

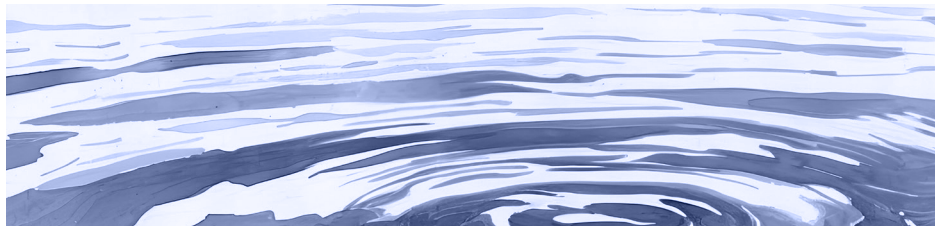


# CHICAGO RABBINICAL CURRENTS

July 2024

Volume I Issue 5

תמוז תשפ"ד



## CONVERSION FOR THE SAKE OF MARRIAGE

by Rabbi Aaron Kraft

The cRc Beth Din deals with many *geirus* candidates sensitively navigating complex issues, each one requiring careful evaluation. Rabbi Aaron Kraft is a cRc Dayan Kavua. He also serves as Rosh Bais Midrash at Bais Chaim Dovid.

A frequently asked question when talking about the topic of *geirus*, is whether a *beis din* can perform a conversion for the sake of marriage. The answer to that question is complex and this article will explore the halachic sources that address the issue and some of the considerations that face a *beis din* when working with candidates whose initial interest in conversion involves a romantic relationship with a member of the Jewish faith.

The Talmud (*Yevamos* 24b) rules that a conversion for the sake of marriage should not be performed *lichatchilah*, *ab initio*, but is accepted if performed. The commentators struggle to understand why such a conversion should be accepted even *bidieved*, *post-facto*. After all, conversion requires a sincere acceptance of all *mitzvos* (see *Shulchan Aruch* YD 268:3 and *Igros Moshe* YD 1:257). If a romantic relationship motivates the desire to convert, should we not be concerned that the candidate is not sincerely accepting the yoke of the *mitzvos*? The *Ritva* (*Yevamos* 24b) offers an explanation based on the halachic principle of *chazakah*, or presumption. Because the prospective convert wishes to become Jewish the presumption is that per force they will accept and fulfill the commandments. Acceptance in the Jewish community entails ascribing to all the precepts of the Torah and anyone who fails to live a life committed to Torah and *mitzvos* will be ostracized. The desire to integrate and exist within the social framework of the Jewish community will ensure the convert's and his or her future spouse's commitment to a Torah lifestyle.

This interpretation of the *Ritva* has been the subject of debate amongst contemporary *poskim* who have drawn opposite conclusions on the applicability of the *Ritva's* logic to the contemporary situation. Rav Avraham Dov Ber Kahana (*Shut Dvar Avraham* 3:28) concluded that the reasoning suggested by the *Ritva* accurately applied to an era where Jews had the ability to enforce compliance with Torah law and maybe even to the *Ritva's* own Jewish community (13<sup>th</sup> century Spain), but no longer describes the reality of contemporary Jewish society in the Western World. In the *Ritva's* generation, if someone converted to Judaism they

(continued inside)



## Making the Cut

A Peek  
Inside the  
**Shechitah  
Process**

by Rabbi Dovid Cohen

Rabbi Dovid Cohen is the Administrative Rabbinical Coordinator at cRc Kosher, where he leads the research and policy development efforts. He is also the author of the *Kashrus Halacha* series of books. The cRc only allows meat and poultry in local establishments if it comes from an approved slaughterhouse, and this article will explain some of the issues considered in deciding which ones to accept.

See the end of the article for a glossary of technical/halachic terms used.

