

אוגדן מסמכי יסוד

האגודה לרבנות מתקדמת בדרום אפריקה

“Ogdan”

A compendium of formative documents
The South African Association of Progressive
Rabbis

Table of Contents:

Alef: Takanon Articles and Regulations.....	1-9
Bet: Minhag South Africa.....	10-51
Gimmel: Congregational - Rabbinic Relationship.....	52-85
Dalet: CCAR Rabbinic Code of Ethics.....	86-90



Sivan 5782 – June 2022

תקנון האגודה הרבנית המתקדמת של דרום אפריקה

TAKANON:

The articles and regulations of the South African Association of Progressive Rabbis

1. The Association:

1.1. The South African Association of Progressive Rabbis (**SAAPR**) is the professional framework for ordained and in-process Rabbis who are engaged with the congregations and affiliates of the South African Union for Progressive Judaism (**SAUPJ**) and through it to the World Union for Progressive Judaism (**WUPJ**).

1.2. For the time being, the **SAAPR** is not registered as a legal entity but acts as an independent forum within the **SAUPJ**. Should a decision be made to formally register the **SAAPR** as a legal entity, this document will serve as the base for its constitution.

1.3. The goals of the **SAAPR** are:

1.3.1. to be a sounding board and a collegial operative support structure for its members;

1.3.2. to provide Progressive Rabbinic leadership and guidance for the **SAUPJ**, it's congregations and Affiliates;

1.3.3. to provide a Progressive Rabbinic voice for the wider Jewish community and the general South African society;

1.3.4. to operate the Rabbinic Court (**Beit Din**) for the purposes, of amongst other matters, the acceptance of converts (**Gerut**), the recognition of adoption of children (**Imutz**), the granting of divorces (**Gittin**), the consideration of status matters and for any other matters which may require interpretation or consideration in a formal Rabbinic forum. The operation of the **Beit Din** is in accordance with the document of “Minhag South Africa”;

1.3.5. to publish independently or to advise on the purchase of educational and liturgical materials; and

1.3.6. to take an active role in the training and mentoring of **Lay Readers**, cantors, educators, community workers and **Rabbis**.

1.4. Other Formative documents:

In addition to this **Takanon** of articles and regulations, the **SAAPR** will be acting with regard to the principles contained in the following documents:

1.4.1. MINHAG SOUTH AFRICA (Rabbinic guidelines accepted first by the **SAAPR** on MARCH 1987, as may be amended from time to time);

1.4.2. Guidelines for Rabbinical – Congregational Relationships (**SAUPJ** and **SAAPR** accord from November 1996, as may be amended from time to time); and

1.4.3. CCAR ETHICS CODE (Code of Ethics for **Rabbis** adopted first in June 1991 and amended since).

2. Eligibility of Membership:

2.1. Members of the **SAAPR** may include:

2.1.1. Ordained graduates or second year and above Rabbinic students of Progressive academies recognized by the **WUPJ**: Hebrew Union College – Jewish Institute of Religion, Leo Baeck College, Abraham Geiger College, The Iberoamerican Institute for Reform Rabbinical Education, the Institute for Modern Jewish Studies in Moscow who accept this **Takanon** and **Minhag South Africa** and who are resident in South Africa.

2.1.2. Ordained graduates of other Rabbinic academies who accept this **Takanon** and **Minhag South Africa** and who are resident in South Africa.

2.2. **Rabbis** or Rabbinic students who assume office in **SAUPJ** congregations or affiliates (i.e. are contracted to maintain Minhag South Africa) will become members of the **SAAPR** from the date that they of office.

3. **Affiliation and Amity relations:**

3.1. Being a Rabbinic body under the auspices of **WUPJ**, the **SAAPR** is in amity (i.e. in a cooperative collegial supportive relationship) with the following Rabbinic bodies: CCAR (North America), MARAM (Israel), European Union for Progressive Judaism – Rabbinic Assembly (ERA), UPJ MOATZA (Asia/Pacific) and the Rabbinic Assembly of Union of Jewish Congregations of Latin America and the Caribbean as well as such other Rabbinic bodies as may be added from time to time.

3.2. The **SAAPR** will strive to have fruitful collaborative relationships with any other faith based associations whether they are Jewish or non Jewish.

4. **Office Bearers:**

4.1. **Chair:**

4.1.1. The **SAAPR** will appoint a chair once every two years, at the **SAAPR** assembly which is held simultaneously with the **SAUPJ** Biennial conference.

4.1.2. The appointment of the Chair will rotate automatically amongst the **Rabbis** based on longevity of having worked as a **Rabbi** in a **SAUPJ**-affiliated congregation or organization, commencing with those who have not yet served as Chair.

4.1.3. Only members of the **SAAPR** who are serving in positions in an **SAUPJ**-affiliated congregation or organization may be eligible to serve as Chair. Student **Rabbis** will not be eligible to serve as Chair.

4.1.4. If all eligible members of the **SAAPR** have served as Chair, the rotation will revert to the member who has served the longest within **SAUPJ**-affiliated congregations and/or organizations and who is still eligible to serve as Chair. The rotation would then begin anew.

4.1.5. Any member of the **SAAPR** may choose to decline to act as Chair and the position of Chair will then pass to the next eligible member in the rotation.

4.1.6. The appointment of Chair will be confirmed by election at the **SAAPR** assembly, as set out in **4.1.1** above.

4.1.7. If the position of Chair becomes vacant other than at an **SAAPR** assembly as set out in **4.1.1** above, then the Chair will rotate according to **4.1.2** to **4.1.6** above. The Chair who fills a vacancy will hold the position of Chair until the next assembly as envisaged in **4.1.1** above.

4.1.8. The Chair will:

4.1.8.1. be in constant communication with the other members of the **SAAPR**, and be available to them for advice and support;

4.1.8.2. endeavor to maintain harmony, concord and mutual understanding among the members;

4.1.8.3. invite the members to meetings, electronically or in person, from time to time and to the Rabbinic Kallot which should be held at least once a year;

4.1.8.4. set and distribute timeously in advance the agenda for such meetings;

4.1.8.5. be responsible for the taking of the minutes of the meetings, the distribution thereof and to ensure that the decisions that have been taken are followed up on;

4.1.8.6. liaise between the **SAAPR** and the **SAUPJ**;

4.1.8.7. liaise between the **SAAPR** and other **WUPJ** affiliated organizations;

4.1.8.8. be available for any general enquiries and correspondence regarding the **SAAPR** and Progressive Judaism;

4.1.8.9. ensure the upholding of MINHAG SOUTH AFRICA and this **TAKANON**; and

4.1.8.10. co-ordinate the production of publications under the **SAAPR** Press.

4.2. **Mazkir Beit Din:**

4.2.1. The **SAAPR** will elect a *Mazkir Beit Din* once every two years, at the **SAAPR** assembly which is to be held simultaneously with the **SAUPJ** Biennial conference.

4.2.2. The outgoing Chair will nominate a candidate for *Mazkir Beit Din* prior to the assembly.

4.2.3. Other members of the **SAAPR** may nominate candidates.

4.2.4. The nominated candidate/s will have an opportunity to accept or decline the nomination prior to the assembly.

4.2.5. If more than one candidate is nominated, an election will be held as set out in **4.2.1** above.

4.2.6. Any ordained member of the **SAAPR** who is resident in South Africa may be eligible to be *Mazkir Beit Din*.

4.2.7. If the position of *Mazkir Beit Din* becomes vacant other than at an **SAAPR** assembly as set out in **4.2.1** above, then the procedure to fill the vacancy shall follow the procedure set out in **4.2.3** to **4.2.5** will apply. A *Mazkir Beit Din* who fills a vacancy will hold the position of *Mazkir Beit Din* until the next assembly as envisaged in **4.2.1** above.

4.2.8. The *Mazkir Beit Din* will:

4.2.8.1. Ensure that regular **Beit Din** sessions are held, in accordance with the requirements of the different congregations and regions;

4.2.8.2. receive reports from such sessions;

4.2.8.3. ensure the keeping of records of all **Beit Din** activities;

4.2.8.4. be the “first call of resolution” person in matters related to policy;

4.2.8.5. liaise with other Progressive **Beit Dins** acting under the **WUPJ** auspices and to inform the members on matters arising as needed; and

4.2.8.6. ensure the upholding of MINHAG SOUTH AFRICA through the actions of the **Beit Din**.

4.3. **Ethics Arbiter:**

4.3.1. The **SAAPR** will elect an Ethics Arbiter once every two years, at the **SAAPR** assembly which is held simultaneously with the **SAUPJ**

Biennial conference.

4.3.2. The outgoing Chair will nominate a candidate for Ethics Arbiter prior to the assembly.

4.3.3. Other members of the **SAAPR** may nominate candidates.

4.3.4. The nominated candidate/s will have an opportunity to accept or decline the nomination prior to the assembly.

4.3.5. If more than one candidate is nominated, an election will be held as set out in **4.3.1** above.

4.3.6. If the position of Ethics Arbiter becomes vacant other than at an **SAAPR** assembly as set out in **4.3.1** above, then the procedure to fill the vacancy shall follow the procedure set out in **4.3.3** to **4.3.5** will apply. An Ethics Arbiter who fills a vacancy will hold the position of Ethics Arbiter until the next assembly as envisaged in **4.3.1** above.

4.3.7. Any member of the **SAAPR** who is resident in South Africa and who has been ordained for 10 or more years, or who has 10 or more years of relevant professional experience, may be eligible to be an Ethics Arbiter.

4.3.8. As set out in clause **1.4.3** above, the **SAAPR** has adopted the CCAR ETHICS CODE as a binding guideline of conduct, the Ethics Arbiter will ensure the implementation of the code and will be the agreed person for conflict resolution within the **SAAPR** and between its members and the **SAUPJ**.

4.3.9. The **SAAPR** will define the exact role and powers of the Ethics Arbiter in an appendix to the CCAR ETHICS CODE, explaining the adaptation of the CCAR document into the **SAAPR** context

4.4. Assistance to new office bears

After new elections have been held for the positions of office bearers, each former office bearer will assist the new office bearer for a period of three months in order to facilitate the seamless handover of the institutional memory of their role to their successor.

5. Representations and Public Statements:

5.1. When a member of the **SAAPR** is invited to represent the **SAAPR** (i.e. not as the **Rabbi** of their synagogue or as a **SAUPJ** member but specifically to represent the **SAAPR**), it is the duty of that member to inform the Chair prior to the event and report the results once done.

5.2. Similarly, the Chair must inform the members of such events (i.e. where the **SAAPR** was represented by the Chair or another member of the **SAAPR**), and report to the members on the outcome of such representation.

5.3. No member, including office bearers, may make binding statements on behalf of the **SAAPR**.

5.4. Time permitting, all statements required to be made by the **SAAPR** should be discussed and consensus reached by the members of the **SAAPR**, prior to the release of such statements.

6. Common Goodwill

This **Takanon** is entered into in a spirit of common goodwill. The members of the **SAAPR** shall at all times render all reasonable assistance in their power to facilitate the successful implementation of this **Takanon**.

7. Effect and Future changes

7.1. This **Takanon** will come into effect once approved by all the existing members of the **SAAPR**, as part of the OGDAN, a compendium of

formative documents of the **SAAPR**.

7.2. Amendments shall be carried by a simple majority, in a vote conducted by the Chair.

7.3. The Chair must publish an updated version of the Takanon within 14 days of an amendment being carried.

7.4. All amendments shall take effect from the date of the amendment being carried irrespective of the date of publication.

”אמר הקדוש ברוך הוא

**כל העוסק בתורה ובגמילות חסדים ומתפלל עם הצבור מעלה אני עליו כאילו פדאני
לי ולבני**

***"The Holy One, blessed be He, says: Anyone who engages in Torah study and
in acts of kindness, and prays with the congregation,
I ascribe to him credit as if he redeemed Me and My children."***

א"ח ע' ברכות Berakhot 8a

מנהג דרום אפריקה

Minhag South Africa:

The Code of Practices of Progressive Judaism for SAUPJ Congregations and SAAPR Rabbis

Preamble - Akdamot Milim

A *Minhag* is a 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. In the course of Jewish history, it had been common for **Rabbis** to set guidelines and by-laws for their local communal establishments. These were often called “*Takanot HaKahal*”. There, Halachic status is indeed binding only to the specific installations which fall under the Rabbinic bodies involved, however, the Jewish tradition is clear about the authority given to the **Rabbis** to set guidelines for the religious life of their communities. It is within this framework that this document operates: The regulations, standards and norms set by the South African Association of Progressive **Rabbis** which are binding for the congregations and affiliated institutions of the South African Union of Progressive Judaism.

