

KI SEITZEI (DEUTERONOMY 21:10-25:18)

Spiritual Tay-Sachs (And How to Prevent It)

2007 · Rabbi Yerachmiel Sepowitz

Twenty years ago Avi and Shirley met and fell in love. They decided to get married. Shortly before the wedding, someone suggested that they should be tested for Tay-Sachs disease. This frightful ailment, relatively common among Eastern European Jews, has a 1-in-4 chance of occurring in a pregnancy if both parents are carriers. (If only one parent is a carrier, the carrier status, but not the disease, can possibly be passed on to the child.) So it was suggested that they should find out if one of them was a carrier.

They consulted with rabbinic authorities, and then Avi asked himself the following questions:

If Shirley and I, who love each other and want to spend the rest of our lives together, are both carriers, will we cancel the wedding?

If we don't cancel the wedding, will we do an amniocentesis every time Shirley becomes pregnant?

If the amniocentesis is positive for Tay-Sachs, will we kill the fetus?

Since the answers to all those questions were no, Avi and Shirley chose not to be tested. Thank G-d, everyone is fine.

Today the Torah Community takes a more pro-active position. The attempt is made to insure that carriers of Tay-Sachs (and other "Jewish" genetic diseases) don't become engaged in the first place. This can be accomplished more easily than in the general community because prospective spouses are usually introduced with the possible outcome of marriage in mind. My child would never "date" a member of the opposite sex who was not "pre-qualified" as a potential life's partner.

Many Yeshiva High school students submit a blood sample to an organization called Dor Yesharim. The students are given an identification number. Since many marriages within the community start out with an introduction, ID numbers are exchanged and submitted either before the couple first meet, or before the relationship has a chance to develop.

If neither party is a carrier nor just one of the parties is a carrier, Dor Yesharim "approves" the match. If both parties are carriers, Dor Yesharim advises the couple of the news, and the couple, presumably, decides not to continue to see each other. In this way, not only is the tragedy of a genetically deformed

baby avoided, but, as well, the couple can make the logical decision to look elsewhere for a spouse before they become emotionally involved. (See http://www.aish.com/dating/wisdom/The_Genetics_of_Dating.asp. For more information about Dor Yesharim, call 718-384-6060)

The birth of a child who is handicapped is a gut-wrenching experience. The idea of bringing a child into the world who is “defective” is a frightening notion. That is why it is so important that these marriages be prevented from happening.

And with this, I think we can understand what would otherwise be a very disturbing passage in the Torah:

A Mamzer shall not enter the Congregation of G-d... (Deuteronomy, 23,3)

What is a *Mamzer*? No, it's not the guy who broke your car window and stole your GPS, although that's what you probably called him. No, it's not the “B-word”, a child born out of wedlock, although that is how the term is commonly misunderstood. A *Mamzer*, which is a contraction of the words “*Mum Zor* = a strange defect”, is the offspring that results from certain forbidden relationships, such as adultery and incest.

A *Mamzer* may not marry a Jew. Obviously, since he is obligated in all of the Commandments, he may not marry a non-Jew either. He may marry another *Mamzer*. Alternatively, since the prohibition is against entering “the Congregation of G-d”, he is permitted to marry a newcomer to Judaism, i.e., a convert, who has not always been part of that Congregation. (However, a convert's child is considered to have always been a member of our Congregation, and would have the same prohibition from marrying a *Mamzer* as any other Jew.) It is also noteworthy that the child of a *Mamzer* is also a *Mamzer*.

What a tragedy! Two adults engage in a prohibited activity and look at the results! A couple commits adultery. A couple engages in incest. The woman is pregnant. She gives birth to a beautiful, bouncing, INNOCENT child. No one will want to marry this child because he is a *Mamzer*. What did this poor kid do wrong? Why should we punish an innocent child for the sins of his parents? And sometimes it's only the sin of ONE parent! If a deranged father molests his daughter, what do we want from the pathetic offspring of such a relationship? Why should the child suffer?

I think we can understand this difficult concept in the light of Tay-Sachs babies. Mr. X is a Tay-Sachs carrier. So is Miss Y. Mr. X should not marry Miss Y. He does anyway. The results are devastating.

Little Baby XY is born with a fatal disease. He will suffer terribly and probably not see his fifth birthday.

Where is the fairness? Why should Baby XY suffer just because his parents were irresponsible? The answer, obviously, is that this has nothing to do with fairness. Mr. X and Miss Y had the wrong chromosomes. It was not a good match. The baby's disease is not a punishment; it is the natural result of someone's poor judgment.

I believe we can give the same explanation to the plight of the poor *Mamzer*. He didn't do anything wrong. But his parents did.

If we don't understand this law it is because we don't understand the meaning of sin. We do not live in a vacuum. G-d created the world and told us to be holy. When we live holy lives, we elevate ourselves as well as the world around us. When we engage in unholy activity, we create a spirit of unholiness around us.

Adultery is not just wrong. It is evil. When a man engages in intimate activity with another man's wife, he sullies more than himself and his partner. He defiles the entire world. When a man creates a child with his sister, he creates a child who may very well carry physical deficiencies. The child also carries SPIRITUAL deficiencies. This is a child who was conceived in sin. The child, through no fault of his own, is tainted. No Jew will marry this child. He is spiritually genetically deficient. His parents have created a Frankenstein.

