

HALACHIC AND HASHKAFIC ISSUES IN CONTEMPORARY SOCIETY

SERIES 3: 9 - THE ETHIOPIAN BETA ISRAEL: ቤተ ክርስቲያን PART 2 - HALACHIC ISSUES: INTEGRATION OR CONFORMITY? OU ISRAEL/BEIT KNESSET HANASI - FALL 2024

- The Beta Israel were a Torah observant community for centuries if not millennia. Yet when they arrived in Israel they came face to face with a halachic system which was largely the product of rabbinic interpretation and legislation that they had never experienced.
- An urgent halachic and hashkafic question following their arrival was the extent to which the Beta Israel are required to conform to the 'normative' halachic system and abandon their traditional practice. Relevant questions include:
 - Are they permitted to continue ancient customs and practices even if these are in breach of halacha?
 - If so, how long would this be permitted?
 - Would it be possible to integrate some of their practices into an otherwise halachic lifestyle?
 - Should there be any difference between those people who grew up in Ethiopia immersed in their traditional lifestyle and those Ethiopians who grow up in Israel as part of the broader Jewish community?
 - If the Beta Israel are now bound by a rabbinic halachic system from where should this be derived? Is the Shulchan Aruch relevant to them? The Rambam? Or can halachic positions be taken directly from the Babylonian Talmud? Is the Jerusalem Talmud relevant?
 - To what extent should traditional practices and customs of the Beta Israel be given the strength of binding minhagim? Can these ever 'override' halacha?

A] THE RELIGIOUS LITERATURE OF THE BETA ISRAEL

- The Jewish legal traditions and interpretations of the Beta Israel were passed down orally from father to son, from *kes* to *kes* and from community to community.
- They have no books recording halacha or rabbinic oral law - no Talmud and no rabbinic Midrashim.
- They DO have a canon of Written Law comprising 68 sacred works. These include the Tanach and also other apocryphal books which are based on those in the Septuagint (LXX) and accepted by the Ethiopic Church. Many of these are apocalyptic.
- These canonical books include:
 - The Torah - the *Orit* which is in fact an Octateuch - containing the 5 books of Moses plus Yehoshua, Shoftim and Rut.
 - Tehillim - the *Dawit*, from which most prayers are taken
 - In addition to the regular books of Tanach, the Beta Israel have Baruch, Yovelim (Jubilees), Ben-Sira, 3 books of Maccabees (*Meqabyan*), Chanoch, Tuvia (Tobit) and Yehudit.
- Although most of the Beta Israel spoke Amharic or Tigrinya, depending on their location, their sacred texts are written in an ancient language - Ge'ez², which is also the liturgical language of the Ethiopian church. Similarly, all religious ceremonies - prayers, reading the Torah, blessings, songs, memorials - are conducted in Ge'ez. Most members of the Beta Israel do not speak or read Ge'ez but the *Kesim* are trained to do so and translate scriptures for the people.
- There are legends that the the Beta Israel once had Hebrew texts, but none remain.
- The Beta Israel do have some of their own midrashic-type material in writing, particularly the *Te'ezaza Sanbat* which mostly deals with the Shabbat. It also contains 22 lines of important halachic material - see below.

B] THE PRACTICES OF THE BETA ISRAEL IN THE MODERN JEWISH COMMUNITY

- In hundreds of areas of halachic practice the customs of the Beta Israel differ from those of rabbinic halachic Judaism. Basically, every layer of halacha which is derabbanan is absent from their practice and, given that absence, the Beta Israel has developed an oral law tradition for many of Torah mitzvot.

1. Probably connected to the Aramaic Orayta.

2. Ge'ez is an ancient Semitic language from which the modern spoken languages of Amharic and Tigrinya evolved and replaced Ge'ez in the 14th century. Tigrinya had a 68% lexical similarity to Ge'ez, followed by Amharic at 62%.

- In some cases this is likely to reflect the observance of mitzvot before the codification of the Mishna and Talmud and, as such, the Beta Israel represent in some respects a 'living geneiza' of ancient Jewish practice.
- However, now that they have encountered contemporary halacha, there are different views on the extent to which their ancient practice should change. In particular, two talmidei chachamim from the Ethiopian community, and both emerging from the Beit Midrash of Yeshivat Har Etzion, have taken different approaches to this. Both are deeply proud of their community customs and practices, but disagree as to the extent to which these can clash with normative halacha.
- R. Muvrato Solomon (in his sefer Or HaORlyTa) favors a more conformist approach which requires the Beta Israel to adopt normative halachic standards and only retains traditional practices where these are not in breach of halacha and can be expressed as valid minhagim. R. Sharon Shalom (in his sefer *From Sinai to Ethiopia*) favors the retention and integration, at least for the first generation of immigrants from Ethiopia, of some (but not all) traditional practices, even when these are in clear violation of Shulchan Aruch and even the Talmud Bavli. For later generations that grow up in Israel he favors a gradual normalization to standard halachic practice.

