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"DISCOURAGE WITH THE LEFT HAND AND DRAW NEAR WITH THE RIGHT:" AN EXPLORATION OF AMBIVALENCE TOWARDS *GERIM* IN JEWISH LAW AND PRACTICE

BY

ILENE LERNER BOGOSIAN

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ABSTRACT

The resurgence of proselytization in the last half of the twentieth century has prompted intense debate within and among the major movements of modern Judaism. In some cases the positions taken by the various parties to the debate, although based on the same legal and homiletical literature, are diametrically opposed. The classical literature of the Jewish tradition does contain both positive and negative statements about *gerim*.

This thesis explores the nature of this ambiguity as it has unfolded in the halakhic literature in the form of both homiletic statements and practical legal decisions, and examines the extent to which modern attitudes and practices in the major movements within modern Judaism in regard to proselytes are informed or determined by the seeming ambivalence of the traditional literature.

The conclusions of this thesis are that the efforts of scholars over the centuries to reconcile the apparent self contradictions in the Talmud in regard to proselytes have not yielded a resolution of the conflict, but rather a range of recorded opinions. These have been available to later decisors who have drawn upon them as legal sources to support their decisions. Choice of support texts seems to

have been shaped primarily by environmental forces. When the Jews have felt secure and certain of their identity, there has been a tendency to openness. When the community felt threatened, physically or spiritually, the converse has been true. Thus, the variations that seem to indicate ambivalence when this literature is viewed as legal source material, divorced from the time and circumstances of its composition, actually reflect response to the varied environments in which the Jews have lived.

The same forces continue to operate in the Modern Period. The contemporary debate about proselytes is shaped by the community's definition of itself, and by its perception of safety or challenge in its environment.

To George, Gregory, and Paul

INTRODUCTION

During the second half of the twentieth century the Jewish community has witnessed a resurgence of conversion to Judaism. In 1983, the sociologist Egon Mayer estimated that at that time at least ten thousand converts were entering the American Jewish community each year.[1] There is evidence that the number of converts has continued to grow.[2] All studies confirm that this increase in the rate of conversion is directly related to the surging intermarriage rate. Both have become the focus of widespread debate in the community. This discussion has generated tensions both between and within the liberal and traditional movements of Judaism. Concern has focused on two questions: what constitutes a valid conversion, and whether it is beneficial for the community to admit converts for the sake of marriage. The official statements of all parties to the debate have drawn on the traditional literature to buttress a variety of

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1 Egon Mayer,"Jews By Choice: Their Impact on the Contemporary Jewish Community," Proceedings of the Rabbinical Assembly of America, vol. 45, 1983, 57-70.

2 For a more up to date survey of statistical studies of intermarriage and conversion see the discussion in chapter one in Jews By Choice: A Study of Converts to Reform and Conservative Judaism (Hoboken: Ktav Publishing House, 1991).

responses to these questions. These positions are frequently mutually exclusive. Indeed the tradition does offer evidence of both positive and negative attitudes towards the acceptance of outsiders into the community.

In the Bible we find imperatives to the effect that we are to love those who come to dwell among us[3] and that we may not oppress them.[4] On the other hand, in the Talmud there are statements that directly contradict the sentiments expressed in the Biblical text.[5] This paradoxical attitude is epitomized in the tradition that prospective converts are to be pushed away with one hand and drawn near with the other.[6]

It is the goal of this thesis to explore the nature of this ambiguity as it has unfolded in the halakhic (legal) literature in the form of both homiletic statements and practical legal decisions, and to examine the extent to which modern attitudes and practices in the major movements within modern Judaism in regard to proselytes are informed or determined by the seeming ambivalence of the traditional literature.

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3 Deuteronomy 10.19.

4 Leviticus 19.33-34.

5 See for example Yevamot 47b, 109b, Kiddushin 70b, and Niddah 13b.

6 Ruth Rabbah 1.1.

CHAPTER ONE

THE BIBLICAL PERIOD[1]

Since all later halakhic and aggadic statements about converts are explicitly or implicitly grounded in the Biblical text we will begin our examination of the unfolding of the Jewish attitude towards *gerim* with a brief overview of the evidence of the Bible. We will examine the contributions of philology and historiography, as well as the contents of the text.

The Meaning of the Word Ger

Ger, in contemporary Jewish usage, is most often translated by the English word convert. This is not really an accurate rendering of the Hebrew term, however. The word convert is derived from a Latin verb having the meaning to turn around or to transform.[2] Thus, the English term convert is closest in meaning to the Hebrew root *shuv* which means turning. In Hebrew this root is used in relation to

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1 Since this study will survey the unfolding of attitudes towards proselytes in Jewish legal literature, it will proceed chronologically according to the traditional periodization of that literature.