No, he didn't do anything wrong. Being a *Mamzer* is not a punishment. It is an unavoidable circumstance of the wrong decisions of his parents. The Talmud points out that other than this tragic inability to marry, he is considered a regular Jew. In fact, the Talmud points out that if there is a question of honoring an ignorant High Priest or a learned *Mamzer*, the *Mamzer* takes precedence.

There are two very important lessons we can learn from this Mitzvah. One is a specific one, and one is a global one.

Let's get specific. Maybe you accept my explanation of the heartrending predicament of the *Mamzer*. Maybe you don't. But either way, I think we can all agree that the birth of these children is something that should be prevented.

What can we do?

Consider the following scenario. Mr. X falls in love with Miss Y and marries her. They fall out of love and go to divorce court. They were married in a synagogue but got divorced in court. The civil divorce is granted. The State no longer considers Mrs. X to be a married woman. However, the Torah does.

Mrs. X (now known as Ms. Y) falls in love with Mr. Z. They have a baby and live happily ever after. Until their son falls in love with an orthodox or conservative girl and discovers that no rabbi will marry them!

Once a couple gets married, the Torah considers them married until one of them dies, or a “*Gett*” is given. If a woman remarries without a *Gett*, she is jeopardizing the future of her children.

A *Gett* is not a big deal. It takes about two hours and the husband and wife don’t have to both be there at the same time. There is no religious ceremony; it is very legalistic. It doesn’t cost much, and it can be subsidized. (For more information go to <http://Kayama.org>.)

If you read me, you know me. I am orthodox; I make no bones about what I believe. On the other hand, I make every effort to avoid engaging in conservative/reform/reconstructionist bashing. It accomplishes nothing. I have Jews of all stripes who subscribe to this mailing; they often write to me when they disagree. They also write when they agree. One of my most prolific correspondents is a Reconstructionist rabbi. She and her husband are personal friends of my family. On some issues my friends and I agree to disagree.

I usually promote the areas where we can all agree. I don’t tell people what type of synagogue to attend. (Unless they ask me!) I don’t harp on the areas where I disagree with the non-orthodox. However, here, FOR THE SAKE OF JEWISH UNITY, I will make an exception.

Do you know a Jewish couple who is divorcing? Make sure they get an orthodox divorce. Oh, their original marriage was non-orthodox? Make sure they get an orthodox divorce. Oh, they only had a civil marriage? Make sure they get an orthodox divorce. Oh, they were never married at all? Make sure they get an orthodox divorce. While an “out-of-wedlock” relationship does not produce a *Mamzer*, it takes a rabbinic expert to determine when a “common law marriage” may have taken place. It is always best to end a marriage-like relationship with a *Gett*. It removes all ambiguity.

Maybe you’re not orthodox. Maybe you’re anti-orthodox. Maybe you’re offended by the notion of orthodox rejection of non-orthodox clergy. It doesn’t matter. Save your arguments for less essential issues. (Like conversion! That can be “fixed” later. This can’t.) Make sure they get an orthodox divorce.

Don’t we want to have a Nation of Israel where everyone is free to marry whomever they want? Do we really want to see a situation where, because the parents are non-orthodox, they choose to remarry without a universally accepted *Gett* that will allow unfettered marriage by future children?

Whenever possible, we must endeavor to have a single unified standard. When I was the rabbi of a small out-of-town orthodox synagogue, I often koshered the kitchens of non-orthodox congregations for Federation functions. In fact, for an Israel Bonds dinner, the local conservative rabbi allowed me to

kosher his kitchen, because his congregation's standards were not the same as mine. Many non-orthodox rabbis encourage their congregants to get orthodox divorces.

Some don't. Several years ago, on Kol Nidre night, the rabbi of a large non-orthodox synagogue in Boston gave a sermon bashing orthodox non-acceptance of non-orthodox divorces. He railed against the orthodox rabbinate for dividing the Jewish People. The day after Yom Kippur, the orthodox rabbinical council in Boston was flooded with calls from non-orthodox Jews seeking to arrange an orthodox *Gett*, before it would be too late.

Get involved. Tell your divorced friends to take care of this. Don't assume that they won't have children. (Famous last words!) Prevent a tragedy. Make sure they get an orthodox divorce.

For more information go to <http://www.kayama.org>. To arrange a universally acceptable Gett in your area, contact the Beth Din of America at (212) 807-9042 or menahel@bethdin.org, or your local orthodox rabbi. (Or me!)

Another thought.

How did this child become a *Mamzer*? His parents committed a sin. They brought evil into the world. Their evil actions contaminated the world around them, including their child.

There is no such thing as a victimless crime. Every action we do makes an imprint. When we are kind to our fellow man, we make the world a kinder place. When we are cruel to our fellow man, we make the world a crueler place.

When we study Torah, observe the Sabbath, and keep Kosher, we live the way G-d wants us to. We were kicked out of the Garden of Eden because we ate what we were told not to eat.

When we live a G-dly life, we bring a bit of the Garden of Eden back into the world. If we choose an unG-dly lifestyle, we distance ourselves all the more from the Heavenly life of Eden and make the world into "the other place."

Where would you rather live?

Have a great Shabbos.

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