B1] THE CONFORMITY APPROACH

1.

ספר זה נכתב בראש ובראשונה בשבילי ובשביל משפחתי. חשבתי שבדרך זאת ניתן להעביר הלאה את המסורת הנפלאה של יהדות אתיופיה. יש כל כך הרבה במורשת היהדות העתיקה הזו. חלק ממנהגיה משקפים, בלא ספק, מסורת עתיקה שקדמה לתקנות חז"ל. במישור זה היא מציגה בפני קהילות אחרות תמונת מראה שלהן עצמן מלפני עידן ועידנים. לרבים מן המנהגים המוצגים בספר ניתן למצוא סימוכין במקורות היהודים הקדומים, בין בתורה שבכתב בין במדרשי הלכה קדומים. לפעמים נשתכחה התמונה הישנה מלב, והרושם המוטעה הנוצר הוא שיהודי אתיופיה מביאים מסורת אחרת לגמרי מזו המקובלת אצל אחרים. אין לכך הצדקה.

אור האורייתא, עמ' 20

R. Solomon first stresses that the Beta Israel practice actually reflects an ancient pre-talmudic authentic Jewish mesora.

2.

אין ספק שבני קהילת יהודי אתיופיה מתמודדים כיום עם הרבה מנהגים שונים ומשונים שאינם שייכים ליהדות אתיופיה, אלא שלצערנו הגלות הכריחה את בני הקהילה, כמו גם בני קהילות אחרות שחיו בגלות, לספוג דברים שלא שייכים להם.

כיום בארץ ישראל, מוטלת האחריות על הקהילות לעשות מאמצים להסיר את כל אלה הנכר מתוכם, כמו יעקב אבינו בשעתו, אך גם להתחזק במסורות הטובות שהנחילו לנו אבותינו הטובים הטהורים והקדושים.

אור האורייתא, עמ' 41

On the other hand, he accepts that the Beta Israel also picked up non-Jewish customs and practices from the nations around them and these should be left behind.³

3.

מסיבה זו, גם בפסיקת ההלכה בעניין קיום המצוות אי אפשר לייחס לנו בקיאות במסורת התורה ובהעברתה בכתב מדור לדור. מכאן נובעים ההבדלים הגדולים בין מנהגי יהדות אתיופיה לשאר יהודי העולם. קיום המצוות בכל העולם היהודי נבע מתוך המשנה, הגמרא, המדרשים, הקבלה וכדומה, שהיו זרים לנו באתיופיה. בני העדה, שפגשו בארץ צורת חיים הלכתית שונה, משלימים פרטים רבים שהיו נסתרים מאתנו בשל הניתוק הרב שהיה בין העדה באתיופיה ובין העולם היהודי בכל שנות הגלות הארוכה.

למרות אי הבקאות בהלכה הכתובה, אמונתנו בא-להי ישראל ובתורת משה הייתה חד משמעית; יהודי אתיופיה מסרו את נפשם והקריבו את היקר להם כדי לדבוק באמונתם. שמירת המצוות באתיופיה, וקיומן הלכה למעשה כפי הבנתם שם, היו מתוך כוונה טהורה לקיים את מצוות התורה. בארץ נפגשנו עם דרך שונה בקיום המצוות, מפני שלימוד התורה כאן שונה, מעמיק ומתפתח.

את שאר המנהגים וההלכות שנקבעו מאוחר יותר על ידי חכמי ישראל כגון: תפוח בדבש בראש השנה, צום גדליה וכו', לא קיימנו, משום שלימוד התורה באתיופיה היה נחלתם של יחידי סגולה בלבד, וגם הם למדו אך ורק את פשטי הכתובים. המון העם לא הורשה ללמוד מפני קדושת התורה שלא כל אחד יכול להתעסק בה. לכן, מבחינה מסוימת, התורה באתיופיה נשארה במקום, בצורתה הבסיסית עוד מזמן המקרא. התורה לא התפתחה מבחינת עומק כוונות התורה, וניתן לומר שקהילת יהודי אתיופיה לא הושפעה מקביעות של התנא רבי יהודה הנשיא מסדר המשנה "עת לעשות לה' הפרו תורתך" (תהלים קיט, קכו).

אור האורייתא, עמ' 197

3. He stresses that other kehillot have also been challenged by this, but perhaps the lack of a structured halachic system in the Beta Israel, together with a historic lack of exposure to other communities, has enabled foreign customs to take hold more readily.

R. Solomon stresses that most of the Beta Israel community were not at all learned in Torah, even though their faith was strong and their intentions leShem Shamayim. In addition, even the learned religious leadership did not have a talmudic tradition with its depth of analysis and developed halachic concepts. As such, once the Beta Israel came into contact with the normative halachic mesora, they should conform to the more developed halachic process.

4.

לעניות דעתי, בכל המנהגים של יהודי אתיופיה, אם המנהג סותר את ההלכה יש להכריע לנהוג על פי ההלכה, להוציא מקרים חריגים. במקרה זה אופיו של יום הסגד ברובו המוחלט הוא יום תפילה ותחנונים ואינו מוגדר כחג על כן יש לומר בו תחנון.

