

From Yidishe khasene to civil marriage

The history of intermarriages in the Jewish Community of Helsinki

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The aim of this article is to present marriage patterns in the Jewish Community of Helsinki in the period 1919–80 in light of textual records partly preserved in public archives, but partly also in the community itself. The latter corpus of data has not been used previously as source material for ethnographic research. While introducing the legislation of civil marriages in Finland, the goal of this study is to reflect on the patterns of intermarriage in the congregation in the 1900s and to present some preliminary findings pertaining to their impact on congregational policies.

The topic of marriages between Jews and non-Jews has been widely discussed both in scientific and in religious communities. Debates over the subject consider various aspects of Jewish life, touching upon the question of ‘Who is a Jew?’ and leading to discussions on religious practices or Jewish identity (Glenn and Sokoloff 2010; Dencik 1993, 2003, 2006; Dieming and Ray 2016). Until the early-modern period, most Jews lived isolated lives: marriages between them and people of other faiths were limited. Historical events, such as the Industrial Revolution, the Enlightenment, or the French Revolution resulted in social and economic changes in Europe. These changes also affected the Jewish communities, where the number of intermarriages between Jews and non-Jews started to grow rapidly (Bleich 2015: 3).

The changes in social processes have not left Finland unaffected either. When the country became independent in 1917 and its Jewish residents earned the right to become Finnish citizens, they were also allowed to marry non-Jews without converting to Christianity (Kaila 1923, UVL267/122, Reijonen 1980). Social changes in modern-day Judaism happened more rapidly in Finland than in other countries where the emancipation of Jews happened earlier. Due to these changes and to the small size of the local Jewish congregations, the question of the growing number of intermarriages became very pressing in the contemporary Finnish-Jewish situation and affected most policies of the local Jewish communities (Torvinen 1980, Muir 2004, Weintraub 2017; NA: Kii, Vih).

A short history of Finnish Jews

The first Jews arrived in Finland when the country was still part of the Swedish Kingdom (1362–1809). The Swedish Church Law of 1686 (Swe. *Kyrkio-Lag och Ordning*) declared Evangelical Lutheranism as the state religion: Jews and people of other faiths had the right to gain residence in the country only if they converted to Christianity (Harviainen and Illman 2002: 273). Due to Jewish statutes in the Swedish constitution, Jews who did not convert to Christianity were not allowed to settle in Finland during the period of Swedish rule (Jacobsson 1951: 87).¹

As a consequence of the Finnish War (1808–9) between Sweden and Russia, the autonomous Grand Duchy of Finland was established in the Russian Empire in 1809. Despite this political change, the prohibition of the settlement of Jews remained in force. Finland considered the Swedish constitution as its privilege and regarded tampering with the laws as an offence against its rights. When Czar Nicholas I issued a statute concerning Jewish conscription in 1827, the first Jews arrived in Finland. The statute of 1858 guaranteed all former Russian soldiers – including Jews – the right to settle in Finland. In 1889, the Finnish Senate issued a letter to the governors, which guaranteed permission to Jews and their families – who were mentioned by their names – to reside in Finland in specific towns.² These permits were granted to them for six months at a time (Harviainen and Illman 2002: 274–7).

According to the Yiddishist Simo Muir, the entire Jewish existence in the nineteenth century was characterized by temporariness, the threat of deportations back to Russia, and poverty due to the statutes which restricted the Jewish sources of livelihood to selling small commodities and old clothes (Muir 2004: 2–3). The decree of 1889 was in force until 1918 when Jews were granted civil rights and could become Finnish nationals (Harviainen and Illman 2002: 274–7), after which the economic status of the Jews improved rapidly, and they became one of Finland's most well-integrated minorities (Jacobsson 1951: 327–8; Torvinen 1998: 112).³

1 For further reading on the history of Swedish Jewry, see Valentin 1964.

2 These towns were Helsinki, Turku, Tampere, Vyborg, Hamina, Sortavala, Suistamo, Impilahti, Kuopio and Vaasa.

3 For further reading on the (history of) Jews in Finland, see Burstein 1978, Pentikäinen and Anttonen 1995, Harviainen and Illman 2002, Harviainen 2003, Jacobsson 1951, Muir and Worthen 2013, Ekholm 2013.

