

Medina & Halacha

Exploring the Jewish State
through the lens of Jewish Law

By Rabbi Shimshon HaKohen Nadel

The Status of Ethiopian Jews

Recently, the status of Ethiopian Jews in Israel made national headlines when it was reported that the winemaker Barkan moved Ethiopian employees to other departments, preventing them from coming into contact with wine. While Barkan was already under a local supervising agency, hoping to expand its market they recently added the supervision of the Badatz Eida Charedit, who instituted the new policy. As it is prohibited for gentiles to be involved in the production of Kosher wine, the Eida Charedit, concerned about doubts surrounding the status of Ethiopian Jews, demanded that Ethiopian employees not handle wine.

Rav Yitzchak Yosef, Israel's Sephardic Chief Rabbi, called the Eida Charedit's ruling "pure racism", vowing to "act on the matter under the full extent of the law". And in response, Bayit Yehudi MK Shuli Mualem-Rafaely has authored a bill that would prevent private kosher bodies from demanding the removal of workers from the production of food or wine because of their background.

Following calls on social media for a boycott, Barkan announced that it has dropped the Badatz certification, and its Ethiopian workers would return to work as usual.

The Ethiopian community has long maintained a tradition that they are descendants of the Tribe of Dan. Some

claim to be the descendants of King Solomon and the Queen of Sheba. But the question, debated by contemporary authorities, is can we rely on their oral testimony? What is their halachic status? After all, in Ethiopia, they were isolated from the rest of world Jewry, and their Judaism looked vastly different. While they followed the Torah, they did not have the Oral Law and did not observe even some Torah laws, like Tefillin for example.

The historical record is rich with accounts of a Jewish presence in Ethiopia, dating back centuries.

The earliest mention of a Jewish community in Ethiopia is the 9th Century Sefer Eldad HaDani. Eldad HaDani (literally from Dan) documents his travels throughout North Africa and the Mediterranean, visiting communities, weaving tales, and teaching unique Halachot. He claims to come from a powerful, independent Jewish kingdom in East Africa, comprised of the descendants of the lost tribes of Dan, Naftali, Gad, and Asher. He also mentions other lost tribes, their whereabouts and histories, and makes reference to "sons of Moses" also residing in Africa.

Following Eldad's visit to the Jewish community of Kairouan, Tunisia, the community sends a letter to Rav Tzemach Gaon of Sura, questioning Eldad's account. Rav Tzemach Gaon replies that indeed his account is reliable, as are the halachot he teaches.

But in his Commentary to Sh'mot 2:22, Ibn Ezra questions the veracity of the accounts in Sefer Eldad HaDani. Maharam MiRotenberg too expresses his reservations (Teshuvot Maharam 193).

Yet Eldad HaDani is cited by Rashi, Raavad, Rabbeinu Asher, Rashba, Semag, Avraham ben Ha-Rambam, among others, as a reputable source. Later authorities too would rely on his testimony and quote halachot he taught. Some even call him rabbi!

Twelfth century travelers Benjamin of Tudela and Prester John both record the presence of a Jewish community in Ethiopia.

In letters to his family written while in Jerusalem, Rav Ovadia MiBartenura affirms the tradition. In a letter to his father dated 6 Elul 5248 (August 15, 1488) he reports that while in Egypt, he saw dark skinned Jews from Ethiopia who lacked knowledge of the Oral Law and its traditions. In a letter to his brother written 27 Elul 5249 (August 24, 1489), he reports that Yemenite Jews in Jerusalem confirm that there are Jews in Ethiopia beyond the River Sambatyon, alluding to the rabbinic tradition of the place to where the Lost Tribes were exiled (Avraham Yaari, Igrot Eretz Yisrael, pp. 132-133, 140-141).

Writing in the 16th century, the Radbaz rules (Teshuvot haRadbaz 4:219; 7:9) that the Jews of Ethiopia are indeed descendants of the Tribe of Dan, affirming the account of Eldad HaDani. In another teshuva, the Radbaz is emphatic that they are unquestionably of Jewish lineage according to halacha (Teshuvot haRadbaz 7:5). A student of the Radbaz, R. Ya'akov Castro issued a similar ruling (Erech Lechem, Yoreh De'ah 158).