Several platforms and statements have affirmed the principles of Progressive Judaism. This document is a set of practical guidelines rather than a declaration of concepts. Yet in order to contextualize the religious framework we refer to, it can be noted that Progressive Judaism acts within the Rabbinic traditions of interpreting the *Torah*, within the pluralistic traditions of the Jewish People and within the belief in one God, who had been revealed to our ancestors.

Our beliefs uphold that all humans as created in the image and likeness of God; our practices are egalitarian and inclusive. Our aim is *l'taken Olam B'Malchut Shadai* — to prepare the world for its Creator. As a Rabbinic association it is our goal to assist Progressive Jews to deepen their understanding and practice of the Jewish faith by the methods of *Torah* (study), *Avoda* (prayer) and *Gmilot Chassadim* (acts of loving-kindness), as well as basing our conduct on *Emet* (truth), *Din* (justice) and *Shalom* (peace).

Progressive Judaism is rooted in the prophetic tradition of emphasizing the ethical together with the ritual. In our context, to create opportunity, acceptance and inclusion of all people without regard to gender, ethnicity, national origin or sexual orientation. This represents Judaism's ancient belief in the creative power of God interpreted in contemporary terms. Furthermore, Progressive Judaism promotes the affirmation of involved citizenship through full participation in our society.

The ancient process of *Midrash* (interpreting our sacred texts) had been a vital force for defining Rabbinic Judaism. It is through creative *Midrash* that Judaism shaped its significant times and the seasons of Jewish life. These codes of law and ritual regulations take place within the context of contemporary knowledge. Thus, our theology should reflect our contemporary understanding of ecology, psychology, social studies and so on.

In all these actions we are committed to the idea of *Tikkun* – the healing/mending/fixing of the individual, the family circle, the community and the society. We call upon our Progressive movement to assist in fulfilling these *mitzvot* (sacred deeds), and to provide the framework for these values to be lived.

This Minhag South Africa shall be binding on all the Rabbis of the SAAPR and the Congregations and Affiliates of the SAUPJ.

Definitions

In this document:

Appendixes means exemplary or explanatory supplements and annexures to the Minhag, which are integral to the document.

Beit Din means the Rabbinic Court, which is the forum conducted by the **SAAPR** under the auspices of the **SAUPJ** to deal with matters of Jewish and personal status, in accordance with the **Takanon**.

Chuppah means the bridal canopy that covers the **Marriage Couple** and is usually supported by 4 poles.

Civil Union Act means the Civil Union Act 17 of 2006 as amended.

Ger means a person who was formerly of another religious faith and has been accepted into the Jewish covenant by a *Beit Din*.

Gerut means conversion to the Jewish covenant

Gerut Ceremony means the ceremony at which a **Ger** is accepted into the Jewish covenant.

Get means a Bill of Release granted by a **Beit Din** to a married couple.

Ketubah means a traditional Jewish marriage document or contract.

K'riah means the tearing of garments by close mourners usually at a funeral or at the time of death of a close relative

Lay Marriage Officer means a member of a **SAUPJ**-affiliated congregation, who has been approved by that member's congregation and the **SAUPJ**.

Lay Reader means a member of a congregation or association or a teacher affiliated to the **SAUPJ** who has been trained or is competent to lead services and to perform certain duties that are delegated to this person by the respective congregation or association for that congregation or association.

Marriage means a marriage or a civil union conducted in terms of the **Marriage Act** or the **Civil Union Act**.

Marriage Act means the Marriage Act 25 of 1961, as amended.

Marriage Couple means a bride and groom in the case of a heterosexual **Marriage** and the two persons in the case of a same gender **Marriage**

Marriage Officer (M'sader Keddushin) means a **Rabbi** or a **Lay Marriage Officer**, who has passed the necessary exams as required by the Department of Home Affairs, and have become **Marriage Officers** in terms of the **Marriage Act** and/or the **Civil Union Act**.

Minhag South Africa means this document, as amended from time to time.

Progressive Judaism refers to the religious denomination embodied by the various constituents of the **WUPJ**, and in South Africa by the alliance of congregations and affiliated bodies of the **SAUPJ**.

Rabbi refers to a person who has received *Smecha* (rabbinic ordination) from an organization or academy which is recognised by the **SAUPJ**, and is a member of the **SAAPR**.

SAAPR means **The South African Association of Progressive**

Rabbis. SAUPJ means **The South African Union for Progressive**

Judaism. Takanon means the articles and regulations of the **SAAPR**.

Te'udat Preidah means a decree of dissolution of a marriage issued by the ***Beit Din***. ***Te'udat Gerut*** means a certificate of conversion into the Jewish Faith.

WUPJ means The World Union for Progressive Judaism

Egalitarianism

As a fundamental and guiding principle, the SAUPJ and SAAPR shall not tolerate discrimination of any form and respects the principle of egalitarianism for all people in respect of race and gender orientation discrimination.

All Jewish adults are entitled to participate equally in every facet of congregational services and at home, as well as life cycle rituals, are eligible to occupy all congregational positions.

This principle applies to the engagement of Rabbis, employees, congregational leaders and Lay Readers.

Reshut HaYachid – The realm of the individual

1. Jewish Status - Who is a Jew

To be a Jew one must be a member of the Jewish people, a status obtained either through birth or conversion. In other words, Jewish identity is not determined purely by the individual. One does not become a Jew merely by declaring, "I am a Jew" or "I accept the Jewish religion." One must either be born a Jew or become a Jew through a process recognized and administered by the various denominations of the Jewish community.

a) Therefore, a person is Jewish:

- i. If that person's mother is Jewish in terms of the accepted standards of the **SAUPJ**.
- ii. If that person has converted and has been accepted as a convert (**Ger Tzedek**) by the **Beit Din** or any other **Beit Din**, recognized by the **WUPJ**.
- iii. Conversion certificates and documents confirming a person's conversion must be acceptable to the **Beit Din**.
- iv. The **Beit Din** may also determine on a case-by-case basis that another process of conversion is valid for acceptance as a member of the **SAUPJ** communities.

1.2 Patrilineal and Matrilineal

a. The Bible accepts the Jewish identity of a child as coming from the line of 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 prescribed that the ethnic identity of the mother was passed on to the child.

b. As stated above, and with accordance to the principle of *Klal Yisrael*, we recognize maternal lineage, however the lineage of a child with one non-Jewish parent (where the Jewish parent is **not** the birth-mother), will be acceptable subject to the following:

Where one parent is Jewish and the other parent is not Jewish, we have the obligation to encourage the parents to share a common faith tradition and to raise the child with an undivided Jewish identity.

- i. In the case of a child with one Jewish parent, where the child is raised with an exclusively Jewish education and identity, they should be welcomed to take part in all activities of the congregation and may be admitted to a religious school / cheder of an **SAUPJ**-affiliated congregation.

- ii. With such families, all efforts should be made to encourage an exclusively Jewish home. While such families may celebrate non-Jewish holidays in support/recognition of the non-Jewish parent's faith / traditions, **Rabbis** are encouraged to offer ongoing counsel and support to ensure that the child's Jewish identity is clear (i.e. exclusively Jewish) and that the reasons for observing such celebrations in a Jewish home are clearly delineated.
- iii. Prior to the *B/Mitzvah* of the child, the child must appear before the **Beit Din** to be formally recognized as Jewish (i.e. to *affirm rather than confirm* Jewish status) through the questioning of the **Beit Din** as to the education and exclusive Jewish identity of the child, after which a certificate confirming Jewish status must be issued.

(NOTE: as of January 2022, The Rabbis are committed to a five-year process of creating and implementing a B/M ritual of identity confirmation, including mikvah, that would be required of all B/M students regardless of parentage.)

- iv. The child's Jewish parent should be encouraged to appear before the **Beit Din** as early as possible in the child's life, together with the child's non-Jewish parent, who should together sign a parental undertaking document confirming that the child will be or continue to be raised exclusively as a Jew (as defined above)

c. A person who has not had an exclusive Jewish upbringing (i.e exclusively Jewish education and identity),

- i. even if they had a Jewish naming and/or *B/Mitzvah*, should be referred by a **Rabbi** to the **Beit Din** to determine if they can be formally recognised as a Jew.
- ii. The **Rabbi or Beit Din** should strongly encourage that such adults undertake an educational program, independently or as part of a conversion class.

1.3 Other Jewish status

Priestly status: In ancient Judaism, there were separate categorisations of Jews into Kohen, Levy and Israel. These have no actual meaning since Judaism is no longer centralised around a Temple in Jerusalem. Thus, we do not recognise the special role, privileges or restrictions regarding *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.

Mamzerut: A *mamzer* is defined as 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 **Beit Din**, **Progressive Judaism** does not recognise the concept of *Mamzerut*.

Deaf Individuals: Traditionally, a person who is deaf is considered to be non-communicating, and thus, is unable to fulfil ritual duties or give legal testimony. This is no longer relevant in modern society as there are many forms of communication available.

Efforts should be made to accommodate deaf individuals and assist in finding SASL (South African Sign Language) interpretation.

2. **Gerut**

2.1 **Application for Gerut**

a. Applicants considering **Gerut** should be welcomed by the congregation and **Rabbi** without reference to gender, ethnicity or sexual orientation. Applicants should be guided through a course of study that, which when conscientiously followed, may result in an invitation for qualified candidates to appear before a **Beit Din** which may lead to acceptance as a member of the Jewish community.

b. Individual congregations may set by-laws regarding the minimum period of regular attendance at services before an admission interview can be held. It is also customary that a community representative attend that interview together with the applicant and the **Rabbi**.

c. The **Rabbi** to whom the application for conversion has been made has the sole authority to accept or reject applicants for the conversion process, as well as extending an invitation to the applicant to appear before the **Beit Din** who will consider whether the applicant may be accepted into the Jewish covenant.

d. Applicants must submit a motivational letter and complete an application form with a copy of their Identity Documents.

e. At the admission interview, the **Rabbi** should point out the disadvantages and obligations of affiliating to the Jewish people and likewise make it clear that a Progressive convert is not recognized by the Orthodox authorities either in the Diaspora or in the State of Israel. However, as the Israel Law of Return presently stands, persons who have converted to Judaism under the auspices of Progressive Jewish congregations are entitled to Israeli Citizenship.

f. Following this first interview, the applicant and the applicant's Jewish partner (where there is one) must begin to attend services regularly. The partner is expected to attend all instructional meetings, classes and other events together with the applicant.

g. Applicants should be advised of the costs involved in the process.

h. The Jewish partner must be a member in good standing of the congregation before the Introduction to Judaism course commences.

i. The **Rabbi** must ensure that each applicant has a file containing all documentation regarding the conversion process: forms, correspondence, assessments and writing duties and other evidence for communal participation.

2.2 Requirements

- a. The curriculum for the Introduction to Judaism course shall follow the broad curriculum as formulated by the **SAAPR** in consultation with the **SAUPJ**.
- b. The **Rabbi** is responsible for the formulation of the curriculum for the study process at the **Rabbi's** congregation. The curriculum shall include a list of *Sabbatot*, holiday and festival services, communal programs and life cycle events at which the applicant must attend.
- c. The **MINIMUM** requirements for attendance by the applicant must include celebrations of *Sabbatot* and a complete annual cycle of Jewish sacred days and festivals, as well an array of Jewish life cycle ceremonies.
- d. The Rabbi shall hand the applicant the written curriculum of study and attendances that are to be followed and the applicant must acknowledge their willingness to actively engage in the curriculum.
- e. Where the **Rabbi** does not personally teach the Introduction to Judaism course, the **Rabbi** may delegate the teaching to a **Lay Reader**.
- f. Applicants and their Jewish partners must attend regular classes, as laid down by the **Rabbi**.
- g. The applicant and their Jewish 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.

2.3 Period of Study

The period for acceptance into the Jewish covenant should be for a mandatory **MINIMUM** period of one calendar year. This enables the applicant to experience the full cycle of Festivals and to reflect adequately on the steps being taken. It also enables the **Rabbi** (and the congregation) to observe and ascertain the qualities and sincerity of the applicant.