Civil marriage and freedom of religion in Finland

In Finland, before the turn of the century, the Evangelical Lutheran Church played a central role in the state judiciary. The role of the Church was so significant that only people who had received the Eucharist and had been confirmed could become state officials. After the turn of the century, the attempts to broaden Finland's legislation regarding the freedom of religion were repeatedly obstructed by the Russian regime. The Russian Revolution of March 1917 created possibilities for the enforcement of long-awaited legislative reforms. A committee was set up to deal with issues regarding the freedom of religion, aiming at providing full freedom of religious practice and equality of religious communities, with the separation of church and state in mind (Reijonen 1980, Kaila 1923).

The institution of civil marriage had already been legislated for in Norway in 1845, in Denmark in 1851 and Sweden in 1908 (Pylkkänen 2012: 53). In the case of Finland, the Civil Marriage Act (CMA 1917) was prepared in the early twentieth century, accepted by the Finnish Parliament in 1911 and took effect in 1917 (*ibid.* 48). The law permits governmental officials (e.g., a judge, the president of a district court, the chairman of the magistrate, etc.) to perform, record and recognize a marriage. The law also states that the person who officiates the marriage is obliged to report the officiation of the marriage to the religious congregations – if applicable – concerned and to the civil registry.

Shortly after the Civil Marriage Act took effect, the constitutional right to the freedom of religion was implemented by the Freedom of Religion Act of 1922 (UVL267/122). In addition to the right to practise religion in public and private, the law also granted, for the first time in Finland, the right not to belong to any religious community. It also addressed the question of children whose parents belonged to different religious congregations or were not members of any at all. In the case of children whose parents were not registered in any religious community, neither was their child: both the child and his/her parents were entered on to the Civil Register. Should the parents be members of different religious congregations, the child became a member of the one that his/her father belonged to. If the couple was not married, the religion of the child was the same as the religion of the father, unless the parents signed a written agreement that the religion of the child's mother be the one to be followed by the child (UVL267/122).

The civil register of persons who did not belong to any religious community was kept between 1919 and 1970. All officiated marriages and events of birth and death had to be reported to the congregational and civil registers the concerned individuals belonged to (Population Registry Centre). To avoid the problems occurring in the double and decentralized system of the population registries over the centuries, the Population Register Centre (Fi. *Väestörekisterikeskus*), set up a central register of the population (the present Population Information System, Fi. *väestötietojärjestelmä*) in 1969. In 1971, a computer-based register was introduced.

Terminology

Before starting the analysis of the marriage patterns of the Jewish Community of Helsinki I would like to clarify the terminology used in this article. As the demographer Sergio Della Pergola indicates in his paper entitled 'Jewish out-marriage: a global perspective', appropriate terminology may reflect whether an observation is being carried out from a general and neutral perspective or the more specific perspective of a given group (Della Pergola 2003: 6–7). Taking the nature of the studied data into consideration, I decided to use the terminology used by Della Pergola. Hence, when talking about *intermarriages* – by which I mean a marriage in which the spouses belong(ed) to two different religious communities of any sort (or one of them did not belong to any religious community at all) – I will distinguish between *mixed marriages*, *conversionary in-marriages*, and *conversionary out-marriages*. I will refer to *mixed marriages* in cases where both spouses remain members of their original religious congregations. *Conversionary in-marriage* applies to partnerships in which the non-Jewish spouse converts to Judaism before or after the marriage. *Conversionary out-marriage* indicates partnerships in which the Jewish spouse joins the group of his/her spouse. The term *civil marriage* applies to marriages that were officiated by a state officer in Finland or abroad. I consider all marriages officiated in the state of Israel to be marriages according to the Jewish Law.