אור האורייתא, עמ' 175

R. Solomon's approach is that wherever a practice or custom of the Beta Israel conflicts with halacha, the custom must be changed, except in rare circumstances. In this case, the issue was relatively minor - whether to say Tachanun on the festival of Sigt when it fell on Shabbat and was brought forward to the previous Thursday. R. Solomon rules that Tachanun must be said (even though so many kehillot find reasons to avoid saying it on other days!)

5.

כיוון שחז"ל סידרו לנו נוסח קבוע לתפילה כדי שלכל אחד מעם ישראל תהיה האפשרות להתפלל בצורה סדורה ובלשון צחה, כך צריך להיות גם לגבי עדתנו הקדושה.
יחד עם זה, מנהג אבותינו בידינו! תמיד אפשר להוסיף תפילה ספונטנית אישית כמו באתיופיה על פי הכללים וההמלצות של רבותינו.

אור האורייתא, עמ' 180

Similarly, R. Solomon rules that Beta Israel prayer services should now conform to traditional halachic tefilla and retain Ethiopian customs only as personal spontaneous prayer when the halacha permits this.

• One issue which raised concerns within the Ethiopian community is their strong custom to greet others - men or women - with a hand shake and a kiss on the cheek. The Beta Israel in Ethiopia were extremely sensitized to tzniut as part of their general culture and this mode of greeting seemed to them to be an inoffensive element of this. Can it now be continued in light of the halachot of shemirat negia?

6.

כיום ניתן לומר שרוב בני העדה מודעים לאיסור של נגיעה בין בחור לבחורה, ולכן למרות הקושי הגדול להתנתק מן המנהג הזה, הרי חובה עלינו לעשות מאמצים כבירים להסביר לבני העדה כי המנהג היה יפה בעתו באתיופיה, אבל היום הטבע השתנה כמו הרבה דברים אחרים. לכן, לאמירת שלום בלחיצת יד ונישוק על הלחי שנהגנו באתיופיה, כאשר הדבר היה תחת הרושם הגדול של הרגלי הצניעות שהנהיגו שם, לא הייתה כלל קונוטציה של חיבה או תאוה, אבל כיום, באווירה השוררת בארץ ישראל, עם כל המדיה והתקשורת, הרי אמירה כזו יכולה ברוב המקרים להתפרש דווקא לחיבה ותאוה.

במענה לשאלתי בעניין הזה, השיבני מורי ורבי הרב שלמה לוי שליט"א, כי אכן יש להיזהר מלבוא במגע כלשהו עם אשה, אך יחד עם זה, במקרים שיש חשש לפגיעה בכבודו של אדם ובמקום שיכול לביישו או לגרום לו צער רב, במיוחד כאשר מדובר בשלום בעלמא כגון: במבוגרות או קשישות וכו' ואין שום חשש לכוונה ליהנות מקירוב בשר כלשהו, יש מקום להתיר אמירת שלום כפי המקובל בקרב עולי אתיופיה.

אור האורייתא, עמ' 185-6

Based on the halachic guidance of R. Shlomo Levi (at that time posek and Rav of of Har Etzion kollel), R. Solomon recommends that the traditional practice should be discontinued in light of the halachic restrictions on negia. In cases where it would cause offence, especially with older people where there is no concern of inappropriate intentions, he permits it.

B2] THE INTEGRATION APPROACH

- R. Sharon Shalom, as part of his work *From Sinai to Ethiopia*, has put together a new 'Shulchan Aruch' for the Beta Israel - called the *Shulchan haOrit*. In this, he seeks to preserve halachic traditions and practices of the Beta Israel, at least for the first generations, at the same time as integrating these into a long-term normative halachic position.
- In that book, R. Shalom sets out the following methodological introduction:

7.
 1. Shulhan ha-Orit was written out of a personal need, in a search for a way to serve God. Thus the reader should not consider this work as intended for the public. Still, some may find it useful for paving personal paths within their respective spiritual worlds.
 2. The goal of this work is to collect the customs of the Beta Israel community and to preserve customs that were transmitted orally.
 3. This book presents a halakhic method that "returns the crown of Torah to its ancient glory" for Ethiopian Jews. It does not intend to negate other methods.
 4. To show the connection between different customs, I give the Talmudic halakhah alongside the Ethiopian Jewish custom.
 5. Ethiopian Jewish customs are very ancient, apparently preceding the Talmudic era. Thus Torah scholars can use them to study Talmudic issues.
 6. Preservation of these customs is a value, while keeping them is an emotional need. Therefore we should not feel obligated to keep the customs in any situation.
 7. This work intends to remove barriers and promote friendship, not to create obstacles. Therefore in case of conflict, unity precedes other considerations.
 8. In this work, educational and social concerns are factors in the halakhic decision of whether to keep a custom or annul it.
 9. A custom that creates a conflict between a married couple should be annulled.
 10. If a custom creates a conflict among members of the Ethiopian community and there is no solution other than to annul it, then the unity of the community takes precedence, and the custom should be annulled.
 11. The first generation of Ethiopian Jews in Israel will continue to practice their customs, without consideration for other issues. We must demonstrate maximum understanding toward these customs. The second generation should be permitted to continue their ancestral customs, but with other considerations applying (mentioned above).
 12. Some customs that were practiced in Ethiopia should be ceased completely, even among first-generation Ethiopian immigrants to Israel. Among these are certain Ethiopian customs that give precedence to keeping mitzvot over saving a life.
 13. The Talmud, not the Shulhan Arukh, takes precedence as the halakhic guide for Ethiopian Jewry.

