



# THE ALEPH INSTITUTE

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## Basic Jewish Concepts and Beliefs

Judaism is the oldest of the three Western monotheistic religions, and forms the basis and foundation for the other two. The underlying premise and essential belief of Judaism is the existence of one indivisible, omniscient and omnipotent God, who is the creator and ruler of the universe and who revealed the law, the “*Torah*,” which is eternal and of utmost importance to the Jewish people, and who has established an eternal World-to-Come.

The essence of the Jewish faith is contained in a prayer that is recited every morning and evening, the “*Shema*”:

“Hear O Israel, the Lord is our God, the Lord is One. And you shall love the Lord your God with all your heart, with all your soul, and with all your might. And these words that I command you today shall be upon your heart...” (Deuteronomy 6:4-6).

Observant Jews follow 613 commandments found in the five books of Moses (The Pentateuch: Genesis, Exodus, Leviticus, Numbers and Deuteronomy) seven laws established by the Great Rabbis and derivative precepts expounded in the Oral Law (contained in writings such as the Talmud, the Code of Jewish Law (the “*Shulchan Arukh*”) and later Rabbinic rulings) (collectively, the “*Mitzvot*” or “*Halacha*”). Since the destruction of the Temple—and the exile that followed—not all 613 commandments are applicable, since many involved services in the Temple.

The eternal nature of the Torah is expressed in the belief that no religious law may be abrogated, eliminated or compromised. For the observant Jew, the original precepts and ancillary rules remain in force even in modern times and circumstances.

Jewish sages generally refer to the Torah as a “yoke.” *See, e.g.*, Ethics of Our Fathers 3:5; Rashi, Talmud Tractate *Rosh Hashanah* 28a (“The mitzvot were not given to Israel so that their observance be a pleasure, but were given to be a yoke on their necks.”); *Cf.* Rashi, Talmud Tractate *Megillah* 25a (“Decrees of the King, to impose upon us His yoke, to make known that we are His servants and keepers of His commandments.”).

That yoke confines and restricts, but also uplifts and emancipates, and connects the performer with G-d:

It gives its adherents direction so that they should not flounder in the arbitrary ways of humanism, or fall in the morass of hedonism and moral obtuseness. It raises man from being a creature of animal instincts alone, to a rational human being who reflects upon the consequences of his conduct. The Halacha endows those who observe its precepts with a sense of purpose, giving their life both meaning and sanctity. It therefore embraces every aspect of human activity; both interpersonal relationships. . . between man and his fellow man—as well as purely ritualistic duties and ceremonials. . . between man and G-d, both equally regarded as *mitzvot*, or religious imperatives. (Rabbi Mendell Lewittes, *JEWISH LAW: AN INTRODUCTION* (Jason Aronson Inc. 1987).

The Jew who accepts the authority of the Halacha will turn to it for guidance in every undertaking. Indeed, Jewish law imposes a duty to insure that all actions, including eating, drinking, talking, walking, sitting, transacting business, lying down and rising

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### About the Aleph Institute

In 1978, and on many additional occasions, Rabbi Menachem M. Schneerson, the Lubavitcher Rebbe, of blessed memory, called for attention to the Jewish population in prisons. Rabbi Schneerson, who was the first religious leader in history honored with the Congressional Gold Medal of Honor, spoke publicly and publicized entire treatises dedicated to the moral, ethical, spiritual and educational needs for men and women in those and other institutional environments. For example, a person going through prison with meaning and growth—though very difficult—leaves as a better, more productive and balanced citizen. Thus, the creation of the Aleph Institute.

Since 1981, the Aleph Institute, under the direction of Rabbi Sholom D. Lipskar, has provided valuable services to assist chaplains and institutional staff in meeting the legitimate religious needs of Jewish men and women in their care. The Aleph Institute provides answers to questions about mandated religious practices and ritual materials for daily and holiday observances. Aleph’s staff, and affiliated Rabbis and rabbinical students, provide visitations to Jews in institutional environments around

up, are all performed in a manner mandated by Jewish law for the sake of, and in a manner worthy of, serving the Creator.

In Judaism, faith and belief alone do not provide salvation. Faith cannot be separated from particular practices. Although faith is the ultimate basis for much of Halacha, the major emphasis of Halacha is on the performance of *mitzvot*, the performance of deeds.