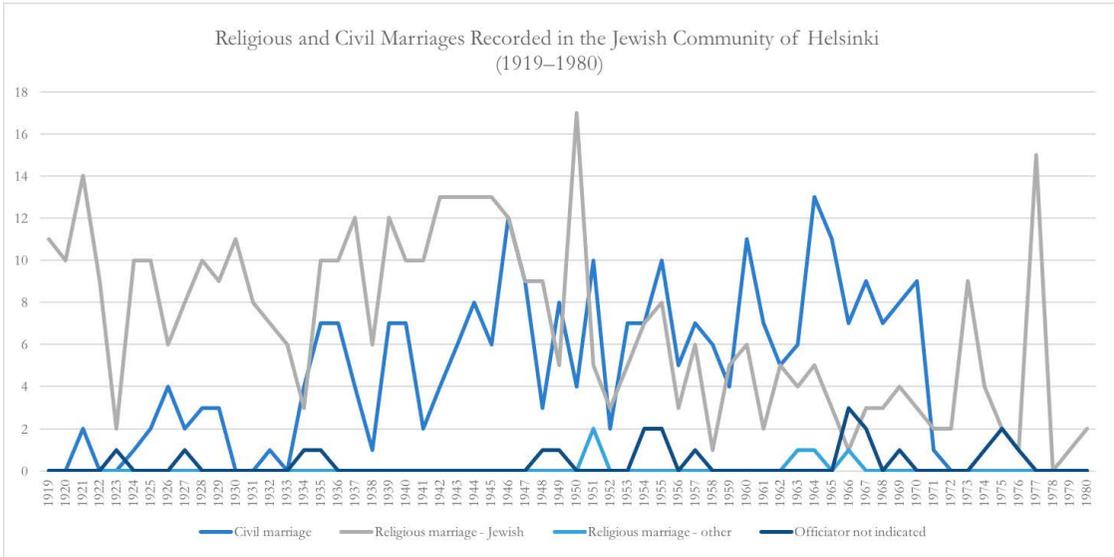
Marriage patterns and their consequences in the Jewish Community of Helsinki between 1919–1980

The data presented in this chapter is based on various primary sources, such as textual records of the Finnish Jewry. Most of this material is part of the Finnish Jewish Archive (Fi. *Suomen juutalaisten arkisto*) and is stored in the National Archives of Finland (NA: Syn, Vih, Kii, Muu), and some of it is being stored at the Jewish Community of Helsinki. These sources are however often inconsistent and show signs of incomplete administration. The data collected from the archive material was complemented by formerly implemented research and written studies of Finnish Jewry and the Jewish Community of Helsinki. It has to be emphasized that the data presented in this paper is preliminary, and could be modified upon the assessment of new sources.⁴

Before the institution of civil marriage was put into legislation, the registers of the Jewish Community of Helsinki naturally did not include intermarriages registered in the congregation (NA: Syn, Muu). After the institution of marriage legislation both endogamous and non-endogamous couples started to marry without any religious entity performing their ceremonies. According to the marriage register for the period of 1919–80 of the Jewish Community of Helsinki (NA: Vih), the first mixed marriage of a community member was officiated by the Registry Office of Helsinki (Swe. *Magistratens i Helsingfors*) and was recorded in the community in 1921. From this point onwards, both the number of intermarriages and the number of civil marriages started to increase in the congregation. The growing number of non-religious ceremonies proves that the congregation went through significant secularization.

As graph 1 indicates,⁵ the number of civil marriages gradually started to increase, and in the late 1950s, they exceeded the number of religious marriages almost every year until the 1970s. At the end of the 1970s – more specifically in 1977 – fifteen records were made, all of them endogamous. In

- 4 Some of the administrative documents of the Jewish Community of Helsinki are under organization. The assessment of all the textual records therefore is not entirely possible.
- 5 The graphs indicated in this study were created by the author based on information derived from the Registry of the Jewish Congregation of Helsinki (HrJCH) and the Archive of the Jewish Community in Finland stored at the National Archives of Finland (NA: Syn, Vih, Kii, Muu).



Graph 1. Religious and civil marriages recorded in the Jewish Community of Helsinki (1919–80)