2.4 Final Process

a. After completion of the course of study and the requirements listed above, and based upon the applicant's standard of knowledge and commitment to Judaism, the supervising **Rabbi** may recommend that the applicant meet with the **Beit Din**.

b. The applicant will then be interviewed by a duly constituted **Beit Din**, under the auspices of the **SAAPR**, consisting of three *Dayanim*, including at least one **Rabbi** and two other qualified assessors who will consider whether the applicant may be accepted into the Jewish covenant. It is recommended that individual acceptance interviews be held with each applicant.

c. After acceptance, the new **Ger** shall remain an active member and participant for a further year in a **SAUPJ**-affiliated congregation. The supervising **Rabbi**/congregation may withhold the **Te'udat Gerut** for that first year.

2.5 Circumcision

In the case of biologically-male candidates, circumcision must be carried out prior to the completion of the conversion process and medical confirmation supplied to the applicant's **Rabbi**. The requirement may be waived only on medical grounds, including proven psychological grounds. Circumcised males are to be counselled with respect to the tradition of *Hatafat Dam Brit*.

2.6 *Tevilah*

The **SAAPR** encourages ritual immersion before acceptance to Judaism. In the absence of access to an Orthodox or Progressive *mikveh*, an open body of water or swimming pool may be used with appropriate arrangements to ensure modesty for those being immersed, in fulfillment of the obligation to *Maiyim Chaiyim*.

2.7 *Gerut Ceremony*

A ***Gerut Ceremony*** may take place following the acceptance of the candidate by the ***Beit Din*** into the Jewish covenant or at a ***Gerut Ceremony*** during a designated congregational service.

2.8 *Certificate*

- a. An original ***Te'udat Gerut*** should be presented to the ***Ger*** at the ***Gerut Ceremony*** or, where there is no ***Gerut Ceremony***, at the ***Beit Din*** acceptance interview.
- b. Copies of the ***Te'udat Gerut*** are to be lodged in the records of the congregation and the **SAUPJ**.
- c. It is vital records be kept confidential, but accessible to legitimate enquirers.
- d. Ideally, we should strive to have standardization of ***Te'udat Gerut***.
- e. All unused ***Te'udat Gerut*** should be safely stored by the **Rabbis**.
- f. A separate document in confirmation of a person's Jewish status may be issued should this become necessary.
- g. Hebrew Names for those converted to Judaism.

- i. A Hebrew name consists of one or more forenames and the names of the Jewish parents. Whilst in traditional practice the Jewish name of those converted to Judaism include *bat/ben Avraham v'Sarah*, any other Jewish name may be used as part of the Hebrew name at the discretion of the **Beit Din**.
- ii. For a **Ger** who has Jewish parents, whether the *Ger* is an adult or a child, their parents' names may be used as part of the Hebrew name at the discretion of the **Beit Din**.

2.9 Children

- a. In the case of parents whose minor children were born before their parent's acceptance into the Jewish covenant, and where these children are to be brought up in the Jewish faith, proper certification must be issued for these children.
- b. Where only one parent, whose minor children were born prior to that parent's acceptance into the Jewish covenant, and where these children are to be brought up in the Jewish faith, proper certification must be issued for these children, subject to the parents or in the case of a single parent or where a parent has sole guardianship and custody of a child, giving a written undertaking signed by the both the parents (or the single parent) of the child that the child will be brought up in the Jewish faith.
- c. No formal conversion ceremony is needed for children whose parent/s are accepted into the Jewish covenant before the children reach the age of 10.
- d. Children above the age of 10 and under the age of 13 shall be issued with certification of presumptive Jewish status which must be confirmed by a **Beit Din** before being called as *B/Mitzvah* when the status shall become permanent.
- e. All children above the age of 13 must be accepted into the Jewish covenant in their own right.

f. Naming of children who have been accepted into the Jewish covenant to Judaism traditionally includes *bat/ben Avraham v'Sarah*. However in the case of adoption it has become acceptable for an adopted child to use the Hebrew names of Jewish adoptive parents, too (see **3.3.c.8** below).

g. For children born during the parent's period of study (as set out in **2.9a** and **b** above), a provisional *Brit Milah/Covenantal Ceremony l'sheim gerut*—for the purpose of entering the infant into the Jewish covenant—is performed after the eighth day on the strict understanding that the child's Jewish status only becomes permanent through the child's acceptance of adult Jewish status as a *B/Mitzvah*. When the parents are formally admitted into the Jewish covenant, a separate certificate of Jewish status is issued for children below age 10 years (see **2.9, a-c**).

h. Where only the parent who is not the birth-mother is Jewish and the other parent does not wish to become Jewish, or the parents fail to complete the process (see **2.9a** and **b**), but desire the child to be brought up in the Jewish covenant, then:

i. Parents are advised to have all children who are assigned male at birth circumcised.

ii. Parents should consult a **Rabbi** with regard to the naming of children.

iii. A promissory document, committing the parents to limit religious education to Judaism and the maintenance of a Jewish home may be required.

iv. Children can be admitted to religion school, with *B/Mitzvah* then to serve as confirmation of the commitment made by parents at birth, if the child has been judged to have conformed to a Jewish way of life.

v. Jewish status and eligibility for *B/Mitzvah* shall be attested by a **Beit Din** before the *B/Mitzvah* ceremony takes place.

vi. A **Te'udat Gerut** is to be given to the young person immediately before the *B/Mitzvah* ceremony.

Ma'agalei Mishpacha – Family circles

3. Milestones of life

a. At moments of transition, whether celebrating or when we need support, the value of community cannot be overstated. Jewish tradition offers a wide range of possibilities for individuals and families to mark their life cycle events within the communal setting, such as the birth of a baby, *B/Mitzvah*, marriage and death of a beloved person. We encourage the expression of life milestones within our communities. Further, we suggest that an element of *tzedakah* is given to assist those in need as an expression of gratitude.

b. The **Rabbi** should officiate at all life cycle events for the **Rabbi's** congregants.

c. The **Rabbi**, has the sole authority to issue the relevant life cycle certificates.

d. In the absence of a **Rabbi**, the **Rabbi's** duties and responsibilities may be performed by a **Lay Reader** or the Chair of the congregation.

3.1 *Birt Milah* and *Brit Chayim*

a. *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 the *Brit Milah* is delayed for any reason (including health considerations), the ceremony may not

take place on *Shabbat* or Festival.

b. 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 **Lay Reader**.

c. A female baby should have a *Brit Chayim* or *Zeved HaBat/Brit Bat/Simchat Bat* —a covenantal celebration of Jewish birth — that includes a naming ceremony as well as a ritual of being welcomed into the covenant including *b'rachot* similar to the ones read at a *Brit Milah*.

d. A child's birth may be celebrated with a naming ceremony in the Synagogue during a regularly scheduled service.

24

3.2 *Pidyon HaBen*

Our tradition calls to “redeem” the first-born male in each family as a remembrance of the 10th plagues described in Exodus 13:13 and further chapters. In accordance with our Progressive values, we accept the idea that life is precious and that the gift of life should be acknowledged, and we call upon our families to mark the first month of the life of their first new-born child (whether male or female) through an act of prayer and charity.

3.3. **Adoption and Surrogacy**

(For the purposes of the clauses relating to Adoption and Surrogacy the word “parents” shall mean parents or a single parent as the case may dictate.)

a. Jewish concern for infertile couples has roots in Biblical narratives. Contemporary medical practice offers many remedies for prospective parents who wish to have children but have failed to achieve conception after an extended period. Competent medical advice should be sought, and counseling should be offered to relieve childless prospective parents of their suffering.

b. It should be noted that IVF (in-vitro fertilization) and other artificial techniques of reproduction are not the only means whereby prospective parents might hope to fulfill the *mitzvah* of bringing children into the world. They may extend their family by way of adoption. The relationship created through adoption is equivalent in every respect to the relationship between parents and their biological children. Should the prospective parents choose to take this path to parenthood, they should be entitled to the active assistance and encouragement that our community can offer to them as they continue to build their Jewish household.

c. Adoption

i. Conscience dictates that all Jews be concerned with the plight of children whose parents are unable to provide a loving home; all Jews should consider their ability to provide a Jewish home for these children by adopting these children.

ii. Children of Jewish parents, whose parents are not able to care for them, may be adopted according to South African Law.

iii. A child so adopted customarily retains the Hebrew names of the birth parents.

iv. If a child is adopted at or shortly after birth, then that child shall be named at a *Brit Milah* or naming ceremony using the

names of the child's adoptive parents.

v. Children of a non-Jewish mother may be adopted by Jewish parents subject to compliance with South African Law.

vi. For male children, circumcision should take place at the earliest time permissible in accordance with the South African laws relating to children and adoption.

vii. Acceptance into the Jewish Covenant is required in accordance with the principles set out in this Minhag.

viii. Adopted children who are not Jewish, should be traditionally named *bat/ben Avraham v'Sarah*, however it is acceptable for an adopted child to use the Hebrew names of the Jewish adoptive parents.

d. **Surrogacy**

i. Modern medical technology includes both IVF and implantation of the resulting fertilized ovum 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 either or both of the ovum and sperm donors are Jewish, then the appropriate procedure for the recognition of the child as Jewish shall be applied at the discretion of the **Rabbi** or a **Beit Din**.

ii. From the time that a surrogate mother gives birth, a clear Jewish identity should be established through the celebration of the customary ceremonies as set out in this **Minhag**, subject to legal restrictions and agreements between the surrogate mother and the intended parent/s of the child.

3.4 **Upsherin / Halaka**

We acknowledge the recent spread of the *Upsherin*, the tradition of a haircutting ceremony observed when a male turns three years old. This ceremony may likewise be utilised for a female who turns three years old. We invite the families to make the event an opportunity to

practice the study of Torah and the giving of *tzedakah*.

3.5 B/Mitzvah

a. **Rabbis** and congregations that do not have a **Rabbi**, may establish and supervise the curriculum for and attendances of *B/Mitzvah* learners who are required to have an understanding of Jewish festivals, rituals, liturgy, history and Hebrew subject to the MINIMUM standards set out below:

i. attendance at congregational religion school or comparable private tuition under congregational auspices for a MINIMUM period of two years, however this period may only be shortened in exceptional circumstances at the discretion of the **Rabbi** or in the absence of a **Rabbi** the *Beit Din*;

ii. regular attendance at Shabbat and Festival services, accompanied by the learner's parents, is required for at least one year before the *B/Mitzvah* ceremony however this period may be shortened only in exceptional circumstances at the discretion of the **Rabbi** or *Beit Din*; and

iii. the *B/Mitzvah* should be able to competently read from the scroll, read the Hebrew *Torah* and *Haftarah* blessings, participate in leading the service and delivering a sermon/*D'var Torah*;

b. *Adult B/Mitzvah*: If an adult person did not have the opportunity of celebrating their *B/Mitzvah* or when a person who have been accepted into the Jewish covenant after the traditional *B/Mitzvah* age wishes to celebrate their *B/Mitzvah*, the **Rabbi** and the congregation shall make arrangements to enable them to do so in a ceremony similar to the traditional *B/Mitzvah* ceremony.

c. *Second B/Mitzvah*: At the age of 83, as a token of appreciation of 70 years from a person's original *B/Mitzvah* ceremony, a person should be encouraged to celebrate their second *B/Mitzvah*, in a

ceremony similar to the traditional *B/Mitzvah* ceremony. A second *B/Mitzvah* certificate marking the event should be issued.

3.6 Marriage - *Chupah*

3.6.1 Legal Authority:

a. The Department of Home Affairs recognises the **SAUPJ** as a religious institution under whose auspices **Marriage Officers** may become **Marriage Officers** in terms of the **Marriage Act** and the **Civil Union Act**, as amended from time to time.

b. **Marriage Officers** shall only be entitled to act as **Marriage Officers**, in respect of:

i. **Rabbis**, whilst the **Rabbi** is a member of the **SAAPR**; and

ii. **Lay Marriage Officers**, whilst these persons are members of **SAUPJ** affiliated congregation and are required to assist such **SAUPJ** affiliated congregations to perform **Marriages** and civil unions.

c. At the end of the period of affiliation with the **SAAPR** or **SAUPJ**, as the case may be,:

i. **Marriage Officers** shall no longer be entitled to act as **Marriage Officers**; and

ii. the **SAUPJ** will request the Department of Home Affairs to revoke the authority of these persons as **Marriage Officers**.

d. **Rabbis** and **Lay Marriage Officers** shall undertake in writing to be bound by the conditions of their appointment as **Marriage Officers** in terms of this *Minhag* (as may be amended from time to time) prior to their appointment as **Marriage Officers** and in respect of existing **Rabbis** and **Lay Marriage Officers**, immediately after this amended *Minhag* comes into force.

e. **Marriage Officers** shall (subject to them passing the necessary exams) be permitted to conduct ceremonies in accordance with both the **Marriage Act** and the **Civil Union Act**.

f. Every **Marriage Officer** should be registered as a **Marriage Officer** by these two Acts, which currently require separate registration.

g. A **Marriage Officer** shall not be entitled to conduct a **Marriage** unless:

i. all civil legal requirements have been met; and

ii. it is followed by a religious ceremony within an acceptable period of time.