R. Sharon Shalom, from *Sinai to Ethiopia* pp. 73-74⁴

C] SHABBAT

- Even though the Beta Israel do not generally have books of religious law, other than the Bible itself, Shabbat is one exception. In the largely 'midrashic' work *Te'ezaz Senbat*, which discusses ideas concerning the importance of Shabbat, there are 22 lines which set out prohibitions of Shabbat.

8. These are the commandments of the Sabbath that I wrote for thee, and all the laws and prescriptions of the Sabbath:
 1. Six days shalt thou labor, but the seventh day is the Sabbath of the Lord. In it you shall do no work, neither you, nor your women, nor your sons, nor your daughters, nor your menservants, nor your maidservants nor your cattle, nor your family, nor the strangers that are with you. He who labors in it shall die.

4. The entire book in English is available at https://www.sefaria.org.il/From_Sinai_to_Ethiopia%2C_Shulhan_haOrit%3B_The_Halakhah_of_Ethiopian_Jewry%2C_Then_and_Now%2C_1_Daily_Practices.1?lang=en
To download more source sheets and audio shiurim visit www.rabbimanning.com

2. He who profanes this day shall die.
3. He who lies with his wife on the Sabbath shall die.
4. He who argues or speaks aloud or seeks a quarrel, he who buys or sells on that day, shall die.
5. He who draws water from a streaming spring, or who argues or curses or blasphemes on that day shall die.
6. He who prepares not what he will eat, drink, or give [on the Sabbath], who lies shall die.
7. He who carries anything, who takes something from his tent or brings something into it, shall die.
8. You shall do not work whatever on the Sabbath but (use) that which you prepared [on Friday]. Sabbath is the day on which to eat, to drink, to be satiated, to be filled with drink, to rest, ... to study, to lie down, to be quiet, to celebrate and to worship without doing any work.
9. He who works on my Sabbath, travels or goes on a journey, does any work in his field or in his house, kindles the fire, sits in the sun [shall die]
10. He who rides on any beast, or travels in a boat, he who strikes or kills or fornicates, shall die.
11. He who fasts on the Sabbath shall die.
12. He who does any manner of work on my Sabbath shall die.

Thus shall the children of Israel be holy and celebrate the Sabbath according to the commandments as they are written on the two tables which God gave to me that I might write down the law for thee from now on and throughout all the generations.

Sabbath said to God: I was with Thee when Thou didst create the Heaven ... O Lord, give me Thy consent and send me not to the unjust, the slanderers, the quarrelsome, and the treacherous. Drive me not away towards those who strike me with their spittle, who sit in the sun, who wash not with water, who lie with women, who purify not their manners, who cover not their [?], who throw away their spittle, quench not their fire, and accept not my commandments. As to their women, they knead their dough, they cook, draw water, crush in the mortar, shout, neglect my commandments, and rebuke their neighbors.⁵

A Falasha Anthology, pp.19-21

- These are apparently a copy or reconstruction from the book of Jubilees⁶, an ancient 2nd Temple text dating to around the 2nd century BCE⁷.

C1] SHABBAT CANDLES

- The Beta Israel did not light candles before Shabbat (which is a rabbinic mitzva) and would not allow fire to burn in their houses on Shabbat.

9. Lighting Shabbat candles has become a very special mitzvah for the Jewish people, one that is much loved by those who perform it. The candles bring calm and peace to the home, create a special spiritual atmosphere, and lead to family togetherness. Lighting candles is a clear sign of a Jewish home. Thus Ethiopian Jews who find it very difficult to light Shabbat candles may continue the custom of not lighting, but those who understand that this practice has special import, particularly the younger generation, should light, especially since the actual lighting takes place before Shabbat begins.