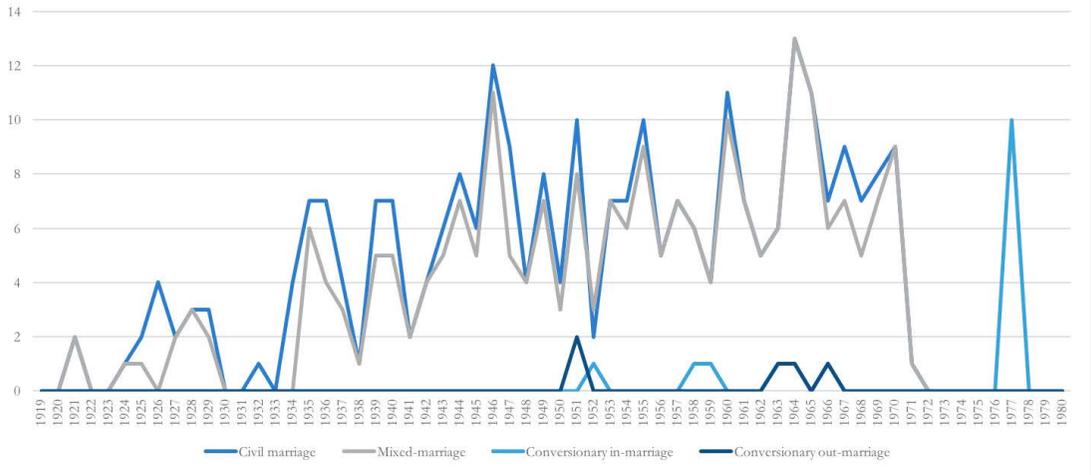
twenty-one cases – out of which eleven are endogamous relationships – the officiator of the marriages is not indicated in the register, nor have they been found elsewhere in the so-far assessed documentation and material.

Graph 2 shows the numbers of intermarriages compared to civil marriages recorded in the Jewish Community of Helsinki. The aim of this study is not to question the *halakhic* status⁶ of the studied congregational members. Therefore, in cases where the individuals' congregation was marked as being elsewhere than a Jewish community, I considered the person non-Jewish: despite having a *halakhically* Jewish background, belonging to a non-Jewish religious community – or not belonging to a religious congregation at all – is often a clear marker of a person's religious belonging in terms of their own self-identification or the community's regulations.⁷ Moreover, due to

6 According to *Halakhab* (the Jewish Law) a person is Jewish if his/her mother is Jewish or if he/she converted to Judaism. For further reading, see Finkelstein 2003.

7 It is possible that one thinks of oneself as a Jew but is not being accepted as one in certain congregations that have strict requirements in terms of ancestry or conversions. For further reading on Jewish identity and intermarriages, see Cohen 2011; Dencik 1993, 2003, 2006; Fishman and Cohen 2017; Bleich 2013; Glenn and Sokoloff 2010; Graham 2004.

Intermarriages and Civil Marriages Recorded in the Jewish Community of Helsinki (1919–1980)



Graph 2. Endogamous marriages and intermarriages recorded in the Jewish Community of Helsinki (1919–80)

the contradictions between Finnish laws and *Halakhab* concerning the religious status of children, certain individuals registered in the congregational membership and marriage registers are not Jewish according to *Halakhab*. Nevertheless, I considered them Jewish if according to the marriage register (NA: Vih) they belonged to a Jewish community.⁸

According to graph 2, the majority of the civil marriages marked in the congregational marriage register of the Jewish Community of Helsinki were mixed marriages. The first congregational in-marriage appears in the community in 1950. Most of the conversional in-marriages were formerly officiated as a civil marriage, in most cases before the Jewish religious ceremony.

In 1977, there were fifteen marriages registered in the congregation, out of which ten were conversionary in-marriages. Interestingly, eleven of the records of 1977 were made on the same day. On every occasion, the non-Jewish spouse who converted to Judaism was the woman. As opposed to this trend, all the five members who were conversionarily out-married during the studied period were men. The vast majority of these intermarriages

8 In cases, when no membership to such congregations – or belonging only to the civil register – was found I decided not to include them on the graphs.



Graph 3. Endogamous marriages and intermarriages recorded in the Jewish Community in Helsinki (1919–80)

were officiated by members of Evangelical Lutheran – often traditionally Swedish-speaking – congregations. According to the currently assessed data, there were approximately seventy female members of the Jewish community marrying a non-Jewish man, and approximately more than hundred and seventy men, who married non-Jewish women. According to the currently available material, none of these men converted to Judaism, and only a very small percentage of the women ‘took on the yoke of the Torah’.⁹

When looking at the rates of endogamous¹⁰ marriages in relation to the rates of intermarriages (including *mixed*, *congregational in-* and *congregational out-marriages*) we can see that between 1955 and 1971, the number of intermarriages exceeded the number of endogamous marriages every year. Taking the aforementioned changes in the population registry policies into consideration, it is safe to assume that even in the 1970s, the numbers of

9 It is important to mention that the data presented in this study are results of preliminary doctoral research. As the congregation’s documentation is often inconsistent the information presented here may also change upon the assessment of new archival data or information.