In the late 19th century and early 20th century, there was renewed interest in the Jews of Ethiopia. In 1864, Rav Azriel Hildeshiemer issued a call to action to counter Christian missionary activity,

targeting Ethiopian Jews. In 1908, a letter signed by 43 prominent rabbis of Israel and the Diaspora encouraged the Beta Israel to be steadfast in their faith. Visits to Ethiopia by scholars and educators followed.

In 1912, Rav Avraham Yitzchak HaKohen Kook wrote a letter expressing his sincere support in sending teachers to Ethiopia to educate the community (Igrot haRa'ayah 2:432).

Following the founding of the State of Israel, the status of Ethiopian Jews would once again be discussed and debated to determine whether they would be eligible to immigrate under Israel's Law of Return.

In 1951, Chief Rabbi Isaac HaLevi Herzog was asked by the Jewish Agency to rule on the status of the Ethiopian Jews. In a letter written in 1954, Rav Herzog debates their pedigree, and due to a number of concerns concludes they would require conversion.

Almost twenty years later, in February, 1973, Rav Ovadia Yosef ruled that Ethiopian Jews should be accorded full halachic status as Jews. Rav Ovadia Yosef's ruling helped set in motion a chain of events that would change the government's attitude and policy towards the Ethiopian Jews, and eventually lead to the dramatic airlifts of Operation Moses and Solomon.

In 1975 the Beta Israel community was officially recognized as Jewish by the State of Israel under the Law of Return, and in 1977 they began to arrive as Olim.

In a subsequent teshuva written in 1985, Rav Ovadiah addresses Rav Herzog's ruling and writes, "I did not want to differ from the authority of Rav Herzog, for the sake of the good. But in point of law, I do not agree, and it is my opinion

that one should rely upon the aforementioned rulings, that the Falashas are Jews in every respect, and are in no need of conversion, even out of stringency" (Yabia Omer, Even haEzer 8:11).

In a teshuva dated 26 Sivan 5644 (June 26, 1984) Rav Moshe Feinstein rules that the Beta Israel need to undergo a conversion to remove any doubts, "and we shall consider them like all Jews, and assist them and support their needs, both physically and spiritually." Rav Moshe concludes and writes, "And I suffered great anguish because I have heard there are those in Israel who are not drawing them close in spiritual matters and are causing, Heaven forbid, that they might be lost from Judaism. And it seems to me these people are behaving so only because the color of their skin is black. It is obvious that one must draw them close, not only because they are no worse than the rest of the Jews and because there is no distinction in practical application of the law because they are black but also because perhaps they are considered converts, and are therefore included in the mitzva, 'You shall love the convert.' And I conclude with the hope that the situation will improve, and in the merit in observing all the mitzvot, we should all soon merit to the ingathering of the exiles by our righteous Mashi'ach." (See also Igrot Moshe, Yoreh De'ah 4:41).

Similarly, Rav Eliezer Waldenberg, Rav Shach, Rav Shalom Yosef Elyashiv, Rav Shlomo Zalman Auerbach, and Rav Yitzhak Weiss all required they undergo conversion (Tzitz Eliezer, 17:48).

The official position of Chief Rabbinate is that immigrants from Ethiopia have a strong presumptive status of Jews but require Giyur L'Chumra, a conversion

out of stringency, to rule out any doubts.

It is unfortunate that after such great sacrifice holding onto their tradition, and after having undergone Giyur L'Chumra, the Eida Charedit still questions the Jewish status of Ethiopian Jews, and casts aspersions on their conversions, as is evident from the recent unfortunate incident at Barkan winery.

Today, some 8000 remaining Ethiopian Jews - some of whose families have already immigrated to Israel - are waiting to return to their ancestral homeland, while the government reaches a decision regarding their immigration.

Our hope and prayer is to see the complete fulfillment of the prophecy of the Ingathering of the Exiles, with the Final Redemption, speedily in our days. Amen. 