R. Sharon Shalom, From Sinai to Ethiopia p. 121⁸

5. R. Shalom includes this last line about women and Shabbat as a continuation of the list of prohibitions on Shabbat.
6. Until the discovery of extensive fragments of the book among the Dead Sea Scrolls, the earliest surviving manuscripts of Jubilees were four complete Ge'ez texts dating to the 15th and 16th centuries and several quotations by the early Church Fathers. These Ethiopian Ge'ez texts were the primary basis for translations into English. However, Between 1947 and 1956, approximately fifteen scrolls of Jubilees were found with the Dead Sea Scrolls in five caves at Qumran, all written in Biblical Hebrew.
7. The wording at the end of Jubilees Chapter 50:8-17 (translated from the Ethiopian version) is: "And behold the commandment regarding the Sabbaths - I have written (them) down for you and all the judgments of its laws. Six days will you labour, but on the seventh day is the Sabbath of the Lord your God. In it you shall do no manner of work, you and your sons, and your men-servants and your maid-servants, and all your cattle and the sojourner also who is with you. And the man that does any work on it shall die: whoever desecrates that day, whoever lies with (his) wife or whoever says he will do something on it, that he will set out on a journey thereon in regard to any buying or selling: and whoever draws water thereon which he had not prepared for himself on the sixth day, and whoever takes up any burden to carry it out of his tent or out of his house shall die. You shall do no work whatever on the Sabbath day save that you have prepared for yourselves on the sixth day, so as to eat, and drink, and rest, and keep Sabbath from all work on that day, and to bless the Lord your God, who has given you a day of festival, and a holy day: and a day of the holy kingdom for all Israel is this day among their days for ever. And every man who does any work thereon, or goes on a journey, or tills (his) farm, whether in his house or any other place, and whoever lights a fire, or rides on any beast, or travels by ship on the sea, and whoever strikes or kills anything, or slaughters a beast or a bird, or whoever catches an animal or a bird or a fish, or whoever fasts or makes war on the Sabbaths: The man who does any of these things on the Sabbath shall die, so that the children of Israel shall observe the Sabbaths according to the commandments regarding the Sabbaths of the land, as it is written in the tables, which He gave into my hands that I should write out for you the laws of the seasons, and the seasons according to the division of their days.
8. R. Shalom presents each halachic area in his Shulchan HaOrit by first describing the traditional custom of the Beta Yisrael on that issue, then outlining the basic parameters of the normative halacha. Finally he presents a recommended practice for the Beta Israel community in Israel. In the examples below I have reproduced some of these recommendations in his words.

C2] HOT FOOD ON SHABBAT

- The Beta Israel would not eat hot food on Shabbat and would not have used electric hot-plates, even if they had them. The *kesim* considered these like an actual fire and expressed great surprise when they came to Israel and saw them in use on Shabbat!

10. One who considers use of the electric hot plate or any other source of heat as a violation of Shabbat, as was the case in Ethiopia, may continue to follow the ancestral custom. This should not be considered a Karaite practice, since their motivations are different, as the Ridbaz wrote. In any case, the Ethiopian Jews consider use of the hot plate like use of real fire. In the world of Ethiopian Jewry, what counts is the end result, and not the method of warming – while for the Sages, debate on this issue focuses on the manner of warming the food.

Still, the second generation of Ethiopian Jews, who have become accustomed to the reality in Israel, will consider eating cold food to be detrimental to the enjoyment of Shabbat, and thus they are permitted to use the warming methods accepted in mainstream halakhah. This should not be considered a violation of the proverb “Do not forsake the Torah of your mother”.

R. Sharon Shalom, From Sinai to Ethiopia p. 124

C3] WINE FOR KIDDUSH

- The Beta Israel would not drink wine for any reason, even as a mitzva. They understood that wine bore evil spirits and compared anyone who drinks it to an idol worshipper.

11. The first generation of Ethiopian Jews in Israel, who denigrate wine as a symbol of idol worship, are not required to say the blessing over wine on Shabbat. But the second generation has undergone a transformation in the attitude toward wine as a drink designated for idol worship. If they want to continue to say the blessing only over bread, they may do so. But Kiddush over wine has become a clearly recognized symbol of Shabbat for every Jew, and so they should say the blessing over kosher wine, as is the practice among the other Jewish communities.

R. Sharon Shalom, From Sinai to Ethiopia p. 125

C4] MARITAL RELATIONS ON SHABBAT

- Marital relations are ABSOLUTELY prohibited by the Beta Israel and the punishment for this is death! R. Shalom suggests that the prohibition was so strictly observed by the Beta Israel due to their concern about purity and impurity and the serious consequences of both the man and woman becoming tamei on Shabbat through sexual relations.
- By contrast, the halacha sees marital relations on Shabbat as a mitzva and an expression of Oneg Shabbat.

12. Because the prohibition is mentioned in the book of Jubilees, an early work, and its source is in an ancient custom practiced among Jewish groups in the Sages' time, I would like to propose a new reason for specifying that Torah scholars should have relations on Shabbat. In light of the sources we have examined, we may assume that the Sages recognized the existence of groups that completely prohibited sexual relations on Shabbat. Therefore, perhaps the Sages chose Shabbat purposely, as part of the struggle against these groups, and gave this instruction expressly to Torah scholars, in order to negate the opposite, prohibiting opinion.