10 Both religious and civil marriages of Jewish couples.

civil and intermarriages were higher in the community, but the leadership of the congregation did not consider recording the intermarriages (with the exception of the conversionary in-marriages) in its registers.

Changes in congregational policies

Several sources state that the Jewish community in Helsinki was already on its way to assimilation by the beginning of the 1900s. Finnish Jews identified themselves as ‘half Europeans’ and had drifted away from Jewish nationalism. The Jewish Community of Helsinki was (and still is) officially Orthodox; its members, however, did not (do not) always follow the standards of Orthodox Judaism in their daily lives (Muir 2004: 3). Herman Morath, a Yiddish writer from Latvia, gave an insight into the life of the Helsinki Jewish community during the 1920s. He mentioned that the congregation was characterized by assimilation, mixed marriages, and secularization. Rabbi Simon Federbusch¹¹ confined the rights of those who are married to non-Jews in a rabbinical statute of *takone*, which was later invalidated (Muir 2004: 5).

According to Orthodox *Halakhab*, Jewish religion and ‘Jewishness’ is based on either matrilineal descent (a person born to a Jewish mother is Jewish), or on conversion to Judaism accepted by a *bet din* – a rabbinical court (Finkelstein 2003).¹² The high number of intermarriages mostly officiated between Jewish men and non-Jewish women resulted in a growing number of *halakbically* non-Jewish children in the community. This forced the congregation to introduce new policies. As mentioned before, according to Finnish legislation, the religion of the child follows the religion of the father – unless the parents have a different agreement. Due to the contradictions between the Finnish and Jewish laws, several inconsistencies appeared in the administrative processes of the congregation. On 20 February 1947,

11 He was the rabbi of the Jewish Community of Helsinki in 1931–40.

12 Nevertheless, it is important to point out, that Halakhah is not unified, and different denominations of Judaism interpret the Jewish law differently. The more traditional a denomination, the less likely it will be to accept conversions issued by less traditional movements. Moreover, the Reform Jewish Movement accepted the principle of patrilineal descent in 1983, and several denominations followed its example. For further reading see Haas 2016 and Rayner 1998.

two members of the Jewish Community of Helsinki¹³ sent a letter to the Attorney General of Finland in which they asked the Attorney General to include their children on the membership register of the community (NA: Kii). They based their request on paragraph 23§ of the Freedom of Religion Act, 1922.

As the paragraph of the Act states, the board of any religious community is obliged to keep a list of community members and their children. Such administration was also compulsory even in cases where children were not members of the community themselves. The two members' letters to the General Attorney state that their wives are recorded in the marriage registers of the congregation, although they are not Jewish according to *Halakhab*. As they conclude, 'Keeping the record of the marriages and children is strictly compulsory, it does not have anything to do with religion; it is only to be regarded as population registry, a task given to the congregations by the state' (NA: Kii). As a response, the Attorney General requested both the Magistrate of Helsinki and the board of the community to comply with the legal regulations concerned and record the children into their registers. The Jewish Community of Helsinki nonetheless saw the issue from a different perspective. According to their interpretation, parents who belong to different religions have the right to register their child into the civil lists, without deciding on the child's religion and allowing him/her to choose which congregation he/she would like to belong to as an adult – if he/she wishes to belong to any congregation at all. The board of the community was concerned that if they recorded the children in their registers, the record would ultimately indicate a non-Jewish child as belonging to the congregation and he/she would consequently be considered Jewish according to the standards of the community. As they stated, according to the religious code that the congregation follows, children receive their religion from their mother, therefore if the mother of the child is not Jewish, the child cannot become a member of the congregation. As the records of the congregational membership books prove, the Jewish Community of Helsinki did comply with the regulations and record *halakbically* non-Jewish children in their membership registers (HrJCH).

13 Due to the small size of the local Jewish community and for the sake of the individuals' privacy, I decided not to disclose the names of those concerned.

In the case of *halakhically* non-Jewish children of intermarried couples, the congregation asked different rabbis to suggest a solution to the contradictory Finnish-Jewish situation. The responses concluded that if the parents of such children agree to raise the minors according to the Jewish law (observing the circumcision of boy children), moreover that they agree to convert them to Judaism at the appropriate age (13 years for boys, and 12 for girls), the children can be recorded in the congregation's registers, whilst indicating that they are not Jewish (*icke jude/icke judinna*) until their conversion. According to the sources, however, in certain cases, the rabbi of the congregation between 1945–51, Rabbi Elieser Berlinger, agreed to the *tevilah* – full-body immersion in a ritual bath, of children between the ages of 4–7 – after which ‘the children were considered to be definitively Jewish’ (NA: Kii).

