

ORTHODOX RABBIS CONDEMN CHANGE

Ask Conservatives to Give Up
 Marital Contract Revision
 as Dividing Jewish Life

By IRVING SPIEGEL

Spiritual leaders of Orthodox Judaism have condemned the recent action taken by the Conservative branch in revising the traditional Jewish marriage contract.

Their view was expressed in a statement issued last Friday at the Commodore Hotel by the Rabbinical Council of America, representing 600 Orthodox rabbis, and the Rabbinical Alliance of America with a membership of 300.

This statement warned that carrying out the revision of the marriage contract, dating from the Second Jewish Commonwealth about 145 B. C., would create a schism in Jewish life here and over the world. The Conservative movement was asked to withdraw its "proposal

immediately in the name of Jewish unity."

Objectives of the Revision

The revision was announced two weeks ago by the faculty of the Jewish Theological Seminary, headed by Dr. Louis Finkelstein, the chancellor, and the Rabbinical Assembly of America, the top bodies of the Conservative branch.

Effective last Wednesday, the change requires the bride and groom to consult a newly constituted Beth Din, a marriage court, before seeking divorce.

It was explained at the time that in seeking separation couples would first go to their own rabbi. If his efforts at a reconciliation failed the rabbi would call on the Beth Din, which would try to adjust the differences. Failure of a husband and wife to obey the rulings of the Beth Din would make them subject to financial penalties.

Dr. Finkelstein described the revision as an effort to make the ancient covenant effective in terms of modern life while retaining traditional forms. He said that the revision was expected to strengthen Jewish home life through counseling and thwart hasty divorce actions.

Rejection by Orthodoxy

In the statement for their fold, the Orthodox groups said:

"No rabbi will officiate in any

capacity in any ceremony where the revised doctrine is in use.

"No acts or decisions of the projected Beth Din of the Conservative rabbinate will be recognized as valid.

"A religious divorce granted by this Beth Din will not be honored; should anyone re-marry on the basis of such a divorce he may endanger his religious family status and that of his offspring."

The statement declared that the Orthodox Rabbinate "has always been, and still is, the standard bearer of the Halachic [religious-legal] tradition which has always strengthened the institution of the Jewish family and the sanctity and dignity of the personalities of its individual constituents."

Leading in the condemnation of the action by the Conservative branch were Rabbi Theodore L. Adams, honorary president of the Rabbinical Council of America, Rabbi Mendel Feldman, president of the Rabbinical Alliance of America, and Rabbi David B. Hollander, president of the Rabbinical Council of America.

Basis for Decision Given

It was explained that the decision of the Orthodox rabbis was reached after a thorough study of the problem by the Halachah Commission of the Rabbinical Council of America, headed by

Rabbi Joseph B. Soloveitchik, Professor of Talmud at Yeshiva University.

The decision, it was added, was concurred in by the Halachah Commission of the Rabbinical Alliance, which includes the heads of five major orthodox seminaries, represented by Rabbi Gedaliah Schoor, Dean of Yeshiva Mesivta Torah Vodaath.

Rabbi Hollander reported that on his recent trip to Europe he had conferred with chief rabbis of various countries, including Chief Rabbi Isaac Healevy Herzog of Israel. All the chief rabbis, he said, were unanimous in their denunciation of the Conservative move as divisive in Jewish life.

Herbert Berman, lawyer for the orthodox groups, said that, aside from raising theological problems, the revision of the marriage contract created "serious legal problems."

"The contract form by implication would, if necessary, present to secular courts the problem of enforcing a decree of a religious body known as the Beth Din," he said. "This may be in direct violation of the First and Fourteenth Amendments [to the United States Constitution] which, in effect, require a complete separation of church and state."

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