### GOOD TO GREAT

The greatest *kashrus* improvement over the past 100 years has arguably been in the area of *shechitah*. Where it used to be that people were truly concerned that they would be served *neveilah*, *terafah*, or maybe even horse meat, nowadays the meat certified by reputable *hashgachos* is all on a wonderfully high level of *kashrus* and by and large very reliable. As a rule, the people overseeing these *hashgachos* are knowledgeable, and the *Shochetim*, *Bodekim*, *Menakrim*, and *Mashgichim* are people with skill and *Yiras Shomayim*.

Nonetheless, there are differences between one *shechitah* and the next, and this article will highlight many of them. One type of difference has to do with the setup of the facility: How quickly does the production "line" move? Do *Shochetim* etc. work for such long stretches that they cannot concentrate properly on

(continued inside)

# CONVERSION FOR THE SAKE OF MARRIAGE

(continued from cover)

had no option but to uphold Torah law or face complete rejection from the community with nowhere to turn, as Jews were ostracized by the society around them. However, contends Rav Kahana, in today's secular world this could not be further from the truth. The Jewish partner can seek a community that does not maintain high standards of religious observance and does not exert pressure on the Jewish partner nor the potential convert to accept *mitzvos* or an Orthodox lifestyle. Nothing ensures that the convert will sincerely accept the *mitzvos* or abide by them going forward. As a result, the potential convert feels no pressure to accept the commandments, thus completely negating the *Ritva's* presumption of forced acceptance. For this reason, Rav Kahana ruled that conversion should not be performed when it would likely end in marriage with a Jewish partner.

However, other authorities drew the opposite conclusion from the *Dvar Avraham*. Rav Ovadia Yosef (*Kovetz Torah She'Bal Peh* vol. 13 pg. 32) limits the *Ritva's* need for justification to a society where an individual wishing to engage in a romantic relationship with a Jew would need to convert and marry them in order to do so. In that case, we must be certain that a true acceptance of the *mitzvos* will take place (even if for ulterior motives) and that is why the *Ritva* justified the practice with his interpretation that perform a valid commitment to Judaism would occur. However, unfortunately, in contemporary secular society, non-Jews can enjoy a romantic relationship with a Jew without converting or getting married in accordance with Jewish law. Much to our chagrin, the possibility of a man and woman living together without ever marrying is a very real one. As such, no motivation to convert would exist if not for the potential convert expressing true desire to learn about and become part of the Jewish faith. Ironically, according to Rav Yosef, the decline in

religious standards that has affected parts of the community makes it easier to justify conversion of an individual involved romantically with a Jewish partner.

Whose position do we follow? Although opposite in their orientation, both rulings share a common assumption – in order to accept a convert who desires to marry a Jewish individual, we must be confident that the candidate will sincerely accept the *mitzvos* and successfully live an Orthodox life post-conversion. In this



**... in order to accept a convert who desires to marry a Jewish individual, we must be confident that the candidate will sincerely accept the mitzvos and successfully live an Orthodox life post-conversion.**



sense, everyone agrees that the *beis din*, when working with such a prospective convert, must determine whether this individual sincerely seeks a life committed to Torah and *mitzvos* irrespective of the initial motivation and the eventual outcome of the relationship in which they are involved. If, after working with the candidate, the *beis din* feels comfortable with his or her commitment and devotion and the level of religious observance of the prospective spouse, they will often approve the conversion. This approach also has basis in the comments of *Tosfos* (*Yevamos* 24b). *Tosfos* addresses a case in

the Talmud (*Menachos* 44a) where a Jewish man visits a woman of ill-repute but at the last minute overcomes temptation and stays committed to maintaining a life of *kedusha* as demanded by the Torah. In response, and full of admiration, she seeks his teacher desiring to convert. When she finds his teacher, *Rebbi Chiyah*, he accepts her as a convert even though she expressed interest in marrying this Jewish student. *Tosfos*, bothered by her acceptance despite her hope of marrying a Jew, explain that *Rebbi Chiyah* determined that in the end she converted for the sake of heaven and would successfully live a Torah life.