3.6.2 **Marriages conducted by Lay Marriage Officers**

If a **Rabbi** is not available to conduct a **Marriage**, a **Lay Marriage Officer** may conduct the **Marriage** subject to a **Rabbi** having had sight of all the necessary documentation and having authorized the **Marriage** to proceed.

3.6.3 **Discretion and collegiality:**

The decision to accept or reject a proposed **Marriage Couple** is solely at the discretion of the **Rabbi**. In the case of rejection, the **Rabbi** is expected to inform the **SAAPR** and explain in writing the reason for rejection, in case the proposed **Marriage Couple** should thereafter approach another **Rabbi**.

3.6.4 **Mixed-Faith Marriage:**

Our congregations are a safe and welcoming space for mixed-faith families.

3.6.4.1 **Participation in Mixed-Faith Marriage:**

Rabbis may **participate** in **marriages** of Jews and non-Jews in a non-officiant role.

- a. either the officiant or the participating rabbi must clearly state at the wedding that the rabbi is not the officiant
 - i. A suggested phrase to use could be, “Hi, I am X, I am here as the officiant of this service, later on we are going to include Rabbi X, as the couple’s rabbi, who will be offering a blessing. . . .”
- b. The rabbi must not stand with the officiant for the duration of the wedding, just for the parts they are offering to help clarify that they are not the officiant
- c. Participation **may include** offering words of congratulations, welcome, a Jewish teaching, Birkat Kohanim. These offerings may be in either Hebrew or English.
- d. Participation **may not include** offering a traditional Jewish blessing from the liturgy of Jewish weddings (specifically, *Birkat Erusin*, the traditional wedding vows (*harei at/atah...*), and *sheva b’rachot*), or with language taken from the traditional text of *Ketubot*.
- e. In exchange for rabbinic participation, couples must meet with the rabbi a minimum of three times during which the rabbi should help the couple think through their future as an interfaith couple.
- f. Additionally, **Rabbis** may work with mixed-faith couples to craft their ceremony.
 - i. Such ceremonies **may** include Jewish minhagim (i.e. chuppah, breaking of the glass), rewrites of Jewish wedding liturgy (i.e. *Shevah Brachot*, vows, *Birkat Erusin*)
 - ii. Such ceremonies **may not** include traditional Jewish blessing from the liturgy of Jewish weddings (specifically, *Birkat Erusin*, the traditional wedding vows (*harei at/atah...*), and *sheva b’rachot*), or language taken from the traditional text of *Ketubot*.

- g. **Rabbis** may not sign a civil license or Ketubah between a Jew and Non-Jew, as a marriage-officer or as a witness

- h. **Rabbis** may support the proposed **Marriage Couple** to seek an alternative to a **Marriage** conducted by a **Marriage Officer**.

- i. When counseling a proposed mixed faith **Marriage Couple**, every attempt should be made to encourage the Jewish partner to consider conversion, recommend participation in the ITJ course or, at a minimum, to participate in Jewish life and to be as welcoming as possible to the non-Jewish partner and their families. It is encouraged to offer a blessing / *Aufruf* to the couple.

- j. **Rabbis** can decline to participate in mixed-faith marriages.

3.6.5 Marriage of Non-Jewish couples

Rabbis are entitled, in their discretion, to perform the legal marriage procedures for two non-Jews both under the **Marriage Act** and the **Civil Union Act**.

3.6.6 The ceremony

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

- b. The ***Ketubah*** has been used 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 **Marriage Couple** and witnessed by two Jewish adults. First-degree blood relatives of the **Marriage Couple** 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.

c. A ***Ketubah*** customarily contains the names of each partner of the **Marriage Couple**, 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. The text of *Ketubot* should be in a format agreed upon by the **SAAPR** and following the egalitarian principles of **Progressive Judaism**.

d. The marriage ceremony should include most of the Jewish traditional elements: Opening engagement blessing, the blessing of sanctification (over the wine), an exchange of rings between the **Marriage Couple** with the formulaic Hebrew vows (*harei at/atah m'kudash (et) li, etc.*), public reading of the *Ketubah*, the *Shevah B'rachot* (Seven Blessings) and the breaking of the glass at the conclusion of the ceremony.

e. Each **Marriage Officer** is entitled to present creative or alternative elements to the ceremony, as long as it is done with respect and decorum and in consultation with the **Marriage Couple**.

3.6.7 Forbidden Marriages

Marriage Officers shall **NOT** conduct **Marriages** for prospective marriage partners who fall under the restrictions of family marriage, as accepted in Judaism: parents and children, siblings, affinities and so on. A list of forbidden degrees of **Marriage** is set out in the **Appendix**.

3.6.8 Forbidden Days for Marriages:

a. **Marriages** shall not be conducted on *Shabbatot*, Festivals, or

between *Rosh Chodesh Av* and the 9th of *Av*.

b. **Marriages** are to be discouraged from being conducted during the intermediate days of *Pesach* and *Sukkot*, between *Rosh Hashanah* and *Yom Kippur*, at the end of *Shabbat* or Festivals, and between *Pesach* and *Lag BaOmer*.

c. A mourner should not marry until after the *Shloshim* period of mourning has been concluded, except where all of the wedding preparations had been finalized before the death occurred. In such a case, the wedding should be postponed for at least until the *Shivah* period has concluded. The final decision here rests with the authorizing **Rabbi** who should also be consulted about aspects of the celebration that might be appropriately curtailed.

3.6.9 Other special cases:

a. **Kohanim**: As explained in 1.3 above, **Progressive Judaism** does not hold the priestly status to be different from any other Jew. Thus, **Marriages** between a *Kohen* and a divorcee or a convert are permitted.

b. **Levitate Marriage**: The ancient Israelite custom of demanding a widow to be married to her brother in law, and *chalitzah*, (the release ceremony from such obligation) are not recognised.

c. **Aguna**: literally meaning anchored woman - refers to a woman married who has been abandoned by a man. Traditional Judaism requires 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 rejects these principles and

i. recognizes a civil divorce as adequate;

ii. permits women to initiate divorce proceedings in accordance with civil law;

iii. recognizes the declaration of death by a civil court, even without discovery of the deceased or witness to the event.

d. **Widowed Persons:** There are no restrictions on the remarriage of widowed persons other than those as mentioned under “Forbidden Marriages” (see 3.6.7 above) or “Forbidden Dates” (see 3.6.8 above). However, a sense of propriety should be observed.

3.6.10 *Aufruf*

a. In *Yiddish Aufruf* means "calling up". It is the Jewish custom for a groom to be called up in the synagogue for an *Aliyah*. In the *Ashkenazic* Jewish tradition, the *Aufruf* ceremony is typically held on the *Shabbat* before the wedding; while in the *Sephardic* and *Mizrachi* traditions, it is called *Shabbat Chatan*, the groom's Sabbath, and it is typically held on the *Shabbat* after the wedding.

b. We encourage the proposed **Married Couples** to be called together to the *Torah*, before or after the wedding. The Hebrew name for this concept is;

i. “*Shabbat Chatan-Kalla*” in respect of a heterosexual **Marriage Couple**;

ii. “*Shabbat Chatanim*” or “*Shabbat Kalot*” for a same-gender **Marriage Couple**.

iii. “*Shabbat Ahuvim*” for a **Marriage Couple** where one or both members of the **Marriage Couple** do not have a preferred gender-identity or are gender-fluid.

3.7 Divorces / *Gittin*

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

b. It is a traditional religious obligation for a husband to provide a **Get** — Bill of Release — to a wife.

- c. 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 remarried divorced woman who has not received a **Get**.
- d. Women civilly divorced, whose former husband has not fulfilled the legal and ethical obligation of providing a **Get** may be married by a **Marriage Officer**.
- e. 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**.
- f. Upon presentation of a final decree of a civil divorce, the absence of a **Get** shall not be deemed to make the divorced woman an *aguna* (anchored woman) but shall suffice, at the discretion of the **Rabbi**, for marriage under the auspices of the **SAUPJ**.
- g. Either partner may request the **Beit Din** of the **SAAPR** to issue a **Te'udat Preidah**. In most cases, this procedure should only be applied in the case of a former marriage under Progressive Jewish auspices.
- h. To avoid abetting a **Get**-refuser:
- i. If a Jewish man was previously married to a Jewish woman, and had not been given a *get*, we would then request the ex-wife provide written confirmation that she does not seek a **Get** at that time, prior to us agreeing to conduct the **Marriage**.
 - ii. If a Jewish woman was previously married to a Jewish man and had not received a **Get**, we would then request that the ex-husband provide written confirmation that he does not need his ex-wife to accept the **Get** to conclude their religious divorce.
 - iii. If the former spouse refuses to co-operate and either seek or accept a **Get**, then the **Beit Din** may issue a **Te'udat Preidah**.

3.8 Death (Funeral/cremation, *Shiva*, *Shloshim*, first-year memorial)

a. When someone close to us dies it is normal for the family to experience heightened emotions and stress. It is the role of the **Rabbi** to be present and to assist the family not only with the formalities of the rituals but to provide counsel and solace.

b. It is a Progressive Jewish practice to respect the differences in mourning customs among families and communities. Jewish tradition teaches that death has its allotted place in the cycle of life, and Jewish rituals are intended to support us as we deal with death and loss, enabling us to go forward towards life.

3.8.1 Funeral and Memorial Service Offerings

a. The organization and content of funeral and memorial services, including liturgy, rituals and eulogies, are entirely at the discretion of the **Rabbi**. A **Lay Reader** should consult with a **SAAPR Rabbi** for guidance.

b. All effort should be made to conduct the funeral as soon as possible, to enable the family to move from *the aninut* phase (the period from the death of an immediate relative until after the burial/funeral) and to start the process of *Shivah*.

c. ***K'riah***—custom dictates for a garment to be torn in a triangular non-repairable way as a symbol of the tear in the fabric of a family that occurs when loved one dies. Only the direct mourners make this tear, on the left for a parent, on the right for all other cases.

i. Whilst it is a commendable ritual and rich in symbolism as a mark of grief, it is the right of an individual mourner to refrain from performing ***K'riah***. Mourners should neither be forced to perform ***Kri'ah*** nor be obstructed from performing ***Kri'ah***. Jewish mourning rituals have a well-deserved reputation to respond to the needs of mourners at their hour of loss.

d. It is not customary to bring flowers, photos or other objects to a funeral or cremation or to the consecration of a *Matzevah* (tombstone). Placing of stones on or around the *Matzevah* is customary.

3.8.2 Cremation

a. We acknowledge the validity of cremation as a legitimate choice made by an individual regarding their body. We call upon family members and congregations to respect this choice.

b. In such a case, ashes should be treated with respect and buried in the ground or in a Wall of Remembrance. All traditional mourning rituals should, nevertheless, be observed in order to allow the community to comfort the mourners.

3.8.3 Shiva

a. *Shiva*, in Hebrew meaning the number 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.

b. *Shiva* is a full set of seven days. In the case of uncertainty due to a festival or any other reason, the **Rabbi** will advise the family how *Shiva* should be performed.

c. At the end of the *Shiva* is it customary for the family to visit the grave and read the *Kaddish* prayer. The **Rabbi** should strive to be

with them or see that they are aware and prepared for the occasion if they wish to do so.

3.8.4 Days on which Funerals, Memorials and Consecrations should not be held

a. Funerals, both burials and cremations, are not solemnized on *Sabbatot*, Pilgrimage Festivals, *Rosh Hashanah* or *Yom Kippur*.

b. While funerals may be held on the “second day” of the Pilgrimage Festivals according to *Halacha* 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.

c. It is also permitted to delay a funeral to allow reasonable travel time for immediate mourners to reach South Africa from great distances.

3.8.5 Prayers at the House of Mourning

a. It is our Progressive custom for the House of Mourning Prayers to be held for at least one evening.

b. If the funeral took place on a Friday, home prayers may be held after *Shabbat* ends or on Sunday.

c. If the death took place on any day during the Festivals of *Pesach* or *Sukkot*, prayers will be held after 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.

d. Mourners should attend public worship services on *Shabbat*, enabling them to recite the *Kaddish* prayer in a *Minyan*. At which time no outward sign of mourning (cut garments or mourning ribbons) should be worn.

