. Meanwhile the woman is in limbo, is called an *Agunah*, one who cannot remarry. Minhag encourages a 'Get' in order to avoid any problems for subsequently born children who, according to Orthodoxy, would bear the slur of *Mamzer*, but will not demand the same if the ex-husband uses it for what can





only be described as immoral purposes. In cases of same-sex marriage, unknown in the Orthodox community, identical standards must be followed for dissolution of the Union in legal and spiritual terms.

### **MARRIAGE OF A KOHEN TO A PROSELYTE DIVORCEE OR WIDOWS**

In ancient Israel, the Priesthood was hereditary, beginning with Aaron, brother of Moses. The priests officiated in the portable sanctuary in the desert and subsequently at the Temple of Jerusalem. Their duty was to offer the animal sacrifices as laid down in the Torah, therefore they were granted a certain status, while at the same time they were forbidden to marry proselytes, divorcees or widows. They were to be in a state of holiness and became defiled by contact with a dead body, and were not able to officiate until undergoing ritual cleansing. As Progressive Judaism in no way envisages, or desires, the establishment of a Temple in Jerusalem where animals would be burnt on an altar, indeed we would oppose such a project most strongly, we therefore do not accord any special status for a Kohen and treat him as we do any other Jew.

### **BILL OF RELEASE**

At a meeting of the SAAPR on 3rd April 2000, it was agreed that a Te'udat Pridah (Bill of Release) be issued in the event of a dissolution of marriage in order to recognise the ending of the Jewish marriage. The Bet Din Tzedek of the SAUPJ may issue documents of dissolution. This may be particularly relevant in cases where a traditional Get is not obtainable.

### **BURIAL & MOURNING PRACTICES**

#### **DAYS ON WHICH FUNERALS AND MATZEIVAH CONSECRATIONS SHOULD NOT BE HELD**

This is done in the interest of communal harmony. Major Festivals are *Pesach*, *Shavuot* and *Sukkot* and the High Holy Days of Rosh Hashanah and Yom Kippur.

#### **FLOWERS**

This has been looked upon as a non-Jewish practice, which seeks to lighten the sadness of the occasion.

#### **GENERAL PRACTICES**

The covering of mirrors during Shiva is rooted in heathen superstitions and psychological experience. The rending of garments is an ancient practice, which some find abhorrent but reflects the torn fabric of a family's life through bereavement. Some Rabbis have suggested a more suitable practice of tearing a ribbon. Mourners should neither be forced to cut Kri'ah nor be obstructed from performing this ritual as a mark of grief. Jewish mourning rituals have a well-deserved reputation as responding to the needs of mourners at their hour of loss.

#### **NON-JEWISH SPOUSE**

This is sometimes requested and we see no reason why this honouring of a non-Jew should be refused.

### **PUBLIC WORSHIP**

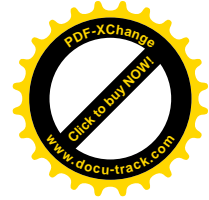
#### **KIPPAH**

Covering the head in Middle Eastern countries is a symbol of respect. It is an ancient Jewish practice and should be followed by all at Jewish ceremonies. The habit of consistently wearing a kippah within the synagogue building is a mark of respect for the sanctity of the place.

#### **TALLIT**

This is an exclusively Jewish ritual, therefore out of place and not required for non-Jews participating in a Jewish service. The tzitzit—ritually knotted fringes at the four corners of the garment—are understood as symbols of the full array of 613 Commandments of Judaism. Some wear an undergarment equipped with knotted fringes which generally suffices in fulfilment of the commandment to place fringes on the corners of the garment. Such individuals need not add a visible tallit at worship services. In many communities, young men before marriage often do not wear a tallit. In contemporary Progressive Jewish circles, it is equally appropriate for women to wear a tallit, especially when called to the Bimah.

