



# Child Born to Jewish Woman is Not Jewish, Rabbinical Court Rules.



*This Week's Torah Portion: Vayetztei*

 *Candle lighting - 4:12 pm*

## In this week's Scroll

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 In Jewish tradition, the mother establishes the Jewishness of a child, thus, if the mother is Jewish the



*Tel Aviv Rabbinical Court revoked the conversion of a woman performed four decades ago, endangering her status as a Jew & that of her children.*

child is also recognized as Jewish. Though for some this notion is more opinion than fact, and notwithstanding the Reform movement having established rules for accepting the Jewishness of the children of Jewish fathers, matrilineal descent is the longstanding and accepted standard. While this does not, and should not prevent the children of Jewish fathers from identifying as Jewish; self-identification and overall communal recognition and acceptance are two different things. The child of a Jewish mother is Jewish, period  
 --- that is unless you live in modern day Israel.

Israel's Rabbinical Court recently rejected an Israeli/Jewish mother's claim that her child is Jewish. The case stems from a woman's desire to have children and raise a family. In her eagerness to have a child she sought out appropriate egg donors and found a suitable, though anonymous donor. . All went well

and she gave birth to a child. However, the Rabbinical Court rejected her son's Jewish status.

According to reports, the egg donor was listed as Jewish in the Israeli Population Registry, the father was also Jewish, as was the woman who carried and gave birth to the child; so, what's the problem? Apparently, the Rabbinical Court initially floated the theory that the mother being Jewish did not automatically make her child Jewish... wait, isn't that the basic concept of matrilineal descent in Judaism? Doesn't Jewishness pass down to the next generation via the mother? Then the status of the donor was called into question. Though the woman was listed in the population registry as Jewish, she remained anonymous. Since the court was prevented from vetting the donor's Jewishness and scrutinizing her fitness (born Jew or orthodox convert) to be recognized as a Jew, the court rejected her status; and in doing so, rejected the child's Jewish status as well.

Not being recognized as Jewish is problematic for all Jews who care about such things and is particularly so for anyone living in Israel. Only religious, not civil marriages are recognized in Israel, nor are interfaith

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marriages recognized by the Rabbinical Court. Not being recognized can have serious limits on who you can marry and will carry consequences for your children. As for the parents of this child, there is the conversion option (strict Orthodox conversion - that is) a long and demanding journey when compared to simply being born. But in the draconian, rigid, yet inconsistent, power-grip of the Rabbinical Court, not even is conversion a safe bet -- or a done deal.

Earlier this year the son of an American Woman who converted several decades ago had his status as a Jew rejected by the Tel Aviv Rabbinical Court. The mother had her conversion reaffirmed in 2018 by the Beth Din of America. The young man was rejected despite his mother being converted by a rabbinical court that's on the list of courts recognized by the Chief Rabbinate. Adding insult to injury one of his siblings was married through The Chief Rabbinate without incident.

Another woman underwent an Orthodox conversion

in the 1970's. The family eventually made aliyah to Israel and has lived there for many years. When her son got engaged he submitted a request to be registered for marriage. Since his mother converted the request was passed on to the Tel Aviv Rabbinical Court; the court determined his mother had been converted by a rabbinical court not recognized by the Chief Rabbinate, consequently his request was rejected and the Jewish status of the entire family was placed under a cloud.

Last month, The Beersheba Rabbinical Court invalidated the conversion of a woman who converted under the IDF Conversion Program. Apparently the woman had been living with a man who was also going through the program; she completed the program, he did not. She is being penalized for living with a non-Jew and not revealing the fact to the court.

In the words of Yisrael Beytenu leader Avigdor Liberman, this creates a situation in which no convert can ever feel certain that their Jewish status is assured. ✨

***“Let your words be simple,  
that they need no interpreting;  
and let their meaning be  
understood, that they need no  
proof.” ~ Moshe Ben Ezra***



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*The Jewish Museum of New Jersey*

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*December 6, 2019*

# Escaping Hitler's Clutches

By April Modlinger

**D**id you ever have a wonderful dream and suddenly wake up to find it wasn't real? My husband's mother and father were living in Austria in 1938, at the time of what is called the Anschluss, the annexation of Austria by Germany. My father in law, Hugo, graduated from the University of Vienna Medical school in 1936 and married Celia, my mother in law upon his graduation. Celia and Hugo were sweethearts for many years, and I heard stories about her looking for him out her window when they were teenagers. I have postcards he sent her during their courtship. Hugo was raised by his uncle, a doctor, who wanted his nephew to become a doctor. Celia was the daughter of a successful merchant. So, it seemed that they were embarking on their storybook dream in beautiful Vienna.