3.8.6 Organ Donation

- a. Organ donation is to be encouraged on the grounds of *Pikuach Nefesh* (saving a life).
- b. **SAAPR Rabbis** should motivate congregants to register as donors with the Organ Donor Foundation of South Africa.

3.8.7 Consecration of *Matzevot* / Tombstones

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

3.8.8 *Yahrzeit*

- a. 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* services at which the name of the deceased is read out before the *Kaddish*.
- b. 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.

3.8.9 Non-Jewish family relative

- a. Jews are obliged to mourn, say *Kaddish* and observe *Yahrzeit* for parents, spouses, siblings and children regardless of the deceased's religion.

b. **Rabbis** are entitled to perform non-denominational ceremonies for non-Jewish family relatives in a non-denominational section, if available. If the family relative was of another faith, the **Rabbi** can participate by reading psalms or presenting a eulogy.

Ma'agalei Kehila – Communal Circles

4.1 Kashrut

a. 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 embedded 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.

b. **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 ensure that only sustainable food supplies (or food produced under ethical conditions for the workers in the food supply chain) are consumed to coincide with a sense of ecologically responsible (*eco-Kashrut*) consumption.

c. Thus, 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 for private celebrations.

d. This standard of *kashrut* is encouraged to be adhered to in the homes and private practice of individuals within the congregation.

e. The **Rabbi** should advise congregants not to serve forbidden foods at synagogue-linked functions, such as *B/Mitzvah* celebrations or weddings and other life cycle ceremonies being held at outside venues.

f. 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 and the ethical treatment of workers involved in the food supply chain.

4.2 Minyanim

A prayer quorum of 10 Jewish adults is needed for the purpose of public prayer which includes *Devarim Shebikdusha*, the Sacred Elements of the service such as *Barechu*, parts of the *Amida*, and the *Torah* reading. In **Progressive Judaism**, all Jewish women over the age of **B/Mitzvah** are counted as part of the number required for a *Minyan*.

4.3 Kippah/Yarmulka

a. We require the wearing of a head cover, “*Kippah*” or “*Yarmulka*”, at all indoor ceremonies and an appropriate head covering at outdoor ceremonies. Covering the head during prayer is equally appropriate for men and women, although we do not force it on women and do require it of men.

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

4.4 Tallit

a. 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.

b. The wearing of a *Tallit* during the customary services is equally appropriate for all Jewish adults regardless of sex or gender-identity, and is strongly encouraged for all who are called to the *Bimah*.

4.5 Tefillin

The wearing of *Tefillin* at weekday morning services and other customary times is encouraged, however, is a matter of personal discretion for all Jewish adults, regardless of sex or gender-identity.

4.6 Observance of Festivals

4.6.1 A sincere effort must be made to hold or at least to pay homage within the congregation to all Jewish festivals, with accordance to the Jewish year cycle.

4.6.2 Customarily, the major festivals are observed according to Biblical and Israeli custom:

a. *Pesach* is observed on the first and seventh day;

b. *Shavuot*, *Sukkot* and *Sh'mini Atzeret/Simchat Torah* are each observed for one day; and

c. There is no objection to the observance of a second day for *Rosh Hashanah*.

4.6.3 The Israeli calendar should be used to determine the cycle of Torah readings.

4.6.4 *Chol HaMoed*, being the intermediate days of the festivals of *Pesach* and *Sukkot*, during which regular life continues modified by:

a. the eating of unleavened bread during *Pesach*; b. dwelling in

the booth/taking of the Four Species during *Sukkot*; Questions relating to customs concerning other events, joyous or sad, during these days should be addressed to the congregation's **Rabbi**.

4.6.5 Special practices on a Festival which falls on *Shabbat*

- a. When *Rosh Hashanah* falls on *Shabbat*, it is the established practice for the *Shofar* to be blown on that day.
- b. This is irrespective of whether the second day of observance is to be held.
- c. Likewise, on *Shabbat* during *Sukkot*, the rituals relating to the *Lulav* and *Etrog* are observed.

4.7 Participation of Those Who Are Not Jewish:

- a. Those who are not Jewish may not perform any ritual that is specifically a Jewish act including making a public benediction (reciting a *Berachah*) or handling the *Torah* Scroll.
- b. Someone who is not Jewish may ascend to the *Bimah*, read a communal prayer, or be called forward as an immediate family member for a family blessing.
- c. Those who are not Jewish may wear an appropriate head covering but should not wear a *tallit*. Covering of the head in Jewish tradition is considered to be a sign of respect. Hence, those who are not Jewish, while attending 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 someone who is not Jewish to wear a *tallit*.
- d. Those who are not Jewish 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*.
- e. Where a Jew is not obliged to perform a *mitzvah*, i.e. the opening of the Ark during the recitation of a *B/Mitzvah* prayer or a baby

blessing and naming, then a person who is not Jewish may take an active part in the ceremony.

Ma'agalei Tenu'a – The Movement Circle

5. Conduct within Movement Circles

- a. In relation to how **SAAPR** members conduct themselves within the circles of the national movement, we affirm the validity of the **SAUPJ – SAAPR** accord, Rabbinic - Congregational Relationships, from November 1996.
- b. Any inquiries regarding a specific case of employment or any other form of accountability will be discussed between the contracting parties in accordance with the **Takanon**, and the Ethical code, as well as upholding the values of comradeship and solidarity, as expected of **SAAPR Rabbis**, being the spiritual leadership and moral exemplars of the Progressive movement in South Africa.
- c. **SAAPR Rabbis** will hold and fulfill this **Minhag** as an element of standardization, alignment and solidarity among the **SAUPJ** congregations and affiliated bodies.

Sof Davar - Conclusion

6. Summary

- a. This document, **Minhag** South Africa, has been governing the conduct of **Progressive Judaism** in South Africa since its formation in 1987.
- b. This document is meant to bring forward clarity and orientation for the **SAAPR Rabbis**, as well as for the **SAUPJ** lay leadership, assisting all to understand how **Progressive Judaism** functions in

this part of the world.

c. This document is adopted by the **SAAPR**, with the understanding that documents of this nature are always open and alive. Thus, **Minhag** South Africa had been amended numerous times since its first formation.

d. Just as we have received this document from our predecessors in title, we shall pass it on to our successors in title. It is the duty of the **SAAPR** and **SAUPJ** in partnership and after proper consultation with each other to update and amend the **Minhag** from time to time as circumstances may dictate, so as to ensure that **Progressive Judaism** remains a vibrant, inclusive, accessible and ethical form of Judaism, in South Africa, and elsewhere.

e. It is with faith in the Eternal, *Hachonen La'Adam Da'at*, who grants humans with wisdom, that we conclude this document, praying for the wisdom, creativity and strength to fulfill our duties as Progressive **Rabbis** in South Africa.

Explanatory Notes:

In the event of there being a conflict between the explanatory notes below and the principles set out above, then the principles above shall prevail over the explanatory notes.

[1] **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 inflexion. [2] **MITZVOT (singular, mitzvah)** — literally, Commandments; often understood as sacred and/or obligatory actions. A mitzvah is a fundamental concept in Jewish life. The knotted fringes (*tzitzit*) on a *tallit* serve as a visual reminder (Num.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 negatives (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.

[3] 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 before marriage or married to a *Kohen*, a distinction Progressive Judaism sees as unacceptable.

[4] 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 2nd Aliyah to Torah for them.

[5] 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 the 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.

[6] CONVERSION OF MINORS - Jewish tradition determines the Jewish status of an individual according to the status of the mother. This led to recognising children of a mother who wishes to enter the Jewish covenant automatically as Jewish as long as the children are under the age of 10 when the mother converts. Children of a man who enters the Jewish covenant (as a single parent, or when he is doing the conversion by himself, without his partner), are not automatically

included in the conversion process.

While a decision of a Beit Din shouldn't create interfaith families, we recognise in special cases the individual desire of one parent in a family to enter the Jewish covenant without her/his partner and in such cases, we may include children in this process, regardless of the gender of the candidate.

[\[7\]](#) **B'RIT** — covenant—the essential sacred contract expressed in various forms in the Torah and retained as the enduring connection of God to the Jewish people. [\[8a\]](#) **B'RIT MILAH** — Covenant of Circumcision, the ceremonial and surgical procedure customarily performed on the 8th day after birth. Cf. Genesis 17 & 20. [\[8b\]](#) **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.

[\[8c\]](#) **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 the father has 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, regardless of their personal level of observance, is the person best fitted to carry out this ritual, as required by the Shulchan Aruch, the 16th Century compilation of Jewish practice.

[\[9\]](#) **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 13th birthday

with the first *Aliyah* to Torah as *Maftir* (the reader of the conclusion of the Torah section for the day and of the appropriate Prophetic reading, and/or *Haftarah*).

[10] **CHUPPAH** — bridal canopy covers the **Marriage Couple** at a 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.

[11] **MIXED-FAITH 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 officiation of such a marriage would be out of place. Participation in such marriages allows our rabbis to celebrate with members of our community and affirm the importance of our relationships with our members, without crossing the boundary we have placed here around officiation. 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 prospective **Marriage Couples** by any **Marriage Officer**.

[12] **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 converts, 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.

[13] **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, an

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 (Rabbenu 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.

[14] **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 is cut and handed in person to the wife, thus dissolving the Ketubah. The 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.

[15] **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. 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 around 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' 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.

[16] **BILL OF RELEASE** - *Te'udat Pridah* (Bill of Release) SHOULD be issued in the event of a dissolution of marriage to recognise the ending of the Jewish marriage. The Beit Din of the SAUPJ may issue documents of dissolution. This may be particularly relevant in cases where a traditional Get is not obtainable.

[17] **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.

[18] **AVELUT** — mourning is the extension until the 11th 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.

Appendixes to Minhag South Africa

Table of Prohibited Degrees of Consanguinity and Affinity

Biblical Prohibitions Talmudical Extensions
a. Consanguinity In the Ascending Line
Mother Grandmother (paternal & maternal)
b. In the Descending Line

1. Daughter (implied in granddaughter)
2. Granddaughter Son's or daughter's Granddaughter c. Collateral Consanguinity
3. Sister and half-sister (either born in wedlock or not)
4. Father's sister Grandfather's sister 5. Mother's sister Grandmother's sister A. Affinity

Through One's Own Marriage

6. Wife's mother Wife's grandmother Wife's stepmother not strictly prohibited, but objectionable

7. Wife's daughter (step-daughter)

8. Wife's granddaughter

9. Wife's sister (during the lifetime of the divorced wife)

Through Marriage of Near Blood Relations

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



The South African Union for Progressive Judaism

And

The South African Association of Progressive Rabbis

**Guidelines for
Rabbinic - Congregational Relationships**

November 1996

SAUPJ – SAAPR accord for Rabbinical-Congregational Relations

TABLE OF CONTENTS

PREAMBLE

1. THE CONGREGATION AND ITS LEADERSHIP

- a. The Role of the Congregation
- b. The Role of the Congregational Leadership
- c. The Partnership of the Congregational Leadership
and the Rabbi
- d. The Rabbi and the Council

2. THE AUTHORITY OF THE RABBI

- a. The Rabbi's Status in the Congregation
- b. The Roles of the Rabbi

3. THE RABBINATE: (SENIOR) RABBI, ASSISTANT

- RABBI, ASSOCIATE RABBI
- a. Engagement of Additional
Rabbis
- b. Titles
- c. The Assistant Rabbi

- d. The Associate Rabbi
- e. Co-Rabbi
- f. The Rabbi Serving Part-Time
- g. Temple Staff
- h. Pulpit Succession
- i Former Rabbis

4. THE AGREEMENT BETWEEN THE

CONGREGATION AND RABBI a. The Nature of
the Agreement

- b. Tenure Agreements
- c. Terms of Agreement
- d. Copies of Agreements
- e. Differences of Interpretation
- f. Termination of Service

5. RETIREMENT

- a. Planning for Retirement
- b. The Rabbi Emeritus
- c. The Deceased Rabbi's Spouse

6. CONCILIATION AND ARBITRATION

- a. The Function of the Commission on Rabbinical-Congregational
Relations
- b. Procedures of the Commission

APPENDIX

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PREAMBLE

Sacred Jewish values underlie the partnership between Rabbi and Congregation. To enhance the unique quality of this partnership, the Executive of the SAUPJ together with the SAAPR have drawn up the **Guidelines for Rabbinical-Congregational**

Relationships

Nothing in this publication is intended to supersede existing applicable law or the constitution and by-laws of the Congregation. However, by-laws generally conforming to the Guidelines assist in shaping harmonious Rabbinical-Congregational relationships. The adoption of the Guideline by the SAUPJ Executive and the SAAPR does not automatically make them a part of the agreement between a Congregation and its Rabbi. It is recommended that the Guidelines be specifically incorporated into the agreement between Rabbi and Congregation.