#### **TEFILLIN**



Ancient Jewish custom took the words of Deuteronomy 6:8 literally, understanding “Bind them as a sign on your hand and let them serve as a symbol on your forehead” as instructions to prepare and wear *Tefillin*, sometime called phylacteries, at weekday morning worship. Each of the two boxes contain these passages from Torah: the four Scriptural passages are Ex. 13:1-10, 11-16; Deut. 6: 4-9, 11:13-21. The straps of the box placed on the arm and hand (usually the left, but inverted for left-handed individuals) are wound 7 times above the wrist, and over the fingers to shape the Hebrew word *Shaddai*—God the Protector—with the *shin* across the palm, the *dalet* and *yud* over the middle and ring fingers. Two benedictions are said while donning the *Tefillin* and custom holds that Hosea 2:21-22 should be recited while finishing the process by wrapping the ring finger to form the *yod*.

Early Reformers moved away from such representational symbolism. In the latter part of the 20<sup>th</sup> Century renewal of Jewish custom has led some to restore this practice as a matter of personal preference. In the early 21<sup>st</sup> Century, vegetarian and vegan Jews find that it conflicts with their concern for the animals from which the straps are made. Wearing *Tefillin* as a spiritual practice is acceptable for men and women who so desire in private or public worship but are not to be worn on Shabbat or Festival Days.

#### **KOHANIM AND LEVITES**

See Jewish Status

#### **SHOFAR, ETROG AND LULAV ON SHABBAT**

The restriction is in case the items mentioned are carried to the synagogue on the Sabbath. Orthodoxy strictly forbids this action, as it involves carrying these ritual items across boundaries, contravening Jewish law. Since we impose no such restriction, we see no reason to forbid these practices; quite the reverse.

#### **COMMUNITY HALL AND SYNAGOGUE ENVIRONMENT**

Smoking is at once an issue of health and of Jewish observance. In the pursuit of communal harmony, we have always frowned upon allowing smoking on Synagogue premises and at religious celebrations. Since smoking on Shabbat is both explicitly in violation of making fire on Shabbat and considered to be a violation of Jewish Law against harming oneself or others, it is to be discouraged. This ban has been reinforced by the health danger associated with the practice and legal limitations placed in effect in recent years.

We sympathise with habitual smokers. Individual congregations are encouraged to demarcate the areas in which smoking is permitted and forbidden in ways that cause minimum offence and discomfort to all concerned.

#### **OBSERVANCE OF KASHRUT**

While we do not require strict observance of Kashrut, we do feel that the strong feelings against the consumption of Torah forbidden foods, such as pork, ostrich and seafood etc., is so strongly imbedded in the Jewish mind that we feel we should, respect this ancient tradition as well as the Rabbinic Tradition regarding separation of meat and dairy products at synagogue functions and life cycle events.

Progressive Judaism strongly endorses human responsibility for the condition of the world. To support this philosophical standpoint, limitation of consumption and reduction of contributions to climate change including vegetarian/vegan diets and other steps to insure that only sustainable food supplies are consumed coincides with a sense of ecologically responsible (eco-Kashrut) consumption.



### Historical Postscript

This record of the development of Minhag South Africa has been moved from the beginning of the document, but is preserved for the historical insight that it provides into the development of Progressive Judaism in South Africa.

## **PREAMBLE**

This document provides a description of current practice in the above-mentioned congregations as confirmed at a meeting of the South African Association of Progressive Rabbis held on 1st and 2nd March 1987. Recommendations and Amendments made on the following dates:

- 1) at an SAAPR Meeting 8th August 1991 in Johannesburg
- 2) at an SAUPJ Conference June 1993 in Port Elizabeth
- 3) at an SAAPR Kallah August 1994 in Cape Town
- 4) at an SAAPR Meeting 2nd May 1995 in Pretoria
- 5) at an SAAPR Meeting 6th November 1995 in Johannesburg
- 6) at an SAUPJ Meeting 1st June 1996 in Johannesburg
- 7) at an SAAPR Meeting 2nd August 2000 in Pretoria
- 8) at an SAAPR Kallah 18th to 20th November 2001 in Stellenbosch
- 9) at an SAAPR Kallah 15th to 17th March 2005 in Great Brak River
- 10) at an SAUPJ Conference 11th of September 2005 in Cape Town
- 11) at an SAAPR Kallah 12th to 14th February 2007 in Goedgedacht
- 12) at an SAUPJ Meeting 6th May 2007 in Durban
- 13) at an SAAPR Meeting 13th November 2007 in Johannesburg
- 14) at an SAAPR Meeting 28 July 2009 in Cape Town

We express our thanks to Rabbi Isaac Richards for drawing up the draft which formed the basis and guidelines of the present documents and the commentary added following the Rabbinic Kallah.