In March, 1938, when Hitler and his troops marched into Vienna with cheers and salutes from the citizens, life for Jews as they knew it, was over. My father in law's medical certificate was stamped with Nazi insignia deeming it invalid and these words were written in German on it:

***The right to practice medicine has expired on September 29, 1938***

When Germany annexed Austria, people's country of birth became very important. Following the end of World War I, anyone who had moved to Austria from another country after 1914 could not be a citizen

***December 6, 2019***



*German Troops arrive in Vienna, in 1938*

of Austria, but was considered to be a citizen of the country from which they had come. Celia's family had emigrated to Austria from Russia, while Hugo had come to Austria from Poland. This seemingly small issue became one of consequence for Celia and Hugo. The United States had a different immigrant quota for each country. The quota for Russia, which applied to Celia, was much larger than the quota for Poland, which applied to Hugo. I have a letter from the US State Dept indicating that my mother in law was being given a number to receive a visa but it would be many months, if ever, that my father in law would receive a visa number since there were so many Jewish Poles trying to come to America.

Celia came to the US with her father, step mother and sister and settled in Brooklyn with her relatives. One

of her brothers had emigrated to southern France, the unoccupied part of France, and married there, but his wife fell victim to the Nazis, and he ultimately ended up in Utica and remarried. I have pictures of my mother in law and her sister on the boat coming to NY, so I don't know if her father, step mother and another brother were traveling with them or separately.

Celia took the chance to get out while the getting was good, separating from her beloved Hugo.

I had always heard that Hugo and Celia were apart for several months, and that Hugo was in a camp in England. But that was all I ever knew. They didn't speak more of it and I never asked. It seemed pretty remote, and at that time, not all that interesting to me.

In 2009 my husband's younger brother died. He had been living in Virginia Beach and moved his elderly parents from NJ to his house. I was Ronnie's executor and cleaned out his house. When I discovered 70 and 80 year-old photos from pre-war Europe in a moldy suitcase in the attic, and boxes of yellow dog-eared documents, I was blown away. Here was the story of what happened to my husband's parents. From the time I found these photos and documents, two questions that nagged at me for a long time: 1) what was it like for them after Hitler came to town? And 2) how did my father in law ever end up in England?

The time from march 1938 until they were able to leave Vienna in mid-1939 must have been a brutal period. Where could they go to be safe? I have no family diaries or letters of this time, so I can only relate to you what I have learned from other sources. Public humiliation and dehumanization became a way of life. Perhaps you have seen photos of Jews being forced to scrub the streets of Vienna. Jews eating in a restaurant were suddenly forced to clean the floors

and tables while the public jeered and laughed at them from outside.

This is oral testimony of one person, a child at the time, of what he witnessed the day after the Anschluss:

*A huge crowd had gathered around. They were laughing and talking, watching what appeared to be a pile of rags moving in the dirt. It was a man, an Orthodox Jew with a long beard and forelocks, his dark clothes covered with dust, his face bloody from a beating. The man moaned and struggled to stand up. The Jew began to beg for help. A young woman grinned and winked at the crowd. She smiled down at the man with an expression of pity. She raised her skirt up ...she relieved herself onto the man's upturned face. The crowd applauded and whistled...*

The Nazis lost no time in making life a living hell for the Jews of Austria. The Nuremberg Laws enacted in Germany in 1935 were enacted in Austria the day after the Anschluss. Jews could not be citizens-they became stateless persons and lost all basic rights. They were prey to violent state sanctioned attacks carried out by police and government officials as well as ordinary citizens who had probably long harbored their anger but felt suddenly empowered by Hitler's rise. One scholar, who was a child at the time, wrote , "It was as if a medieval monster had been released from the sewers beneath Vienna.." People barged into Jewish homes, beating people, dragging them outside, and stealing their valuables. This carnage went on for several weeks. Public areas were marked with slogans like "No Jews or Dogs". Jews were arrested and held without cause. People lost professional and educational positions. Many people went to work to be told they were fired. Jewish shops had signs painted on them: "don't buy here" or "On vacation in Dachau". Jewish children were relocated to all-Jewish schools and were assaulted by Gentile children on their way in

and out of the school. Parks, swimming pools, movies and even benches in the parks were banned to Jews.