Today, many *batei din* have joined together to form a system known as Geirus Protocols and Standards (GPS), which oversees conversions throughout the country while adhering to an agreed-upon set of published standards to ensure an improved, more consistent and more dependable process for conversion. In the GPS Policies and Procedures it states, "When marriage to a particular Jewish partner is a major incentive to a prospective conversion, there is an increased possibility that the geirus may come with less than the complete commitment necessary for a conversion that would be in keeping with the standards we are trying to set for the regional Batei Din. Nonetheless, experience also shows that such a motivation can result in converts of the highest caliber. Conversion for the sake of marriage therefore requires the Beit Din to constantly reevaluate if the candidate and future partner are likely to subscribe to the requisite beliefs and practices. The Beit Din must be convinced that if the potential spouse were to disappear from the candidate's life, his or her commitment to the Jewish faith and people would not waiver."

Even once the *beis din* decides to accept a candidate who will marry the Jewish partner with whom they have a relationship, an additional halachic issue remains. The *Mishneh*

(continued on back)



# Making the Cut

(continued from cover)

their craft? Are there enough *Mashgichim* etc. to cover all areas properly? Is there a good system in place for marking *nevelos*? How well do they control the segregation of animals designated as *teraifos*? Who is “truly” in charge when there are multiple *hashgachos* involved? How much *Yiras Shomayim*, experience, and expertise do the Rabbinic staff have?

A second way to distinguish one slaughterhouse from the next has to do with their standards of halacha and *minhag*. The most significant of these is the guidelines they follow for “*sirchos*” which determine which beef is “*glatt*”, “*Beis Yosef*”, or not suitable at all. [No *sirchos* are allowed for lamb and veal, and the issue of *sirchos* is not relevant for poultry.] Each *Rav HaMachshir* sets the parameters for his *shechitah*, and there can be great variance between one and the next. More details on this issue below.

Some of the other halacha/*minhag* issues that differentiate one *shechitah* from the next include: Which parts of the animal are removed or cut during *nikkur*? Which parts of the animal are checked for *teraifos* other than the lungs? Does any meat get *kashered* after three days? Are *shochetim* required to submerge in the *mikvah* each day (for general upgraded *kedushah* or specifically so they’ll have a better “*hargashah*” when checking their *chalafim*/knives)? How and when are injections given to the eggs (or chicks)? Are the *tzomas hagidin* checked on every single chicken, or do they merely sample some (or maybe not check any)? Do chickens have to be cut open before *melichah*?

Most consumers do not have the knowledge to decide on these issues, and even those who do will typically have no way of clarifying what is done at each facility. Accordingly, some choose to only eat meat approved or certified by their community’s *Rabbonim*, and they rely on them to ensure that the slaughterhouse is

properly set up and that its halachic standards are appropriate. Towards that end, cRc staff must approve each individual slaughterhouse before the meat or poultry that they produce can be used or sold in local establishments.

## GLATT AND BEIS YOSEF

Let us now move to the issue of “*Glatt*” meat, and what that term means.

The *Gemara* (*Chullin* 46a) says that if two lobes of an animal’s lung are attached to one another by mucous, the animal is a *teraifah*. [We refer to these mucous connectors as *sirchos*]. But that is not the entire *Gemara*. The *Gemara* says that (a) if the *sirchos* are in certain locations, they do not pose a concern, but (b) when they are in a problematic location the animal should be rejected outright, and there is no way to “check” the *sirchah* and determine that the animal is kosher.

The *Shulchan Aruch* and *Rema* codify this *Gemara* very differently. The *Shulchan Aruch* (YD 39:4 and 10-13) essentially takes the *Gemara* at face value, ruling that one can be lenient about *sirchos* in certain locations (“a” above), but rejecting several suggestions for how to check (and permit) a *sirchah* (“b” above). However, the *Rema* ad loc. says that due to a lack of expertise we should forbid *sirchos* in many locations which the *Gemara* seems to permit (“a” above), but he is more understanding of methods used to check *sirchos* (“b” above).