Out of their firm conviction that the implementation of the Guidelines will prove beneficial to Congregations and Rabbis alike, the leadership of the SAUPJ and the SAAPR call upon their members to accept them and to pledge faithfully to fulfill their high responsibility to each other. The CCAR's Code of Ethics also deals with some of the topics covered in the Guidelines. The Code, revised in 1982, presents standards of Rabbinic behaviour which the members of the SAAPR have agreed to maintain. The provisions contained in the Code are interpreted by the CCAR Conference's Committee on Ethics.

1. THE CONGREGATION AND ITS LEADERSHIP

1.1 The Role of the Congregation

For more than two millennia the Synagogue has served our people as Bet Hatefilah, House of Prayer, as Bet Hamidrash, House of Study, 28 Bet Hakneset, House of Assembly. As it fulfils those classic roles, the modern congregation becomes worthy of the designation Kabilah Kedoshah, a "holy community".

Although historically each Congregation is autonomous, Progressive Congregations in Southern Africa are voluntarily united in common purpose through the SAUPJ. Progressive Rabbis, who in the tradition of the Rabbinate enjoy autonomy in the practice of their calling, are associated in the SAAPR and, sometimes, in other Rabbinic bodies.

1.2 The Role of the Congregational Leadership

In some communities the Congregation itself is the governing body,

charged with the responsibility of administering all the activities of the institution. In most Congregations, however, the Council has been delegated responsibility for governance. The Council is appointed to direct the administrative and financial affairs of the Congregation. By virtue of its election by the membership at large, the Council derives authority from the Congregation as a whole, and it should represent the varied points of the membership. Those who are invested with positions of leadership should understand that their responsibility extends beyond the management of congregational business to include involvement in all phases of the Congregation's programs. They should set an example of commitment to the membership at large by participating actively in worship, study and other activities offered by the Congregation. The President of the Congregation is usually the person most directly involved with the Rabbi. The President, as elected lay leader, and the Rabbi, as elected spiritual leader, should meet regularly to consider the welfare of the Congregation. They should keep each other informed of the views of individuals and groups within the Congregation, and (to the extent allowed by the need for confidentiality) of significant events in the lives of congregants. They should acquaint each other with the programs they intend to recommend to the appropriate congregational committee or to the Council.

They should encourage each other's efforts to introduce new programs and to stimulate the participation of members in congregational activities. The President and the Rabbi should share their knowledge of the special interests and abilities possessed by individual congregants, and they should confer when appointments to congregational committees are to be made.

Discussions between the Rabbi and President on congregational

business or on person matters should be carried on in complete candor and, when appropriate, in confidence. Each should respect the other's knowledge and experience.

1.3 The Partnership of the Congregational Leadership and the Rabbi

A Congregation is best served when its lay and Rabbinic leadership consider themselves partners in carrying on the sacred functions of the Synagogue. Certainly, the lay leadership and the Rabbi should interact on all levels of congregational activity. The Officers, Council, congregational committees and the Rabbi should work closely together: the lay leadership always calling upon the Rabbi for expert advice, based on scholarship and experience; the Rabbi respecting the judgment, sensitivity, commitment and the authority of the lay leadership in those matters indicated in this Article, Section B.

1.4 The Rabbi and the Council

The Rabbi should be an ex-officio member of the Council and of its Executive, with full privileges of discussion. In recognition of the fact that there may be religious, ethical, and/or programmatic implications in fiscal or administrative policy decisions, the Rabbi should be free to express opinions on these matters, and the Rabbi's viewpoint should be accorded a regard befitting the position of spiritual leader. The Rabbi should exercise this right.

2. THE AUTHORITY OF THE RABBI

2.1 The Rabbi's Status in the Congregation

The Rabbi is the congregation's chosen spiritual leader, called to

minister to the religious, educational, pastoral, and communal needs of the membership. While in a legal sense the Rabbi is an employee of the Congregation, the Rabbi is more than a professional staff person.

The Rabbi's unique authority derives from three sources:

1. Rabbinic ordination attests to the Rabbi's learning and fitness to interpret Judaism. Ordination is granted upon the completion of graduate study at a Progressive Jewish Seminary or an Institution of equivalent rank.
2. Rabbinic authority is broadened by systematic study after ordination, and by association with other Rabbis, with the agencies of the Progressive Movement, and with local and national institutions, both Jewish and non Jewish, which contribute to the Rabbi's scholarship, spiritual growth and experience.
3. Rabbinic authority within a particular Congregation is derived from the Rabbi's election as spiritual leader by the Congregation. (Specific procedures may differ from Congregation to Congregation).

55

2.2 Role of the Rabbi

2.2.1 The Rabbi in the Pulpit

The Rabbi always enjoys complete freedom of the pulpit. Rabbis are faithful to the traditions and high demands of their Rabbinic calling when they preach and teach Judaism both in its fundamental essence and its application (as each Rabbi sees it) to the contemporary scene.

Only the (Senior) Rabbi of the Congregation may invite another Rabbi or guest speaker to occupy the pulpit. The conduct of services of worship and life cycle ceremonies should be primarily the responsibility of the Rabbi. When changes in the method of worship are under consideration, the Rabbi should consult with the Cantor and/or Director of Music and the appropriate congregational committee and seek a consensus. The Rabbi's especial competence in questions of ritual should be recognised.

2.2.2 The Rabbi as Teacher

Rabbis should avail themselves of every opportunity to teach Torah to their congregants. If the Congregation's staff includes an Educator, the Educator shall consult with the Rabbi in all matters relating to the educational program of the Congregation.

2.2.3. The Rabbi as Scholar

The calling of the Rabbi requires regular and diligent study. Therefore, the Congregation should provide the Rabbi with ample opportunity for both formal and private study in Jewish and general areas of learning.

2.3.4 The Rabbi as Officiant

- a. The Rabbi shall officiate at life-cycle functions of congregants
- b. Courtesy and practical considerations require that the Rabbi shall determine rituals and procedures which are to be used at these functions.

- c. The Rabbi shall officiate in accordance with his/her convictions and with due regard for the customs of the Congregation and procedures recommended by the SAAPR.
- d. Rabbis in the Congregation shall officiate only in conformity with the standards and procedures set by the (Senior) Rabbi.
- e. The Cantor's special competence in the field of Jewish music shall be respected in the choice of appropriate music for public worship and for life-cycle functions.
- f. The Rabbi shall serve those members who seek Rabbinic pastoral care and/or spiritual counselling. In some instances, in the spirit and tradition of Judaism, pastoral activities may be shared by Rabbi, Cantor and lay people.
- g. The Congregation shall recognise the desirability of establishing a proper balance between the time needed for the Rabbi's pastoral obligations and other duties.

2.3.5 The Rabbi as Counsellor

The Rabbi meets with individuals and families who desire personal guidance. Contacts between the Rabbi and those who seek counsel are always held in the strictest of confidence. When, in the Rabbi's judgement, the situation warrants, the Rabbi makes referrals to specialists,

2.3.6. The Rabbi in the Community

Rabbis demonstrate their commitment to Judaism through participation

in activities which benefit the general community. The Rabbis may rightly identify themselves with causes, movements, or institutions which they judge compatible with the teachings of Judaism.

2.3.7 The Rabbi as a Person

Rabbis, as do their congregants, require adequate time and privacy to fulfil their responsibilities to their family and to maintain their health of body and of mind through regular physical exercise, study and recreation. The Congregation is best served in its partnership with its Rabbi when it takes the Rabbi's needs as a person into account.

2.3.8. The Rabbi and the Lay Leadership

As has been noted previously (Article 1, Section C), the Rabbi should interact on all levels with the lay leadership of the Congregation. Experience has demonstrated that a Congregation is best served when its Rabbinic and lay leadership consider themselves to be partners in the sacred work of the Synagogue. The President and the Rabbi need to have an ongoing relationship, respect for each other's knowledge and experience, and a genuine desire to work together for the good of the Congregation. They should meet regularly and frequently.

3. THE RABBINATE: (SENIOR) RABBI, ASSISTANT

RABBI, ASSOCIATE RABBI 3.1 Engagement of Additional

Rabbis

The decision to engage additional Rabbis shall be by mutual agreement between the (Senior) Rabbi and the Congregation and its Council.

3.2 Titles

a. Some Congregations designate each member of the Rabbinic staff as Rabbi. Others prefer the titles Senior Rabbi (or Rabbi), Assistant Rabbi, Associate Rabbi. b. An Assistant Rabbi is generally a Rabbi with less than five years' experience after ordination, although older Rabbis may occupy assistantships. c. It should be remembered that each member of the Rabbinic staff, of whatever title or rank, is an ordained Rabbi. Assistant and Associate Rabbis are as much entitled to the respect and dignity accorded to the Rabbinic office as a (Senior) Rabbi.

3.2.1 The Assistant Rabbi

The selection or re-engagement of the Assistant Rabbi shall be subject to the recommendation and approval of the (Senior) Rabbi, in consultation with the appropriate congregational body, shall define the areas in which the Assistant Rabbi is to function. In performing these duties, the Assistant shall be responsible to the (Senior) Rabbi, reporting to him/her on all matters or policy and program before taking action. Usually upon completion of three years of satisfactory service to the Congregation, the Assistant Rabbi, upon the recommendation of the (Senior) Rabbi to the Congregation or Council or its appropriate committee, shall be eligible for promotion to the position of Associate Rabbi.

3.2.2 The Associate Rabbi

The Title of Associate Rabbi may be conferred by the

Congregation, upon the recommendation and approval of the (Senior) Rabbi and the concurrence of the Council in accordance with one of the following

- a. An Assistant Rabbi who the Congregation wishes to retain after the initial period of service.
- b. A newly engaged Rabbi usually with not less than five years of Rabbinic experience.
- c. A Rabbi who is engaged with the assurance of success when the incumbent retires, provided that the Associate will then be eligible under the Guidelines established by the Rabbinical Placement Commission.

A Congregation should engage an Associate-Successor only when the (Senior) Rabbi has announced the date of retirement, and when that date is not more than three years in the future.

The duties and responsibilities of the Associate Rabbi shall be determined by the (Senior) Rabbi and the Congregation or the Council. After an Associate Rabbi who has received the title under options (1) or (2) has served the Congregation for three years, the (Senior) Rabbi and the Council should decide whether (a) the Associate, if eligible under Placement Guidelines is to be regarded as successor to the pulpit when the (Senior) Rabbi retires, or whether (b) the Associate is to be invited to remain in his/her position with the clear understanding that the successorship is not to be expected, or whether (c) the Associate is to seek another position, the Congregation allowing ample time to secure placement, or whether (d) the Associate may eventually be considered a candidate for succession to the pulpit, together with other candidates

whose names will be provided by the Placement Commission. This determination should be recorded in the Minutes of the Congregation.

3.2.3 Co-Rabbi

Experience indicates that effective leadership requires that Rabbinic responsibility be vested in a single (Senior) Rabbi for any Synagogue. The position of Co-Rabbi is not recommended.

3.3 The Rabbi Serving Part-Time

Congregations may engage the service of a Rabbi to serve on a part-time basis, either as Rabbi of the Congregation or as an Assistant or Associate Rabbi, or to assist the Rabbi of the Congregation. The duties and responsibilities should be precisely defined in writing, specifying how many hours each week and how many days each month are to be devoted to the part-time post. The Rabbi's privacy should be respected regarding those hours or days not specifically designated for congregational service. The Rabbi serving part-time is entitled to be elected for a fixed term and to receive pro-rated pension and other fringe benefits, as provided in subsequent sections of this booklet.

3.4 Temple Staff

The (Senior) Rabbi is the supervisor of the professional staff. The especial competence brought to the service of the Congregation by each professional staff member must always be respected. The selection and engagement of professional staff members shall be upon the recommendation of the (Senior) Rabbi and the appropriate congregational committee.

3.5 Pulpit Succession

Congregations seeking a Rabbi to fill a pulpit vacancy and Rabbis desiring a change of pulpit are required to follow the procedures established by the Rabbinical Placement Commission whose services are being used.