There were 500 suicides in the weeks following the Anschluss. There were two affluent families who chose family suicide, that is, all the members of the family killed themselves. In other cases, people fled the country, leaving behind loved ones they would never again see. Hopelessness had gripped the Jews of Vienna.

Towards the end of April Hitler assigned a commissioner in charge of the reunification of Austria and put an end to the public violence. In the spring of 1938 Adolf Eichmann, then a 32 year-old second lieutenant, was put in charge of restoring order in Vienna and solving "the Jewish question". Eichmann grabbed this opportunity to elevate his position in the Nazi establishment and was determined to make Austria Judenrein-that is, free of Jews. Eichmann was a sly character and realized that he needed the cooperation of the Jews to attain this goal. The letters IKG stood for a very long unprounceable German word that, as far as I can gather, was the equivalent of our Jewish Federation, providing social services for the Jewish community. The IKG had been dissolved after the Anschluss but Eichmann resurrected it, creating a central office for Jewish emigration run by the IKG and closely supervised by Eichmann. This situation appeared to be a win-win. The Jews wanted to get out of Austria and the Germans wanted them out. This model was so effective that it was copied in Prague and Amsterdam and by 1939 Eichmann returned to Berlin and became head of the Gestapo.

Josef Loewenherz had been the vice president of the IKG and had been arrested in March. Eichmann

had him released and the IKG reopened in May with Loewenherz as its head and with other Jewish leaders hand-picked by Eichmann. The IKG had to create a bureaucracy that would expedite the emigration of Jews, prepare them for resettlement by retraining, sustain the population with food, housing, clothing and money until their departure, and care for the elderly who could not leave. The IKG staff worked 10-12 hours a day for a meager salary, and many people were volunteers because they had lost their jobs and had nothing else to do. The IKG had to provide their own funding for their services. Wealthy Jews in Austria and Jewish charities around the world were the sources of money. Many of the charitable organizations were under the umbrella of the Joint Distribution committee, still active today and providing relief to elderly shoah survivors.

The IKG soon learned that the occupations of most Jews were not transferrable to life in other countries. The IKG began retraining courses in farming, domestic service, cosmetics, leather industry, clothing industry, graphic industry, and chemical and metal industries, and foreign language. People were to select what countries they would try to enter and were given information and counseling on occupational opportunities in various countries. Within the first three months the IKG established 240 training courses. The IKG provided funds for these services and there were no charges to the participants. Within a year the IKG converted male former professors, lawyers, journalists, and so on, to farmers, butlers, shoe makers and industrial workers etc.

The cooperation of the Jewish community has been a controversial subject that has continued over the decades. The philosopher and author Hannah Arendt described Josef Loewenherz as "the first Jewish

functionary actually to organize a whole Jewish community into an institution at the service of the Nazi authorities." Was there any other choice than to become complicit in their exile? The Jews had lost their livelihoods and their place in Austrian society. They feared for their lives. They were afraid to step outdoors. Proud Austrian Jews became charity recipients. What other option was there but to leave?

In one autobiography a woman describes how her father, who was a doctor, became the maker of sausages. How did the members of my husband's family adapt during this time? I only know that after his medical license was revoked my father in law gave free medical care to people who lived in his apartment building. But maybe that was only after he finished his day job of sausage making.

In late May and June there was another large-scale action against the Jewish community in Vienna. Eichmann wanted Jews to perform heavy labor for the Reich and seven thousand Jewish men of working age were rounded up and sent to Dachau. It happened this way: Police officers unexpectedly came to Jewish homes and politely asked men to come with them. And because the Jews were accustomed to obeying laws, because they feared that resistance would result in putting their families in danger, and because they knew they were innocent of any crimes, they followed the policeman. They were detained under subhuman conditions and transported to Dachau by train. They were brutally beaten and tortured on the trains and some hurled themselves out the windows of the trains to escape the brutality. The trains had to stop many times because of the deaths.

