

Yesh Ve'yesh: There Are Some Cases, and Then There Are Others:

A Dissent to the Teshuvah on Non-Jews Opening the Ark by Rabbis Levin and Heller

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This paper was submitted in April 2016. Dissenting and concurring papers are not official positions of the CJLS.

I voted for the responsum by Rabbi David Booth authorizing rabbis to permit non-Jews to open the ark, and I voted against the responsum on the same subject forbidding such action by Rabbis Amy Levin and Joshua Heller, but frankly I think that both are not nuanced enough in that they do not take into account the various relationships between non-Jews and Judaism.

I voted for Rabbi David Booth's responsum and against the responsum by Rabbis Joshua Heller and Amy Levin primarily because of the case of non-Jewish spouses of Jews who have allowed their children to be raised as Jews. In some cases that I know of, the non-Jewish spouse promoted the Jewish education and identity of the children even more than the Jewish partner. For such non-Jews I think it is not jarring at all to honor them by permitting them to open the ark at a Bar or Bat Mitzvah for their children, for they are indeed opening the Jewish tradition to their children.

At the same time, Rabbis Heller and Levin are clearly correct in saying that non-Jews who are not involved in advancing the Jewish tradition through their children should not be given the honor of opening the ark, for that is, as they say, a symbol of opening everyone present to the Torah and all it represents, something that non-Jews, according to their own convictions, do not represent. All the more so, non-Jews involved in actively trying to convert Jews to

Christianity or to “Messianic Judaism” (or “Jews for Jesus”) should definitely not be given this or any other honor during worship.

It is this range of relationships between non-Jews and Judaism that I found lacking in both responsa, and it seems to me that a non-Jew’s relationship to Jews and Judaism is precisely the criterion that should determine whether he or she is given the honor of opening the ark or not. For this reason, I think that the local rabbi, who is most likely to know this factor with regard to any particular non-Jew, should judge the appropriateness of giving any particular non-Jew this honor.