3.6 Former Rabbis

Rabbis who have maintained contact with members of the Congregation to which they previously ministered should be guided by the provisions of the CCAR Code of Ethics, which states: *“No Rabbi should offer and/or render such pastoral attentions to members of other congregations, as will disturb the relations between Rabbinical colleagues, between congregations or between a Rabbi and member of his/her Congregation.”*

4. THE AGREEMENT BETWEEN CONGREGATION AND RABBI

4.1 The Nature of the Agreement

- a. The relationship between Congregation and Rabbi is a covenant through which each party undertakes the obligation of working together in the service of God and the Jewish People.
- b. The covenant will be strengthened by regular and candid communication between the congregational leadership and the Rabbi.
- c. Every effort shall be put forth to make the covenant harmonious and enduring.
- d. All relationships and agreements between Congregation and Rabbi should conform to the provisions contained in the Guidelines. A statement to that effect should be included in the written terms of agreement.

e. The Contract in the Appendix should form the basis of an agreement. In accepting these terms Rabbi and Congregation agree faithfully to fulfil their responsibilities and obligations to each other.

4.2 Tenure Agreements

4.2.1 Initial Election: The initial election of the Rabbi should be for a minimum period of two years, except for newly ordained Rabbis, who may be engaged for one or two years, with an option of a second or third year.

4.2.2 Renewal : At least four months, but not over six months prior to the completion of the Rabbi's agreed period of service, the Congregation or Council shall ascertain the Rabbi's and its own intentions as to the future of the relationship. If the relationship is to continue, the Rabbi and/or the Rabbi's representative(s) and the appropriate committee will agree on salary increments and other benefits. Thereafter the Rabbi's re-election shall be recommended to the Congregation, according to the following schedule:

First re-election: At least two years

Second re-election: At least three years

Third, and each subsequent re-election: Five years or

more, with periodic review of salary and benefits, or a Continuing Contract.

4.2.3 Continuing Contract

A Continuing Contract affords the Rabbi the dignity and security of serving the Congregation without formal re-election, unless a review is requested by either the Rabbi or the Congregation. Under the terms of a Continuing Contract, salary and other benefits shall be reviewed and negotiated periodically.

4.2.4 Evaluation

In considering the renewal, experience has demonstrated that polling the entire Congregation can be destructive to relationships between the Rabbi and the congregants. Therefore, such practices are to be avoided. With regards to the elected leaders of the Congregation, reliance should be placed upon their own perceptions and their personal observations of the quality of the Rabbi's ministry in making their recommendations.

4.3 Terms of Agreement

4.3.1 Salary

The ideal of Tzedek, righteousness and rightness, should

permeate salary negotiations between Congregation and Rabbi.

The following criteria should be considered:

- a. The overall welfare of the Congregation;
- b. The length and cost of the Rabbi's education, both undergraduate and graduate;
- c. Salaries paid by other Congregations or similar size, category and location;
- d. Salaries received by other Rabbis of similar age, experience and background
- e. Salaries being received by new ordains;
- f. Information provided by the annual salary survey undertaken by the Central Conference of American Rabbis.

4.3.2 Housing

- a. If the Congregation provides housing, the details of that arrangement shall be specified in writing. If the Rabbi dies, the survivors may continue to occupy the home without charge for a minimum of six months, or where applicable, to the end of the current school year if the remainder of the school year is more than six months.
- b. If housing is not provided, that portion of the Rabbi's income which is used to house the Rabbi and family, plus all expenses pertaining thereto, shall be declared as "Housing Allowance" and so recorded in the minutes of the Congregation

4.3.3 Pension and Disability Insurance

- a. The Congregation and the Rabbi should become members of a

pension scheme designed to provide the Rabbi, upon retirement, with a potential income of at least 60% of the highest annual salary received by the Rabbi.

b. Such a pension scheme should include group life insurance to provide for the Rabbi's dependents in the event of the Rabbi's death prior to retirement age. If the Rabbi is a member of the CCAR Rabbinical Pension Program, the procedures and guidelines of that program should be followed.

4.3.4 Convention Allowances

The Congregation shall grant the Rabbis the time and funds necessary to attend meetings of the SAUPJ and SAAPR. The opportunity for study and for the exchange of ideas afforded by these gatherings benefits both Rabbi and Congregation. Attendance at these meetings shall not be charged against vacation times.

Allowances should also be made for the Rabbi to attend conventions of the CCAR or similar professional bodies.

4.3.5 Expenses for Interviewing and Moving

Congregations are responsible for the expenses of travel and accommodation of candidates invited for interviews. On selecting a

new Rabbi, the Congregation assumes the full reasonable cost of moving the Rabbi's family and possessions. The SAUPJ Contract (see Appendix) makes specific reference to repatriation abroad, if applicable.

4.3.6 Leisure Time

- a. The Rabbi is always on call but need not be physically present in the Synagogue throughout the entire day.

- b. With the number and diversity of claims upon the Rabbi's time, Rabbinic functions are fulfilled in a variety of ways and places, and not exclusively in the Synagogue or in the Rabbi's study.

- c. The Rabbi is entitled to at least one free day each week, or to comparable time, and to a vacation of at least one month during each year of service to the Congregation.

- d. Time spent on the staff of Youth Camps or Conclaves, or time spent in leading trips to Israel shall not be charged against annual vacation time.

- e. The Rabbi's secretary or a congregational officer must be able to contact the Rabbi in the event of an emergency.

4.3.7 Maternity Leave

Given Judaism's traditional commitment to the family, Congregation should gladly support the decision of women Rabbis to bear children. Fathers, as well as mothers, should be afforded every opportunity to devote themselves to parenting. For women Rabbis, Congregations shall grant at least a two-month maternity leave at full pay. If additional leave is indicated, the Rabbi may borrow against future vacation time. The Congregation will compensate substitute Rabbis if their services become necessary during the Rabbi's maternity leave. The Rabbinical Placement Commission and the Rabbi herself will endeavor to assist the Congregation in finding substitute Rabbis as required. Well in advance of her taking maternity leave, the Rabbi should place for the continued functioning of the Congregation's programs during her absence

4.3.8 Sabbatical Leave

A Rabbi is customarily granted Sabbatical leave after six years of service to the Congregation. The leave is intended to provide the Rabbi with an opportunity to seek spiritual and physical reinvigoration through a program of study and travel. With the concurrence of the Rabbi, the Congregation may arrange for a substitute Rabbi or for several substitute Rabbis to minister during the Sabbatical. A Sabbatical may be granted for a full year, or for part of a year, or may be divided over a period of more than one year. Considering the individual circumstances, the Congregation and Rabbi should work out an

arrangement for the length of the leave and for compensation. The Central Conference of American Rabbis can offer guidance on this subject.

4.3.9. Sick Leave

Absence caused by illness or disability should not be charged against the Rabbi's vacation time.

4.3.10 Assistant and Associate Rabbis, Rabbis Emeritus

All provisions in Article IV, Section C, apply to Assistant and Associate Rabbis as well as to a (Senior) Rabbi. Provisions in Article IV, Section C, paragraphs (2) and (4) also apply to Rabbis Emeritus. Actions taken based on these provisions should be recorded in the minutes of the congregation.

4.4 Copies of Agreements

For the protection of all parties, all agreements should be recorded in the minutes of the Congregation, and copies should be furnished to:

1. The Rabbi;
2. If applicable, the Central Conference of American Rabbis
3. The SAUPJ.

4.5 Differences of Interpretation

4.5.1 Notice (unless otherwise mutually agreed)

a. By the Rabbi:

A Rabbi who is completing three or fewer years of service to a Congregation shall give the Congregation a minimum of four months' written notice of his/her desire to terminate. If the Rabbi is completing more than three years of service, the Congregation shall be given a minimum of six months' notice in writing

b. By the Congregation:

The Rabbi shall be formally notified in writing by the President. If the Rabbi is completing three or fewer years of service, the Congregation shall give the Rabbi a minimum of four months' written notice. If the Rabbi is completing more than three years of service, a minimum of six months' notice is to be given in writing.

4.5.2 Time of Pulpit Change

a. Placement openings occur at all seasons. As a consequence, placement opportunities for the Rabbi cannot always coincide with the termination date of the Rabbi's commitment. While the Rabbi is legally and morally committed to complete any contractual period, and the Congregation has the right to insist that the Rabbi do so, the following procedure has proved equitable:

i. The Rabbi will not begin to seek or to consider a change of pulpit, nor will the Rabbinical Placement Commission offer & placement consideration, until more than half of the agreed term of service has been completed if that term is for three years or less. If the agreed term is for more than three years,

the Rabbi may begin to seek or to consider a change of pulpit when no more than two years of the agreed term of service remain.

b. When the Rabbi received a firm offer of a new position and wishes to accept it, a release from the present commitment must first be secured, the date of release to be determined by mutual agreement of the two Congregations involved, in consultation with the Rabbinical Placement Commission.

4.5.3 Absence for the Purpose Interviewing

When a Rabbi's contract will not be renewed, the Congregation will appreciate the Rabbi's need to be absent frequently from the community for the purpose of securing another pulpit. Congregations will understand that interviews are arranged at the convenience of the Congregation that seeks a Rabbi, and that often the Rabbi will have to be away from the present post on days other than the regular day off. This may necessitate the rescheduling of classes and appointments. In its turn, the present Congregation will recognise that it itself will disrupt the schedule of the Congregations whose Rabbis it invites for interviews. The situation calls for forbearance, as well as for the clear commitment of the departing Rabbi to fulfill his/her Rabbinic responsibilities to the present Congregation.

4.5.4 Terminal Vacation

The Departing Rabbi is entitled to earn annual leave with pay.

4.5.5. Emergency Termination

When either the Rabbi or the Congregation believes that extenuating circumstances are so urgent that due notice in terms of contractual arrangement cannot be given, then all conditions applying under normal conditions obtain. Should there be disagreement as to whether an emergency situation exists, then the CRCR shall arbitrate with all deliberate speed, and its decision shall be binding on both parties.

4.5.6. Severance Pay

If it is the Council that does not renew the contract of a Senior or Associate Rabbi who has served it for five years or longer, the Rabbi is entitled to severance pay, provided that there has been no gross misconduct or wilful neglect of duty. The formula of one month's compensation for each year of service to the Congregation may be adjusted higher or lower, considering all of the circumstances including the severance pay period.

5. RETIREMENT

5.1 Planning for Retirement

When the Rabbi reaches age 55, the Congregation and the Rabbi should begin to plan for the Rabbi's eventual retirement. The Rabbinical Pension Board will provide information as to accrued and anticipated coverage for the Rabbi, and options available for

retirement. All agreements relating to the Rabbi's retirement, date of retirement, and financial provisions, should be clearly agreed to by the Rabbi and the Congregation and written into the Congregation's minutes, with copies provided to all the parties concerned.

5.1.1 Age of Retirement

Retirement normally takes place at any time after age 65. It is expected that retirement will occur not later than age 70. Other times for retirement may be specified by contractual agreement.

69

5.1.1.1 Pension

In contributing to a pension scheme, the Congregation and the Rabbi should recognise the objective that, during retirement, the Rabbi should be receiving an annual income of at least 60% of the highest annual income, regardless of any income derived from other sources. "Highest annual income" includes salary plus housing allowance plus fringe benefits, The Congregation shall review every two years the amount of pension received by the Rabbi or, in the event of death, by the surviving spouse, taking into account the then cost-of-living index.

5.1.1.2 Medical Insurance

In planning for the Rabbi's retirement, the Congregation also should take steps to protect the spouse and dependants of the Rabbi in the event of his/her death, by such means as continuing health insurance and supplemental pension benefits provided in accordance with previous agreements.

5.2 The Rabbi Emeritus

5.2.1 Granting this Title

If the Rabbi has served the Congregation for five years or more at the time of retirement, the title Emeritus should be conferred. Other honorary titles may also be conferred by agreement between the retiring Rabbi and the Congregation.