Those remaining in the city were not spared from the atrocities. Jewish people were evicted from their homes and apartments when other families just came

and took them over.

The third pogrom was Kristallnacht. On November 9-10, 1938, 25-30,000 Jews were sent to concentration camps. Forty-two synagogues were destroyed and over 4000 businesses ransacked. Almost 2000 people were evicted from their homes. In a further stroke of irony, Jews were forced to pay for the costs of the destruction.

The IKG continued its immigration program. For those eager to leave the country, the path was difficult. People applied for visas for destinations across five continents. They were willing to go anywhere. But people needed to wait on long lines outside the foreign consulates to apply for visas. People stood for hours, and some just slept outside. They were vulnerable to assault from the SS or just ordinary gentiles as they waited. The IKG had to arrange transport and financing for each trip. In many cases, families were forced to separate because some family members were subject to different quotas because of their different countries of birth. So, someone might be granted a visa to Venezuela, for example, but another family member might be declined because the quota affected her differently because she had a different country of origin.

Germany passed a law requiring all Jews to document their assets. In addition to paying large fees to leave the country they were to surrender all assets to the German government.

Those held in Dachau and Buchenwald were allowed to leave provided they could arrange transport, visas, etc. within a given period of time, anywhere from two to six weeks. Families of those detained struggled to get the necessary documents and financing for their loved one, but it was a race against time and in many cases, it meant that families were

permanently separated.

Kristallnacht sounded an alarm. Jews worldwide became increasingly fearful for German and Austrian Jews. In England the Council for Jews became active in arranging for immigration. People are familiar with the success of the Kindertransport, which saved 10,000 Jewish children by bringing them to England. The Council for Jews in England, working with the IKG, was able to implement this initiative. Less well known is that this same organization arranged for the immigration of 3500 men and 500 women to England, saving them from death camps. Among them was my father in law, Hugo Modlinger, and also his cousin, Leopold Modlinger. Because of the deportation of men to Dachau following Kristallnacht, the project aimed at rescuing these Jewish men.

In the city of Sandwich, England, near Dover, there were remnants of World War I barracks. This is the place that was chosen to establish a temporary home for Jewish men. The first groups of men to come in 1939 were responsible for rebuilding the camp, and those selected were people who had experience in building trades. They performed hard labor several hours a day to make the camp livable. The criteria to choose men for the Camp Kitchener were twofold: they had to show that they were facing dire circumstances and needed quick removal from Austria and Germany; and also, they had to demonstrate that they had a good chance of emigrating to another country from England, because while the British were amenable to temporarily housing this population, they did not want to permanently absorb these refugees.

I don't know how my father in law met the first requirement. I never heard that he was imprisoned. But certainly, he did meet the second criteria, since his wife was in Brooklyn and he had already amassed

many of the necessary documents required, and of course, because he had a profession that was transferable to the United States.

Hugo arrived in England in August, 1939 and he left for the US in May, 1940. I have photos he sent to Celia with love notes written on the back: (as much as I can translate with rudimentary German)

*"You are my world"; "golden kisses from your Hugolein".*

This is probably the only time in his life that Hugo was seriously thin. Photos of him in medical school in Vienna show him as slightly husky, and in later years he became profoundly rotund. But at Camp Kitchener he was a skinny guy, and I can only think that he did not have adequate nutrition for many months.

At the camp men worked at assigned duties and had to attend English class an hour a day. The men had been told to bring instruments they played, so there were music concerts. Actually, many of the musicians ended up playing with the orchestra in Sandwich. The men were occasionally invited to the homes of some of the residents of the area, some of whom were quite wealthy, like Nancy Astor, and enjoyed their summer homes at the shore in Sandwich. There was an active fascist organization in Sandwich, which had a Nazi flag prominently displayed out front, but there were never any problems with the local community, and in fact, the Kitchener Camp residents enjoyed a good relationship with the townspeople. Several of the men married women from the area, and remained in England, including Hugo's cousin, Leopold. The men received a small amount of pocket change from the camp, as well as clothes. I was able to download information from the Jewish World Relief, and it documents how much money he was given and what clothes he was given. After the closing of the camp in January-February 1940, Hugo moved, I think, to a rooming

house. There was a note on the documents from World Jewish Relief that the owner was not charging for his room since he had given free medical care.