In summary, we may say that strict observance of the laws of purity, which led the Beta Israel to prohibit this practice, was followed by certain sects during Second Temple times. Thus we should not disparage Ethiopian Jews who today continue to refrain from relations on Shabbat. The Sages' opposition should be understood in light of the struggle against the Karaites, but today it is not a heretical custom, and so we should permit those who prefer to follow their ancestral custom. On the other hand, those Ethiopian Jews who do not wish to follow the custom of abstaining on Shabbat are not erring against the precept of “Do not forsake the Torah of your mother,” as the majority of the Jewish people do have sexual relations on Shabbat. Unity and the desire to become one people, such that each individual can realize his personal inclination in worshipping God, supersede ancestral customs.

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C5] SAVING LIFE ON SHABBAT

- According to the traditional Beta Israel practice, saving a life does NOT take precedence over ANY mitzva. Even if there is danger in fulfilling the mitzva, they do not consider the danger, but rather the value of fulfilling the mitzva. Saving a life is also not defined as a specific mitzva⁹.
- In halacha, not saving a life in these situations could be almost tantamount to murder!

13. Although the Ethiopian custom is based on the ancient method, the Sages' writings on the value of life have penetrated the depths of Jewish consciousness. Thus it is absolutely forbidden to continue to follow the Ethiopian custom, and the Beta Israel must immediately adopt the general Jewish custom for all issues of saving a life.

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C6] MONEY ON SHABBAT

- The Beta Israel had no concept of *muktze*, although they did not generally handle work equipment on Shabbat due to the concern of performing prohibited work.
- In fact, the Beta Israel used to bring coins to the synagogue on Shabbat, following the verse "Every man shall give as he is able, according to the blessing of the Lord your God which He has given you" (Deuteronomy 16:17).

14. In various locations in Israel, in synagogues of the Ethiopian community, the congregants bring cash to the synagogue. Those who follow the custom of bringing should continue to bring, as the money is designated for use on Shabbat. In the Ethiopian world, which is based on trust, we do not suspect that a person might use this money for other purposes on Shabbat. We believe that the individual wishes to serve God, and one who does not want to do so will not attend synagogue. In our world, "suspicion" is a foreign word.

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C7] UMBRELLAS ON SHABBAT

- The Beta Israel did not know of a prohibition of carrying on Shabbat. In fact, in Ethiopia, the people, particularly the *kesim*, carried umbrellas on Shabbat on their way to synagogue and the umbrella was considered an important tool forming part of the proper clothing for worshipping God.

15. The Ethiopian Jews are permitted to use an umbrella on Shabbat. They should be permitted to use the umbrella not only when walking to synagogue, but also for protection against rain, on condition they open the umbrella before Shabbat begins. As noted, in the Ethiopian world, there is no reason to suspect what others might think: "You shall be wholehearted with the Lord your God" (Deuteronomy 18:13).

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D] MEZUZA

- The Beta Israel did not observe this mitzva at all, for reasons that are not entirely clear.

16. For some reason, the mezuzah mentioned in the Torah was not practiced in Ethiopia. Today almost every Jewish home has a mezuzah, and all recognize its importance. Thus the Beta Israel should certainly observe this mitzva.

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E] TEFILLIN

- The Beta Israel was unaware of the mitzva of tefillin, although some assert that in ancient times they did wear tefillin.
- Some observed¹⁰ a version of the mitzva but not in the same manner as the halacha requires.

9. R. Shalom quotes his grandfather, Abba Gideon (Dejen) Mengesha as stating: "God has commanded us to perform a mitzvah, and we will do what is written without further consideration, because God knows what He has commanded. If something bad happens to a baby, God forbid, then this is God's plan, and we do not question God's plan. If the baby dies during the circumcision, this is a great source of merit for the baby."

10. R. Shalom reports that his grandfather used to tie small phylacteries to his forearm, which he wore all day. These were not black and looked like a charm with a piece of parchment inside.

17. we must explain to the Ethiopian community the importance of this mitzvah, with courtesy and respect. Experience demonstrates that when we address the other with politeness, the response is more positive. At the same time, we must use caution and avoid pressuring those who remain unconvinced. Further, it is completely forbidden to behave disrespectfully or with superiority toward those who do not wear tefillin. When an individual migrates from one culture to another, we cannot demand that he make a drastic change in his culture. In the same way, we cannot ask a believer who was accustomed to a certain practice, such as the Ethiopian tradition, to leave everything he knows behind and begin to follow new practices, as per the Talmudic halakhah. A person is not an object or a robot. We cannot force the Ethiopian community to abandon their ancient traditions and immediately accept mainstream halakhah. Who are we, and in which direction would we proceed without those sages who inspired in us the belief in the Rock of Israel and His Redeemer? Those who are not convinced to wear tefillin undoubtedly share this same belief. "Man looks at the outward appearance, but the Lord sees into the heart" (1 Samuel 16:7). Still, as noted, we should encourage the Ethiopian Jews to wear tefillin as is practiced among all other Jewish communities, or at least to follow my grandfather's practice. The straps of the tefillin should be black, following rabbinic halakhah, while the boxes may be a different color.