Over the generations, this translated into two standards of meat: *Sephardim* allowed *sirchos* in locations where *Ashkenazim* would not, but in the problematic areas they would not accept any method of checking a *sirchah*. In contrast, *Ashkenazim* were wary of more *sirchos* but allowed different checking methods to determine that the animal remained kosher. Meat which was completely free of *sirchos* was referred to as being *glatt* or *chalak* which are the

*Yiddish* and Hebrew words for “smooth”, meaning the animal’s lungs were smooth and completely free of *sirchos* and could be permitted without any special checking. Others might have also referred to that meat as “*Beis Yosef*” since it met a standard that the *Beis Yosef* (i.e., the *Shulchan Aruch*) would have accepted.

But much of this changed in the past century. Firstly, the major *shechitos* in the United States are overseen by *Ashkenazic Rabbonim* who are strict on the location of *sirchos* (“a” above). Secondly, due to several sociological issues, *Rabbonim* began labeling meat as “*glatt*” even if it had a “few” relatively small *sirchos*. [Thirdly, conscientious kosher consumers began to associate “*glatt*” meat as their minimum standard of kosher and refused to purchase any meat that was non-*glatt*.] Thus, meat labeled *glatt* nowadays is not up to the standard of what *Shulchan Aruch/Sephardim* expect.

So, what should *Sephardim* [or others] do if they want to buy meat which is truly “*glatt*” to the standard of *Shulchan Aruch*? Some *hashgachos* accommodate that demand by labeling meat as *Beis Yosef* or *chalak*, when it comes from a cow that truly had no *sirchos*. But it is very difficult to find such animals, especially for *Ashkenazim* who are very *machmir* about the locations where *sirchos* should be forbidden (“a” above). [In certain South American countries, one can find meat which is truly free of *sirchos*, but that meat is often of lesser quality than American grown beef.] Other *hashgachos* take the position that the terms *glatt* and *Beis Yosef* are essentially interchangeable, and if the standard of *glatt* has been lowered (as above), then so too the standard of *Beis Yosef* can be. Such an approach appears to be a deceptive marketing practice, irrespective of whether it is true from the perspective of *hilchos teraifos*. A third group of *hashgachos* is somewhat more selective about

(continued on back)

# CONVERSION FOR THE SAKE OF MARRIAGE

(continued from inside)

(Yevamos 24b) states that a man suspected of sharing a relationship with a non-Jewish woman may not marry that woman even after she converts. The *Mishneh* rules that if the two do marry, they may remain married, but the union is nonetheless prohibited on the level of *lichatchilah*. How then can a *beis din* responsibly convert an individual knowing that he or she will likely marry the Jewish partner with whom they have shared a relationship?

The Talmud elaborates on this restriction stating that the couple should not marry due to a concern for *lazus sifasayim*, literally perverse lips. *Rashi* understands this to mean that if the couple marries then the initial suspicion that the Jewish partner engaged in a relationship will be substantiated as evidenced from their subsequent marriage. The *Rashba* understands that people will cast aspersions on the sincerity of the conversion and suspect the converted spouse to have done so without true commitment to Torah and *mitzvos*. The contemporary *poskim* address these issues and rule that in many cases there should be no concern for substantiating the suspected relationship shared between the two individuals because it was fully known to everyone that the two were in a relationship. In such a case, there seems to be little concern for tarnishing the reputation of the Jewish partner as his or her relationship was known publicly prior to the conversion as well (see *Igros Moshe* EH 1:27). Others have ruled that although ideally such a marriage should not take place, in most cases this is the best possible outcome from the perspective of helping the Jewish spouse return to a committed life of Torah and *mitzvos*. At least if the non-Jewish partner sincerely converts, such that the conversion is valid, and the Jewish partner also returns to an observant lifestyle, the resulting union will likely lead to a net increase of Torah observance in the world for now and for future generations. Because the marriage is halachically valid according to the letter of the law, the benefit of allowing it outweighs the cost of rabbinically prohibiting it (see *Shut Or Sameach* 2:32).