5.2.2 Role of the Rabbi Emeritus

Only One Rabbi can carry the responsibility for the administration of Rabbinic functions in the Congregation. When a new Rabbi is elected and enters office, this responsibility is automatically transferred to him/her. The Rabbi Emeritus should help to establish the successor in the position and should guide lay people to understand that the new Rabbi is the Rabbi of the Congregation. The new Rabbi has an obligation to accord the Rabbi Emeritus the proper honour and courtesy along the following lines:

70

a. The Rabbi Emeritus may sit on the Bimah at all services, and on the platform or at the head table at all significant occasions in the Congregation's life, if he/she so desires. If the Emeritus prefers to sit with the Congregation or to be absent, such wishes shall be respected.

b. The Rabbi Emeritus may participate in conducting the Synagogue service, preach and/or teach only when invited to do so by the Rabbi of the Congregation. In accepting the invitation

to participate, the Emeritus will follow the forms of worship and rituals then prevailing.

c. The Rabbi Emeritus should not attend meetings of the Congregation's Council or of its Executive Committee.

d. The Rabbi of the Congregation is expected to officiate at Life-cycle functions for members of the Congregation and their families. However, when members request the Emeritus to participate, the Emeritus may do so, but only upon the invitation or request of the Rabbi of the Congregation, in accordance with the Code of Ethics of the Central Conference of American Rabbis.

e. The Rabbi Emeritus shall keep the Rabbi of the Congregation informed of significant events in the lives of the congregants about which the Emeritus has knowledge.

5.3 The Deceased Rabbi's Spouse

All of the privileges and courtesies accorded to the Rabbi's spouse during the Rabbi's tenure should be continued after the Rabbi's death.

6. CONCILIATION AND ARBITRATION

6.1 The Commission on Rabbinical-Congregational Relationships (CRCR)

a. The CRCR, composed of representatives of the SAUPJ and the

SAAPR, has been established to interpret the procedures set forth in the Guidelines.

b. When tensions occur in the relationship between Rabbi and Congregation, the Council and/or the Rabbi should promptly call upon CRCR for assistance in resolving the differences at an early stage.

c. Should a more serious dispute arise, either the Rabbi or the Congregation shall call upon the CRCR to conciliate or to arbitrate.

d. Once the CRCR has the matter before it, Placement service will be suspended for both Rabbi and Congregation until authorisation has been given by the CRCR. e. During this process the Rabbi shall continue to fulfill all responsibilities and commitments, and the Congregation shall continue to pay the Rabbi's salary and all benefits.

6.2 Procedures of the Commission

6.2.1 The CRCR may offer counsel and advise to the Rabbi and/or Congregation.

6.2.2 The CRCR may appoint a Conciliation Team to ascertain the facts and to recommend solutions. Some recommendations might be offered at the time of conciliation, but normally the team reports to the Commission, which will then officially transmit the report and recommendations in writing to each of the participants. Once the recommendations are accepted, they shall be binding on

both parties.

6.2.3 If conciliation fails to resolve the dispute, the CRCR may recommend arbitration under rules which it will determine.

6.2.4 In both conciliation and arbitration the CRCR will be guided by:

- a. The Facts;
- b. Any existing contractual relationships;
- c. The Guidelines.

6.2.5 The parties to all conciliation and arbitration proceedings shall be bound by the Rules of Procedure which the CRCR may adopt from time to time.

6.2.6 In all cases involving arbitration, both Rabbi and Congregation have a choice of available CRCR personnel; each shall choose one. The two thus selected shall choose a third.

6.2.7 The CRCR may call upon Rabbis and lay people who are not members of the Commission to represent it, thus widening the possible panel of arbitrators in order to carry out the provisions of paragraph (6).

Appendix:

RABBINIC APPOINTMENT CONTRACT FOR SAUPJ CONGREGATIONS

Congregation (name) calls (Rabbi) to serve as its Rabbi, and Rabbi

(name) Agrees to serve Congregation (name) as its Rabbis, both agreeing to the following conditions:

Length of Service

This Contract shall be for at least 36 months, beginning (date) and ending (date).

Renewal/Termination

Notice of intent to renew or to terminate will be given by both parties at least 6 months before the date of expiry.

Compensation

1. The Congregation will provide the Rabbi (except where noted, all figures reckoned in local currency):

- a. Salary (excluding subsequent categories) or
- b. Housing, bearing in mind the Rabbi's representative role in the community and local Jewish community standards, to accommodation - adult(s) and child(ren), is valued at _per month, of which the Congregation will contribute per month:
- c. Transportation (automobile of type ___maintenance, fuel and insurance) are valued at. per month, of which the Congregation will contribute per month;
- d. Other professional expenses, such as entertainment, dues, publications, in the value of per annum;
- e. Pension (reckoned in currency normally accepted by pension program scheme): A member of the Central Conference of American Rabbis (CCAR) shall have 15% of his/her salary, over and above that salary, paid by the Congregation, and shall pay an additional 3% of his/her salary, to the Rabbinical Pension Board if that pension: scheme is adopted by the Rabbi. Equivalent provisions shall be made of a non-CCAR member;
 - i. Discretionary Fund, its nature to be here defined and;
 - ii. Schooling of children:

2. Adjustments in compensation shall reflect merit and shall reflect and/or anticipate changes in the costs of living, each to be treated independently.

Moving

The Congregation will pay the travel and moving expenses for the Rabbi and the Rabbi's family, household, and library from their present location.

when the Rabbi has been brought by the Congregation from abroad, in the completion of the first term of contract, upon termination of Rabbi's service to the Congregation, the Congregation will be possible for returning the Rabbi and the Rabbi's family, household and library abroad if the Rabbi takes up residence there.

- a. The return costs for household and library shall allow for reasonable acquisitions.
- b. Quotations will be obtained from more than one reputable agent for selection by the Congregation.
- c. The Rabbi will bear the costs of personal baggage overweight not approved by the Congregation.

Supplemental Income/Duties

the Rabbi may/may not earn supplemental income by reason of his/her rabbinate without the expressed permission of the Congregation. / The Rabbi is expected, without additional compensation, to serve as _____

- a. The Rabbi is/is not expected to provide Rabbinic services to non-members, as herewith explained: _____
- b. The Rabbi may/may not offer such services to non-members at his/her own discretion and, thereby, earn supplemental income, as herewith explained:

Conferences

The Congregation encourages the Rabbi to participate in the following conferences for which the Congregation will bear the standard hotel, Leal, workshop and registration fees, plus reasonable round-trip travel pensées for:

- a. National lay and Rabbinic conferences and seminars; and
- b. Annually, conferences of the COAR, the WUPJ, the UAHC, the WZO, NATE, the Central Agency for Jewish Education (Denver), the Brandeis University Rabbinic Leadership Institute or the General Assembly of the Jewish Federations (USA). Any one of these conferences may be attended in any year.

Leave

The Rabbi will be entitled to annual leave of 30 days, excluding participation in and direct travel time to and from above mentioned conferences.

- a. Annual leave may be taken in conjunction with attendance at overseas conferences.
- b. No more than 15 leave days may be carried over from one year to another.

c. The Rabbi will be credited 21 days per annum toward a Sabbatical of 6 calendar months full pay, or 9 calendar months at 3/4 pay, the option to be negotiated with the Congregation. Sabbatical credit is irrevocable if the Rabbi has served the Congregation at least 4 years.

d. No leave or Sabbatical time may be taken in the last month of the Rabbi's contract without Congregational approval; in general, their timing should be approved by the Congregation

e. When the Rabbi must be absent from his/her duties by reason of illness, those days are not to be charged against the annual or Sabbatical leave.

Ex-Officio Role

The Rabbi is an ex-officio member of the Congregation's governing body and of its auxiliaries and of its committees unless otherwise specified here.

Documentation

Before final contract negotiations, the Congregation will provide the Rabbi with the most recent texts of the Constitution of the Congregation; the Budget of the Congregation, broken down programmatically; Medical Insurance Program; list of the professional staff other than the Rabbi and their duties. The Rabbi will initial here each item to indicate receipt thereof.

Special Cognizance

Without the Congregation's seeking to infringe in any way on the Rabbi's freedom of the pulpit, the Rabbi hereby takes cognizance of the following special conditions impinging on Congregational and Jewish communal life: –

Congregational-Rabbinic Relations

Unless otherwise agreed, the Congregation and the Rabbi will adhere to the Guidelines for Rabbinical-Congregational Relationships most recently adopted by the SAUPJ and the SAAPR.



CCAR ETHICS CODE

Code of Ethics for Rabbis

SAAPR Rabbis had accepted the CAAR Code of Ethics as a binding framework and guidelines.

A stakeholder is to be appointed at each term of office, as described in clause 4.3 to the Takanon by-laws - the Ethics Arbiter

The Ethics arbiter will function and have the powers as the Ethics committee in the CCAR document.

CCAR ETHICS CODE

Code of Ethics for Rabbis

Adopted in convention assembled, June, 1991, and as amended in 1993, 1998, 2001, 2003, 2004, 2007, 2008, 2010, 2011, 2012, 2013, 2014, 2015, 2017, 2019.

Introduction

As rabbis, we are expected to abide by the highest moral values of our Jewish tradition: personal conscience and professional integrity, honorable social relationships, and the virtues of family life. As teachers and role models, we are called upon to exemplify the ideals we proclaim. Should we fail, we need to do *t'shuvah*, ask forgiveness, avoid repetition, and make restitution whenever possible.

Therefore, in keeping with the high traditions of the rabbinate, the Central Conference of American Rabbis establishes the following Code of Ethics, to which its members are obligated. Improprieties in any of the areas covered will subject the rabbi to the review of the Ethics Committee.

I. PERSONAL RESPONSIBILITY

As rabbis we must do all that is in our power to reverse the deterioration of society and to elevate standards of moral behavior. We are expected, therefore, to behave at a level worthy of emulation. This includes behavior in family, social and financial affairs.

A. Family

Inevitably, rabbinic duties sometimes conflict with familial responsibility. Valuing both, we rabbis must balance our ethical responsibility with our calling, on the one hand, and with our own family on the other. On occasion, the needs of congregants demand our primary attention. On occasion also, we must conduct our own

lives so

78

as to prevent our primary duty to our own family from being compromised or endangered by professional duties or relationships.

B. Social

As human beings, we are tempted by *yetzer hara* (evil inclination), particularly in the areas of substance abuse and sexuality. However, our position as rabbis, teachers of moral standards, and models of moral behavior, demands of us adherence to an exemplary moral code. We must, therefore, not engage in exploitative practices which destroy our moral integrity. We are expected by others, and we expect of ourselves and each other, to be scrupulous in avoiding even the appearance of sexual misconduct, whether by taking advantage of our position with those weaker than ourselves or dependent upon us, or succumbing to the temptations of willing adults. Similarly, recognizing the consequences of addiction, we have a responsibility to seek help for any need or tendency to abuse chemical substances.

C. Financial

The rabbi must be beyond reproach in conducting his/her financial affairs. Financial impropriety includes but is not limited to inappropriate use of rabbis' discretionary funds for personal or family expenses, embezzlement, non-payment of just debts, tax evasion or any illegal

monetary dealings.

D. Intellectual Honesty

Rabbis will adhere to the traditional principle of *b'shem omro* (refraining from plagiarism) and maintaining the integrity of their own credentials.

E. Rabbinic Commitment

In addition, a rabbi must live up to all commitments to officiate at specific ceremonies and/or rituals made to colleagues or lay people. If it is impossible to fulfill a stated commitment to officiate at a particular ritual, the rabbi must find a qualified substitute and discuss the change immediately with the congregant, non congregant or colleague involved.

II. RABBINIC RELATIONSHIPS

A. The Congregational Staff

In their relationships with their congregational staff, rabbis are required to observe the ethical norms as set forth in the Guidelines for Rabbinical Congregational Relationships.

B. Relationships between Rabbis within the Same Congregation

When a rabbi nears conclusion of his/her term of service with a congregation and the congregation is seeking a successor, the incumbent rabbi shall respect the freedom of the congregation and the candidates to enter into such discussions as may lead to the choice of

a successor. Candidates for a rabbinical position shall act in accordance with the guidelines established by the Rabbinical Placement Commission. Relationships between rabbis of the same congregation should reflect the highest regard for *k'vod harav* (respect for the rabbi). Rabbis should resolve their differences privately.

1. Rabbi and Assistant/Associate Rabbi

Rabbis in a congregation should treat each other as trusting colleagues, upholding each other in their work, and encouraging each other in their ideas.

- a. The senior rabbi should share rabbinic duties with the assistant/associate rabbi (and/or rabbi-educator) in such ways as to enhance opportunities for growth. To the extent possible, these duties should be described during the interview process, so that there will be no misunderstanding later. Should a change in status or responsibilities be desired, in a way that affects the relationship between the rabbis, the matter should be discussed fully between the colleagues and every effort made to reach a mutual accommodation. If, despite their best efforts, the colleagues are