2 The American Heritage Dictionary of the English Language notes that the noun convert is derived from the Latin *com* (intensive) + *vertere*, to turn.

repentance, that is to say, *t'shuva*.

This is an accurate usage in reference to the process of becoming a Christian, the first step of which is repentance[3]. It is not a correct description of what happens when someone becomes a Jew. In order to understand the meaning of the word *ger* we must examine the context of its earliest use in the Biblical text.

The word *ger* is based on a very ancient root that is attested in cognate languages. It is derived from the root *gur*, to sojourn, to dwell for a time, to dwell as a newcomer.[4] There is a similar Arabic root which refers to "one who has come to live with an alien people where he lacks the protection of his own kin and so puts himself under the protection of a particular clan or chieftain of that people."[5] In Phoenician the word meant "client" in the sense that one might become the client of a god and so put himself under divine protection.[6] These two meanings are

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3 See Arthur Gordon, The Nature of Conversion (Boston: Beacon Press, 1967) 9. Gordon states that "Christianity seeks to bring the "good news" [that is to say the gospel] to all the world." Before a convert can affirm the good news, he or she must repent. See Mark 1.15 and Acts 2.38.

4 A Hebrew and English Lexicon of the Old Testament, Brown, Driver and Briggs (1951), s.v. "*gur*."

5 Theophile James Meek, "The Translation of *Ger* in the Hexateuch and its Bearing on the Documentary Hypothesis," Journal of Biblical Literature, 49 (1930): 172.

6 William E. Addis in Arthur S. Peake, A Commentary on the Bible (London: T.C. and E.C. Jack Ltd., 1920) quoted in Albert S. Goldstein, "Conversion to Judaism in Biblical Times," in David Max Eichhorn, ed., Conversion to Judaism: A

not incompatible since in the ancient world gods were territorial[7]. Thus, in its earliest uses in the Bible we may understand the word *ger* to mean one who has come to dwell among an alien people.

Of course the meanings of words do not remain static over time, and this is also true of the word *ger*. Theophile Meek has traced the unfolding meanings of the term through the various historical strata of the Hexateuch as defined by the Documentary Hypothesis[8]. In the earliest strata of the text, designated the J and E documents, Meek finds the word used in the sense we have already mentioned, "one who has come to live with an alien people." He proposes that the best translation of this sense of the word is "immigrant",

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History and Analysis (New York: Ktav Publishing House, 1966), 19.

7 Yehezkel Kaufmann, The Religion of Israel, translated and abridged by Moshe Greenberg (New York: Schocken Books, 1972), 8. Kaufmann notes that "...the votaries of YHWH at first recognized the existence of other gods. It is commonly assumed that the religion of YHWH began as henotheism or monolatry, recognizing him as sole legitimate god in Israel, but acknowledging the existence of other national gods."

8 The Documentary Hypothesis theorizes that the Bible is composed of a number of documents, composed at various times during a period of hundreds of years by various individuals or groups of individuals. Scholars differ as to the number and dating of these documents. Many have supported the theory that the Bible is composed of four layers, designated J, E, D, and P in chronological order. For more information see JOhn H. Hayes, "The Historical-Critical Approach to the Old Testament" pp. 115-120 in An Introduction to Old Testament Study (Nashville: Abington Press, 1979).

although this does not express the full significance of the original. The *ger* is the opposite of the native born; he is an alien and so does not enjoy the privileges of full membership in the tribe; but he does have certain privileges, and his status is accordingly one of dependance but not of absolute servitude."[9] In the three passages where the word occurs in the earliest layers of the text it is used only to refer to the Hebrews when they were immigrants in Palestine or in Egypt.[10]

The next level of meaning that Meek discerns is in the context of the slightly later D (Deuteronomic) document. The relationship of the *ger* and the host population is still one of subordination, but here the *gerim*[11] referred to are not the Hebrews, but rather the indigenous population of Palestine conquered by the Hebrews. The term indicates a position of inferiority and dependence and those occupying this category are often classed with others occupying a similar position of dependence, like sons, daughters, widows, orphans, and slaves. Meek suggests that the best translation for this sense of *ger* is "resident alien".[12]

In what is considered the latest strata of the text,

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9 Meek, 172.