While in the camp Hugo continued to work on his emigration. His cousin, Willy Schwartz, lived in Manhattan, and offered to sponsor Hugo. Willy Schwartz, by the way, cut the challah at my wedding. I had no idea of the important role he played in Hugo's life, and in my husband's life, for that matter. Unfortunately, Willy, who worked as a machine operator in a fur factory, was declined by the state department to sponsor Hugo because he did not earn enough money. Then Celia applied to sponsor Hugo, but she was earning even less money working at a lingerie factory, and she was also declined. But Willy stepped up to the plate. He was able to get the owner of the factory to sponsor Hugo. The factory owner had to submit documents from his bank, his accountant and his lawyer. Red tape knew no bounds. Hugo had to get recommendations from his medical school professors and submit copies of all his grades at school. Ultimately Hugo did get to join Celia in Brooklyn. I can only imagine that joyful reunion.

The IKG continued to work with Eichmann, but the relationship became increasingly uneasy for those at IKG. As the German policy shifted from exiling the Jews to killing the Jews, Eichmann required that the IKG select people for resettlement in ghettos in

Poland, German-occupied Russia, and later Thereisenstat. Loenherz rationalized that these people were being moved but not imprisoned. Nevertheless, the IKG workers had to oversee the process of going to people's homes and removing them. Germany passed more severe regulations, now requiring that Jews in Vienna had to surrender all their possessions, and the IKG had to operate pick up drives for furniture.

In late 1941 the government ceased all emigration. There were about 200,000 Jews in Austria in 1938 and 90% of them lived in Vienna. The IKG managed to save 136,000 Jews or more than 2/3 of the Jewish population of the country. It did it by cooperating with the German government, which proved in the end to be a double-edged sword. In a cruel twist of fate, the IKG workers who sustained the community and arranged for the emigration of 136,000 were deported to Auschwitz and perished.

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# SIMON

# SAYS

## Thought Provoking Insights from Rabbi Simon Rosenbach



*Rabbi Simon Rosenbach*

**R**achel and Jacob, a love story. The Torah tells Jacob loved Rachel so much that the seven years (that he was obliged to work for her) flew by: “they seemed in his eyes but a few days in his love for her.” The

Torah tells us that Jacob “loved Rachel more than Leah.” That is the narrator’s perspective. When Rachel and Jacob interact, a different story emerges.

There are two times when Jacob talks to directly to Rachel alone. At the well, when Jacob and Rachel meet, he recites his pedigree and tells her that they are cousins. The words are the narrator’s words; we don’t know what Jacob said to Rachel.

The second time Jacob talks to directly to Rachel, is the only time when the Torah records their words. After they get married, after Leah has borne four sons to Jacob, Rachel is distraught. She approaches Jacob and says, “Give me sons, for if you don’t, I’m a dead woman.” Jacob angrily answers, in the only words that the Torah quotes him as saying to Rachel alone (he addresses Leah and Rachel together when he announces they should go), “Am I instead of God, Who has denied you the fruit of the womb?” She responds with the only words that the Torah quotes her as saying to Jacob, “Here is my slavegirl, Bilhah. Come to bed with her, that she may give birth on my knees, so that I, too, shall be built up through her.” This dialogue is the

only conversation that Torah records directly between Jacob and Rachel. Jacob may love Rachel, and may love her dearly, but the only conversation that the Torah records directly is an angry fight.

When Rachel dies giving birth to Benjamin, in her dying breath she names her infant son Ben-Oni, Son of My Pain. Jacob, however, calls the son the name by which we know him: Benjamin, Son of My Right Hand (or Son of the South, or Son of My Old Age, as Robert explains). Jacob's changing the baby's name may explain the origin of the name of the tribe, but it doesn't seem to me like the act of grieving, loving husband.

Why, when Rachel approaches Jacob, didn't he say, "I'll pray for you." Why, when Rachel approaches Jacob, didn't he say, "I feel your pain." Why, when Rachel approaches Jacob, didn't he make an effort to comfort her." The Torah may in recounting the

episode have a theological take (God dispenses favors arbitrarily; and no human is like God), but the Torah opens a window on the life of Jacob and Rachel, and it is not pretty scene.