While the issues of *geirus* especially when "for the sake of marriage" are complex, our *beis din* has seen many individuals who, through this process, with the right amount of nurturing and education, have grown and developed into proud, observant assets to the Jewish community. However, each case requires careful evaluation.



## Making the Cut

(continued from inside)

which meat is labeled "*Beis Yosef*" but nonetheless does allow the checking of certain *sirchos*, claiming that they think *Shulchan Aruch* would have accepted that.

In summary, in many cases, the meat labeled *Beis Yosef* is of a higher *kashrus* standard than *glatt* meat, but the details very much depend on the approach of the specific *Rav HaMachshir*.

### GLOSSARY OF TECHNICAL/HALACHIC TERMS

**Bedikah** Inspection of carcass to ensure it is not a *teraiifah*

**Beis Yosef** Standard for defining animals which are not *teraifos* (see also *Chalal* and *Glatt*)

**Bodek** Person trained to perform *bedikah* (plural: *bodekim*)

**Chalal** Standard for defining animals which are not *teraifos* (see also *Beis Yosef* and *Glatt*)

**Glatt** Standard for defining animals which are not *teraifos* (see also *Beis Yosef* and *Chalal*)

**Hargashah** Manual inspection of knife used for *shechitah* to ensure it is sharp and smooth

**Kasher** Salting process used to remove blood from carcasses

**Menaker** Person trained to perform *nikkur*

**Neveilah** Animal which did not undergo an acceptable *shechitah* (plural: *neveilos*)

**Nikkur** Removal of specific fats and blood vessels

**Shechitah** Ritual slaughter of animals

**Shochet** Person trained to perform *shechitah* (plural: *shochetim*)

**Sirchah** Mucous found on animal's lungs which renders it a *teraiifah* (plural: *sirchos*)

**Teraifah** Blemish or wound that renders an animal non-kosher

**Tzomas hagidin** A juncture of tendons near a chicken's (or animal's) foot, where a rip renders it a *teraiifah*

**Yiras Shomayim** Awe of G-d

**Chicago Rabbinical Currents** is a monthly community newsletter of the Chicago Rabbinical Council (cRc), featuring articles by the staff of the cRc Beth Din and of cRc Kosher.

We value proactive community engagement, education and partnership, and Chicago Rabbinical Currents articles address aspects of practical halacha that are applicable to all.

**Rabbi Yosef Posner**, *President*

**CHICAGO RABBINICAL CURRENTS**  
EDITORIAL COMMITTEE Rabbi Joel Gutstein | Rabbi Meir Moscowwitz | Rabbi Eliyahu Rapoport | Mrs. Gavriella Bachrach

**Rabbi Yona Reiss**, *Av Beth Din*

**Rabbi Avrohom Mordechai Abramson**, *Menahel*

**DAYANIM KEVUIM** Rabbi Daniel Raccah | Rabbi Aaron Kraft | Rabbi Yisroel Langer

**Rabbi Sholem Fishbane**,

*Kashruth Administrator*

**RABBINIC COORDINATORS**

Rabbi Dovid Cohen | Rabbi Yaakov Eisenbach | Rabbi Yosef Landa | Rabbi Moshe Moscowwitz | Rabbi Akiva Niehaus | Rabbi Refoel Dovid Oppenheimer | Rabbi Yochanan Schnall

**Rabbi Levi Mostofsky**,

*Executive Director*



2701 W. Howard Street  
Chicago, IL 60645

Questions? Comments? Feedback?

773.250.5499

office@crcweb.org

www.crcweb.org

© 2024 Copyright. All rights reserved.

Chicago Rabbinical Council