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F] NIDDA AND FAMILY PURITY

- The Beta Israel carefully observed the laws of tuma and tahara and avoided contact with anything considered tamei. Jewish villages in Ethiopia were located near sources of flowing water, and they frequently immersed in the rivers.
- They observed tuma and tahara with many applications, including: purity of family life and sexual relations (including kerī - tuma caused by seminal emission), contact with non-Jews, contact with food (including slaughter), and contact with the dead.
- A woman was considered impure during her menstrual period and after childbirth (for 40 days after a boy and 80 after a girl).
- All Jewish villages in Ethiopia had a separate hut called the "house of blood" or *marjam gogo* (hut of the curse) which was located at the edge of the Jewish village or areas. The Beta Israel women lived there during menstruation and after childbirth.
- A stone fence was erected around the "house of blood," marking the border between the impure and pure areas. Only women who were nidda and nursing babies sat inside the hut. The family or women friends brought them food in special dishes that they placed on the stone fence, behind the circle of red stones that surrounded the nidda hut.
- Husband and wife separated for seven days for menstruation. At the end of the seventh day, the wife went out to immerse in the river and purify herself, and then returned home.
- Ethiopian custom did not include the stringent ruling of Rabbi Zeira requiring 7 clean days as a zava, following a hefsek tahara. As soon as a woman saw blood, she left her home and immediately went to the niddah hut. She waited seven days (or until she had stopped bleeding, if longer) and then immersed herself.

18. The women of the Ethiopian community should continue to immerse themselves on the seventh day, after sunset. In the final analysis, this is the biblical commandment, and the community did not take the Talmudic stringency upon itself. The second generation may adopt it – the goal of marital harmony and national unity has great value, which supersedes other values such as preserving past customs.

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19. [As regards the nidda hut] the Beta Israel may continue to follow the ancient custom. However, they should realize that the reality in Israel is different from the reality that enabled the practice of this custom. Today, it is almost impossible for a mother of a family to leave the home for an extended period. Therefore, it is preferable not to remove the woman from the home, for educational and familial reasons. As an alternative, we may propose sleeping in separate beds, and in this manner the custom is preserved, while family unity is unharmed. If the family/educational situation and marital harmony permit, we may even propose sleeping in separate rooms. In general, the Ethiopian Jews are permitted to follow their custom, and this is not problematic – on the contrary, they are preserving the ancient traditions. However, if differences of opinion arise between husband and wife due to the changes that accompanied aliyah, we must find a way that enables preservation of the tradition together with marital accord – such as adopting the general Jewish custom.

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20. The Beta Israel may continue to follow their custom, which requires immersion in a source of flowing water, but forbids use of standing water. For this reason, many Ethiopian Jews in Israel do not keep this mitzvah. For many reasons, the mitzvah of immersion, once beloved to the Ethiopian community, became unappreciated in Israel – unfortunately. Thus we must explain the mikveh to the kesim. We must also propose that they immerse in a source of flowing water, such as the ocean.

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G] BRIT MILA

G1] BRIT MILA ON SHABBAT

- The Beta Israel never performed mila on Shabbat but postponed the brit until Sunday. According to Te'ezaz Sanbet (see above) the Jews were forbidden to perform any labor on Shabbat, even for a mitzva. Further, according to the book of Jubilees, circumcision on Shabbat is forbidden. However, Jubilees also requires that a circumcision must never be postponed after the eighth day for any reason, even if the baby is not healthy and it might endanger his life.

21. If the eighth day falls on Shabbat, the parents should consult with a rabbi as well as a *kes*, and the halakhah should follow the decision of the *kes* on this issue.

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G2] A WOMAN MOHEL

- Among the Beta Israel, the custom was that women circumcised the infants. A man circumcised only if the community had no woman who knew how to do so. Further, any contact with a non-Jew was forbidden due to laws of purity, so there was no way for a non-Jew to circumcise a Jewish baby.

22. This custom is apparently ancient and unique among the Beta Israel, and for reasons specifically related to their community, the mitzvah of milah was performed by women throughout their history. In locations where an eligible and qualified woman is present, they may uphold this custom, and le-khathilah (as a first choice), this woman is permitted to circumcise.

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H] BAR/BAT MITZVA

- The Beta Israel consider that a boy or girl come of age for mitzvot at age 7.

23. The Beta Israel should follow the general practice.

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I] GREETING BY KISSING AND SHAKING HANDS

- In Ethiopian culture, greeting a man or woman includes shaking hands and kissing the cheek. People who see each other often only need to shake hands, but if they have not seen each other for some time, the custom for women and men is to kiss the other's person's cheek.

- In Ethiopia, the issue of modesty has much broader significance as represents ethical behavior. Sexual modesty was not a separately recognized concept in Ethiopia, and even the leaders of the Beta Israel had no problem with natural human social contact between men and women. Guarding against sexual impropriety was a natural act, not halachically imposed.

