



QUESTION

On a trip to Israel, right after graduating Lotus University in 1984, Robin Smith met David Nunez, a Brazilian Jew. They bonded at once and were soon married by a Conservative rabbi, with a few male Orthodox friends in attendance.

As time passed, they grew more observant, and eventually joined a Conservative synagogue on Utopia Parkway in Queens, NY. They had a girl, Catherine, whom they sent to pluralistic Jewish schools. David and Robin identify themselves unambiguously as Jews. Robin avoids talking about her parents, has no contact with any family member, and generally says that she had a difficult childhood. More time passed, and they began moving in a generally Orthodox social orbit. They moved to Lomokome, New Jersey, and joined the Young Israel there. Catherine graduated college.

Catherine nags Robin once in a while about the absence of grandparents or cousins on her side. One day, Robin talks of her childhood for the first time. It seems that she realized from a very young age that she was different from her Catholic social circle – she couldn't stand even being in Church, and Hebrew writing was mystically attractive to her. Just after high school graduation she realized that she must be Jewish. She confronted her parents with that as a fact, and when they refused to admit either that she was adopted or that her mother had been born Jewish and converted, she stormed out and never looked back.

When she arrived at Lotus University in the fall, however, it took time for her to join the Jewish community and to identify as a Jew. She set foot in Chabad for the first time at her first Passover seder in her sophomore year, but by midjunior year she was a regular at Hillel meals. Some time that year, she says, learned from her father in a tearful phone call that her mother had in fact been born Jewish, in Russia, but it was too late to repair the relationship. Robin's parents are no longer alive. Catherine becomes fascinated by her background. She submits her mtDNA to www.FamilyFoliageDNA.com, a site that allows you to be contacted by possible relatives who have also submitted their DNA. Several weeks later, Catherine is contacted by Leah Perlstein, who, the mtDNA test says, is certainly a direct maternal relative, according to the shared "regular" DNA likely a number of generations back.

Meanwhile, David is deeply worried – has he accidentally intermarried? Over Robin's objection, he makes an appointment with the local GPS Beit Din for a psak about his wife and children's Jewishness. She accompanies him to the appointment and responds to the beit din's questions, but she recognizes that she did poorly and completely failed to convince them that her story was plausible. The Beit Din tells them that Robin must undergo giyyur, as there is no valid testimony that Robin's mother was Jewish and that they don't generally accept DNA evidence into Halakhah for any purposes other than direct identification of a body. Besides, they point out, a maternal ancestor of Leah's might

have converted into Judaism while Robin descended from an unbroken Gentile maternal line. Most human beings are Gentiles, after all.

David's expectation when going to beit din was that at worst Robin would undergo rapid Orthodox giyyur. But she simply refuses. "My father told me that I was completely Jewish, and I believe him, and anyway I know my own soul – it's a yiddisher neshomoh". She notes that the beit din will likely not be willing to convert her in any case, as she adamantly refuses to cover her hair anywhere outside shul and will not give up her Shabbat ritual of squeezing herself fresh orange juice – she simply cannot see how it relates to threshing.

David and Robin approach you, the rabbi of their shul. They recognize that you will not be willing to overrule the beit din, and furthermore, that the beit din is making a reasonable decision based on the evidence available to it. However, they ask:

- If Robin is certain, based on her appraisal of her presumptive father's character and her metaphysical self-perception, that she is actually Jewish, must she separate from David?
- If David feels that the combination of DNA evidence and Robin's confidence convinces him that Robin is Jewish, must he separate from her?
- Will the rabbi allow them to remain members of the shul now that they have disclosed their situation to him?