Due to the increasing numbers of *halakhically* non-Jewish children and non-Jewish spouses of the members of the congregation, in 1971 the community created a separate list for children of non-Jewish mothers, who were born between 1946 and 1970. The list included 91 children of 53 families concerned. Moreover, in 1973, the congregation issued a paper that defined the congregational protocol for accepting children of intermarried couples whose mothers are not Jewish. According to the document, a child whose mother is Jewish is entitled to become a congregational member at any time. *Halakhically* non-Jewish under-aged children of intermarried couples may become members of the congregation if their parents agree to raise them as Jews and agree to their childhood conversion. In such a case, the mother of the child is not obliged to convert to Judaism. Adults who decide to convert to Judaism can be registered as members of the congregation after their conversion to Judaism (NA: Kii).

The current situation in the Jewish Community of Helsinki is very similar to that of the period studied in this paper. Numerous textual studies and sources concerning the Jewish Community of Helsinki mention that the number of intermarriages in the congregation is exceptionally high, and despite being members of an officially Orthodox Jewish congregation, Finnish Jews approach the *Halakhab* leniently and maintain a distinctive Finnish-Jewish identity (Franklin-Rahkonen 1991, Kotel 2000, Lundgren 2002, Kahan 2008, Larsson 2014, Czimbalmos 2016, Weintraub 2017). This often results in conversionary in-marriages into the community. The congregation still operates with very similar regulations to those defined in 1973.

Children born to Jewish mothers are accepted into the community if they are circumcised, and children of non-Jewish mothers but Jewish fathers can be accepted into the congregation if their parents agree to their conversion at the age defined by Rabbi Eleasar Berlinger (NA: Kii).

On 1 August 2003, the current Freedom of Religion Act (UVL2003/453) came into force, replacing the Act of 1922. As opposed to the former act, the new law states that the religious upbringing of children should be based on the agreement of the parents. If a person decides to join a religious congregation of any sort, he/she is responsible for notifying the local registry offices about this choice (UVL2003/453). Due to the new legislation and to the more consistent system the congregation follows, the situation of children of intermarried couples is significantly easier – at least at the administrative levels.

Conclusions

The aim of this article has been to present marriage patterns in the Jewish Community of Helsinki in the period 1919–80, while focusing on intermarriages and their consequences in the congregation.

As the studied data shows, the first mixed marriage in the community was registered in 1921. In the second half of the twentieth century, the numbers of civil marriages and intermarriages started to grow, and between 1955 and 1971 their numbers exceeded the number of Jewish religious marriages almost every year. Most possibly, due to the changes in the administration system of the Population Register Centre of Finland, the congregation stopped indicating the non-endogamous weddings (except of the conversionary in-marriages) in its registers. Numerous earlier textual studies and research findings indicate that the number of intermarriages within the community is still exceptionally high in the Jewish Community of Helsinki. To the best of my knowledge, the primary sources used when writing this study – most of them being deposited in the National Archives of Finland (NA: Syn, Vih, Kii, Muu) and some of them stored at the Jewish Community of Helsinki (HrJCH) – have never been used when researching Finnish Jewry. As the results of this paper show, these documents not only confirm, but also enrich the findings of former research written about Finnish Jewry.

The increasing number of intermarriages, and the birth of a growing number of *halakhically* non-Jewish children have strongly affected the

policies of the community when defining its boundaries at the administrative level. The policies of the congregation that were decided upon in the second half of the 1900s remain in practice. Due to the Freedom of Religion Act of 2003 (UVL2003/453), the potential religious upbringing of the children is decided upon the agreement of their parents: interreligious families face fewer issues regarding the local administration. Nevertheless, the acceptance of children of certain intermarriages as Jews in other parts of the Jewish world may not be free of barriers. As the different denominations and authorities of Judaism have various policies concerning the subject of intermarriages and their issue, Finnish Jewish children may face rejection. Hence, further research on both the current and on the historical situation of Finnish-Jewish intermarriages is a necessity.

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