24. It is not my role to decide on this issue. Further, in light of the statements of my teacher Rabbi Yehuda Amital, of blessed memory, I think the decision is not easy. Beta Israel leaders do not understand the high separations that divide men and women. In their opinion, this separation takes place naturally, without unnatural barriers, but the barrier itself tempts sexual desire. Today people are occupied all day long with desire and thus it only increases. Thus many parents have difficulty adapting to the practices of their children who become newly religious and refuse to greet women, even girls in the family.

Further, they disparage these customs and view them as a result of improper education. It is contrary to the cultural world of the parents, and even contrary to the path of Torah – “Its ways are ways of pleasantness, and all its paths are peace” (Proverbs 3:17). Thus the Ethiopian Jews should continue their custom to greet members of the opposite sex, shake hands, and even kiss on the cheek. However, they must preserve the barriers of modesty that existed in Ethiopia (modest dress, no relations before marriage, separate seating in the synagogue, etc.).

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J] KASHRUT

J1] SALTING MEAT

- In Ethiopia, the Jews did not salt the meat, but cut it into small pieces, washed it, and hung it on a rope to dry.

25. Without entering the complex issue of the kashrut laws practiced in Ethiopia, the question of which practice is “more kosher” applies to all Jewish communities, and not just the Ethiopian Jews. I would like to suggest that in all questions of kashrut and meat, individuals should accept the practice followed in Israel according to the instructions of the Chief Rabbinate. Still, one should take care not to disparage those who continue to slaughter according to the Ethiopian custom.

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J2] MEAT AND MILK

- The practice of the Beta Israel is not clear, and may have varied. Some report that they were careful not to eat meat and milk together, and certainly they did not cook them together. But they did not have a custom of waiting between eating meat and milk. Others report that they DID cook meat and milk together, but they did not cook meat in the milk of the animal’s mother.

26. Unity is more important than custom. One should carefully observe the waiting period between meat and milk, but there is no need to accept the ruling of the Shulhan Arukh for six hours. In my opinion, the Ethiopian Jews should wait for the minimum amount of time – after meat one should wait one hour, and after milk there is no need to wait at all.

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J3] CHICKEN AND MILK

- The Beta Israel permitted chicken with dairy.

27. Although there is no biblical prohibition against eating chicken with dairy, the Beta Israel should stop the practice of eating them together, in order to create a uniform halakhah. First-generation immigrants who wish to do so should do it only in private. Second-generation immigrants are not permitted to do so.

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K] INTERACTIONS WITH NON-JEWS

- The Beta Israel avoided contact with non-Jews through fear of impurity. However, they wished to maintain some friendly relations, so they developed customs to facilitate interactions with Christian neighbors. For example, the Beta Israel spread branches on the floor in order to permit non-Jews to enter their homes without touching the floor. When a Christian woman wanted to speak with a Jewish woman, she stood outside the house and called to her, and they conversed from either side of the window. When a Jew invited a non-Jew to drink coffee with her, they sat at a distance from each other, and the non-Jew was given a special cup. In certain cases, the Beta Israel kept a separate set of dishes for their non-Jewish neighbors, storing the dishes outside in a tree or bush.

- Christians also maintained a similar system toward their Jewish guests.
- It was forbidden to eat any food that belonged to a non-Jew, and if a non-Jew touched foods belonging to a Jew, the foods became non-kosher and the Jew could not eat them. A Jew who ate food touched by a non-Jew had to eat chickpeas for one week in order to cleanse their digestive system and purify it of the non-kosher food.

- According to Beta Israel custom, someone who touched a non-Jew was impure and had to immerse himself in the river before returning to his home in the Jewish village.

28. Today there is no reason to observe stringencies related to impurity from non-Jews as was practiced in the past. One of God's names is peace, and peace is a supreme value. On the other hand, we must preserve the uniqueness of the Jewish people. The Ethiopian Jews demonstrated loyalty to the Jewish people despite many trials and a long period of exile. Through this extreme practice, the community was able to preserve its uniqueness and avoided mingling with the Christian neighbors. This commitment has enabled us to be accepted today within the Jewish people and in the State of Israel. We must work to eliminate the phenomenon of intermarriage between Jews and non-Jews. We also must erect an iron wall against the missionaries that are attempting to destroy the camp of Israel.

I emphasize that I am not claiming any kind of superiority over non-Jews. The Jewish people has a special mission and purpose, and each individual must fulfill his mission according to his national or religious identification.

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L] CHANUKA

- Chanuka was traditionally unknown to the Beta Israel.

29. The Beta Israel should follow the general Jewish custom. Today, the entire community has adopted the beautiful custom of Hanukkah, and so we observe Hanukkah candles lit in Ethiopian homes as well. This phenomenon proves the distinction that the Ridbaz made between the Ethiopian Jews and the Karaites in his well-known halakhic ruling accepting the Ethiopian Jews as part of the Jewish people. In other words, when the Ethiopian Jews return to the Land of Israel, they certainly will not object to accepting the mitzvot that were handed down orally through the Mishnah and the Talmud. The mitzvah of Hanukkah is a good example of this willingness.

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