## Who is a Jew?

The Jewish tradition does not require one to be Jewish to achieve salvation. All of the nations of the world are encouraged to follow the Seven Noahide Laws, involving a faith in G-d and moral and ethical conduct. Jewish tradition teaches that, by following these rules, *all* people are assured spiritual salvation and a place in the World-to-Come. (An exposition of the Seven Noahide Laws is beyond the scope of this publication, but study materials are available from Aleph.)

Traditional religious law defines a “Jew” as one who is born of a Jewish mother or one who has properly been converted to Judaism according to Halacha. Conversion is a difficult process and requires a fundamental commitment to Jewishness, including all of its laws and customs, together with lengthy study of Torah, religious circumcision for conversion purposes (for males, even if previously circumcised), immersion in a ritual bath (for both men and women) and confirmation by a Rabbinical court. Jews do not proselytize and conversion generally is discouraged. While the Reform sect has recently endorsed patrilineal descent, acceptance is extremely limited to that group.

Although most institutional systems allow residents to simply designate their own religious status, the Orthodox Jewish community recognizes only those who meet the above criteria and, accordingly, it would be highly unlikely for a person to be properly converted to Judaism while in an institutional environment (*e.g.*, inmates in prison; persons in healthcare facilities).

One must recognize, however, that previously non-observant Jews may, through self-reflection, study and/or serious discussion with clergy or fellow residents, reach a sincere commitment to become more observant in their individual religious practice.

While many so-called “denominations” have arisen in modern Jewish life (*e.g.*, Orthodox, Conservative, Reform, Reconstructionist, etc.), chaplains or other personnel who have a firm understanding of the traditional orthodox Jewish practices should have no trouble accommodating all other denominations.

## Levels of Observance

Under Jewish law, every religious imperative stands separate and apart from one another. A Jew who does not observe one precept properly (*e.g.*, rules of Sabbath) is not absolved from observing other religious rules. Accordingly, the fact that a Jew does not appear to observe all religious commandments (or does not appear to observe those commandments consistently) is not grounds to deny that person the opportunity to observe other precepts (*e.g.*, Sabbath prayer, eating kosher food).

In the same vein, a Jew who violates a particular religious precept is still obligated to satisfy that precept the next time the opportunity presents itself. Accordingly, a Jewish resident who “strays” to the mainline food line should not be precluded from fulfilling the religious obligation to eat kosher food the next time. *See, e.g., Young v. Lane*, 733 F. Supp. 1205 (N.D. Ill. 1990), *rev’d on other grounds*, 922 F.2d 370 (7th Cir. 1991). The opportunity to obtain kosher food is a right, not a privilege. *See, e.g., Ashelman v. Wawrzaszek*, 111 F.3d 676 (9<sup>th</sup> Cir. 1997).

Moreover, what might appear to the uninitiated to be a “violation” of kosher laws may not, in fact, be a violation at all. For example, a resident who participates in the mainline food line—for purposes of obtaining more variety for example—by selecting kosher-labeled products and whole fresh fruits or vegetables—is not violating Jewish law at all.

On the other side, the ability to observe one precept does not absolve the Jew from following other precepts. Accordingly, the fact that a Jewish resident may be permitted to pray and wear a yarmulke does not mean that person has been given “enough” opportunity to practice religion and then be denied other religious practices.

Living Jewishly is a process: One observes whatever precepts one is able—and hopefully one proceeds on a path of spiritual growth, observing more and more. As a practical matter, individual religious observances vary greatly. In all of our materials, we outline the requirements of a person who has a sincerely held belief and has chosen to observe Jewish law to the fullest extent. It does not appear appropriate for chaplains or administrative staff—or any government employee—to act in the capacity of “religious police,” essentially monitoring another person’s daily religious observances. *See, e.g., Reed v. Faulkner*, 842 F.2d 960, 963 (7th Cir. 1988).

## “Messianic” Jews

So-called “messianic Jews” are invariably not Jews at all, but rather Christian missionaries trying to infiltrate the Jewish community in order to proselytize and convert Jews to their faith. Institutional staff should be aware of this subterfuge and avoid

recognizing such individuals as a subset of the Jewish population for purposes of services or programming. The belief that Jesus -- or anyone else -- was the "son" of G-d or a "risen Messiah" is absolutely and unequivocally contrary to all Jewish beliefs.