## **COMMENTARY ON MINHAG SOUTH AFRICA**

(RABBI ISAAC RICHARDS [November 1996])

### **INTRODUCTION**

Within the Progressive Movement there exist two trends:

- That of American Reform which, on the whole, favoured a laissez faire attitude, where the practices and rituals are more or less set by the Congregational Rabbi.
- The Reform in the U.K. tended more to the Rabbinical Association setting the pattern and expecting all Rabbis to follow the guidelines set down. The Liberal Movement in the U.K. followed the American pattern.

From the inception of the Movement in South Africa by Rabbi Weiler, he sought to guide the Movement in the U.K. Reform pattern, and quite early on, with the assistance of the late Victor Brasch, I drew up a Guide to Procedure. There are, I think, one or two copies of this extant. It really went to extremes. It laid down when congregants should stand and when they should sit, when the Ark should be opened and closed, and sought to regiment every detail. This guide was never fully accepted and indeed, in retrospect, it was over punctilious.

The Minhag South Africa, therefore, confined itself to major matters of policy and practice and, thereby, filled the need of a pattern in connection with lifetime procedures which would be followed by all congregations and thus serve to unify and strengthen our Movement.

The Minhag was accepted by all Rabbis then resident in South Africa at a meeting held on the 1st and 2nd March 1987.

It is of interest to note that all Rabbis participated fully in the discussions and were signatories to the final draft. This includes the Rabbi who later rejected it and formed a separate congregation independent of the SAUPJ. At subsequent rabbinic meetings, certain major amendments and clarifications were accepted.



I have been asked to formulate a commentary to the Minhag explaining, where necessary, the reasoning behind the laid down pattern. I hope that I will be able to satisfactorily fulfil this aim.

**Addendum**

**PROHIBITED MARRIAGES**

**Table of Prohibited Degrees of Consanguinity and Affinity<sup>2</sup>**

*Biblical Prohibitions*

*Talmudical Extensions*

**A. Consanguinity**

**a. In the Ascending Line**

- |           |  |
|-----------|--|
| 1. Mother | Grandmother (paternal as well as maternal) |
|-----------|--|

**b. In the Descending Line**

- |   |                                   |
|---|-----------------------------------|
| 2. Daughter (implied in granddaughter)          |                                   |
| 3. Granddaughter (son's or daughter's daughter) | Son's or daughter's Granddaughter |

**c. Collateral Consanguinity**

- |   |                      |
|---|----------------------|
| 4. Sister and half-sister (either born in wedlock or not) |                      |
| 5. Father's sister  | Grandfather's sister |
| 6. Mother's sister  | Grandmother's sister |

**B. Affinity**

**a. Through One's Own Marriage**

- |  |  |
|--|--|
| 7. Wife's mother   | Wife's grandmother   |
| 8. Wife's daughter (step-daughter)                           | Wife's stepmother not strictly prohibited, but objectionable |
| 9. Wife's granddaughter                                      |  |
| 10. Wife's sister (during the lifetime of the divorced wife) |  |

**b. Through Marriage of Near Blood Relations**

- |                                 |  |
|---------------------------------|--|
| 11. Father's wife (Step-mother) | Father's or mother's step-mother                         |
| 12. Father's brother's wife     | Mother's brother's wife; father's uterine brother's wife |

<sup>2</sup> This table appears in *Ma'aglei Tsedek—The Rabbi's Manual*—CCAR 1988 and did not anticipate the legalization and/or recognition of same-sex marriages. All references should be read equitably and applied to both genders in all cases.