Love takes many forms. I have a friend who says his parents loved one another, but they always fought. Loving couples don't always see eye to eye, and maybe this time is not the first time that Rachel expressed her disappointment and maybe Jacob snapped. We know that when Jacob met Esau, he put Rachel and Joseph, the people Jacob loved most, in the rear. (You wonder what the people in the front camp thought: am I not as valuable as Rachel and Joseph?)

Maybe this is another instance of portraying our patriarchs, our idols, our role models, as human. They get angry, sometimes at the people they love most. They get frustrated. They get disappointed. They were people like us. ✡



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We would like to thank and recognize those who gave so generously to support Congregation Ahavas Sholom in its various efforts to foster Tikun Olam

November 22, 2019

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# CAS Tzedakah Honor Roll

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For more information, contact Najiyyah Bailey  
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## Marra B. Gad on *The Color of Love*

An unforgettable memoir about a mixed-race Jewish woman who, after fifteen years of estrangement from her racist great-aunt, helps bring her home when Alzheimer's strikes

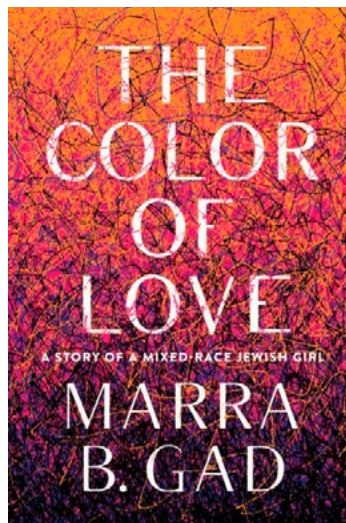
In 1970, three-day-old Marra B. Gad was adopted by a white Jewish family in Chicago. For her parents, it was love at first sight—but they quickly realized the world wasn't ready for a family like theirs.

Marra's biological mother was unwed, white, and Jewish, and her biological father was black. While still a child, Marra came to realize that she was "a mixed-race, Jewish unicorn." In black spaces, she was not "black enough" or told that it was OK to be Christian or Muslim, but not Jewish. In Jewish spaces, she was mistaken for the help, asked to leave, or worse. Even in her own extended family, racism bubbled to the surface.

Marra's family cut out those relatives who could not tolerate the color of her skin—including her once beloved, glamorous, worldly Great-Aunt Nette. After they had been estranged for fifteen years, Marra discovers that Nette has Alzheimer's, and that only she is in a position to get Nette back to the only family she has left. Instead of revenge, Marra chooses love, and watches as the disease erases her aunt's racism, making space for a relationship that was never possible before.

*The Color of Love* explores the idea of *yerusha*, which means "inheritance" in Yiddish. At turns

heart-wrenching and heartwarming, this is a story about what you inherit from your family—identity, disease, melanin, hate, and most powerful of all, love. With honesty, insight, and warmth, Marra B. Gad has written an inspirational, moving chronicle proving that when all else is stripped away, love is where we return, and love is always our greatest inheritance. ✨



*Rachel's debut novel is 'A Bend In The Stars.' It has been named a New York Times Summer Reading Selection and a Barnes & Noble Discover Great New Writers Selection. It is also a Boston Globe Bestseller. Rachel's second novel, The History of Time Travel, is forthcoming from Grand Central (2021) You can find a bend in the Stars and other great Jewish themed books at the Jewish [Book Council](#).*



# Kiddush Sponsorship Shabbat Services

**S**ponsoring Kiddush is \$150.00, which barely covers the cost of the lunch. Our goal is to have every Kiddush sponsored. To sponsor a Kiddush, email Rabbi Rosenbach or contact Allah Eicheldinger at [alla7815@yahoo.com](mailto:alla7815@yahoo.com). You can also help by shopping; which doesn't cost money, just a little time. We'll give you a list of items, you shop and we'll reimburse you. Whatever you can do will be appreciated, greatly.

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**J**oin us at Ahavas Sholom this Saturday for Shabbat services. Strangers, visitors; friends - old & new - our doors are open to you. Looking for a new home? New members are always welcome at Congregation Ahavas Sholom. Shabbat services start at 9:00am. Our congregation is open and welcoming; feel free to pay us a visit, anytime.

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*Join us at Congregation  
Ahavas Sholom this  
Shabbat and help us  
make minyon*