10 Ibid., 173. The term is found in Genesis 15.13, Exodus 2.22, and Exodus 18.3.

11 This is the plural form of *ger*.

12 Meek, 173.

designated as the P document, which is associated with the priests and their concerns, Meek discovers a third and final connotation for *ger*. During the final years of accretion of the Biblical text the word acquired the meaning of "proselyte", a new convert to a religion or doctrine.[13] This level of meaning seems to imply a more equal status with the homeborn.

During the Biblical period then, we can trace the development of the meaning of the term *ger* through three levels of meaning. It seems that at different times in the history of the Hebrews the word was used to designate different groups of "outsiders" who had crossed some sort of boundary, and that the power and status of these individuals varied with time and circumstance. In order to understand how time and circumstance might have effected these changes, we need to examine the history of the Biblical Period.

Historical Factors in the Early Development of Gerut

There is very little evidence available outside of the Biblical text for the reconstruction of the history of the Biblical Period. It is therefore unlikely that a definitive history of Israel will ever be written since "sources are inadequate and of uncertain authorship and date...and it is

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13. The American Heritage Dictionary, s.v. "proselyte". This word is derived from the Greek, *proselutos*, "one who comes to a place", stranger, religious convert.

hard to determine the fundamental economic, social and political forces from documents couched almost exclusively in religious terminology and given to interpreting all human experience as manifestations of divine intervention."[14] This has not prevented scholarly speculation on the history of the period, however. For the purposes of this study we will focus on some of the theories about the transition points in the history of the Hebrews that might be related to the shifting status of the *ger* posited by Theophile Meek.

The first decisive event in the history of the Hebrews was, of course, their entry into the land of Canaan. There is disagreement among scholars about how this entry took place. Some theorize that the Hebrews settled the land gradually, incorporating the indigenous conquered peoples. Others posit a preconceived national plan of conquest such that the local people were absorbed, but they became inferior castes.[15]

Both views seem consistent with Meek's first definition of *ger*, as someone dwelling among an alien people, a newcomer. During the period of conquest and settlement many were displaced. "The sources speak continually of mixture

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14 Harry Orlinsky, "Old Testament Studies," in Paul Ramsey, ed., Religion (Englewood Cliffs, N.J., 1965), 82f.

15 See Joseph R. Rosenbloom, Conversion to Judaism: From the Biblical Period to the Present (Cincinnati, Ohio: Hebrew Union College Press, 1978), 3-31 for a brief survey of the views of various scholars about this period.

between Israel and the nations...Foreigners became Israelites by settling in the land and becoming assimilated in the course of time...For generations 'conversion' was conditioned on territorial and cultural assimilation... [Eventually] the rule was that the third generation of those who settled in Israel was permitted to join 'the community of YHWH' and was considered Israelite (Deuteronomy 23.8)."[16]

At that point in Israelite history then, geographic location, acculturation, and the passage of time were the requirements for entry into the community. Absorption took generations. "The early religion of Israel does not know of religious conversion in the later sense of a deliberate, formal act immediately conferring equality with the native born."[17] The identity of early Israel was clear, bound as it was to their land and their God. Likewise the boundary between Israel and other peoples was clear. There was at that time no perceived or actual threat to Israel's long term continuity, survival or self-determination.Accordingly, the community enjoyed sufficient leisure and security to absorb newcomers slowly.

These conditions probably continued throughout the period of consolidation and the later expansionism of the monarchy. But with the advent of large empires that

16 Kaufman, 306.

17 Ibid.

threatened the security of Israel and Judah, a process of change began that had profound effects on the definition and status of gerim.

The first historical marker in this process was the Deuteronomic Reform that took place during the seventh century B.C.E., after the Assyrian conquest and dispersion of the Northern Kingdom of Israel had left the Southern Kingdom, Judah, on its own. The historian Robert Seltzer describes the birth of that movement as follows:

> Judah had survived because Ahaz refrained from defying the Assyrians in the 720's, but his son, Hezekiah (probably reigned 715-687 B.C.E.), participated in a new anti-Assyrian coalition during the early decades of his reign. As part of this attempted assertion of independence, he purged Jerusalem of non-Yahwistic symbols...The religious consolidation of Hezekiah's early reign proved to be the beginning of an effective long-range reform; the "Deuteronomic" movement...that was to become a potent force in the shaping of the Bible and of Judaism. Hezekiah's defiance of Assyria, however, provoked a massive invasion...[18]

During the next few generations, the kings of Judah were docile vassals of the Assyrian empire.

At the end of the seventh century the empire went into decline and it was possible for Judah to assert its political and cultural independence. Seltzer describes those events as follows:

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18 Robert M. Seltzer, Jewish People, Jewish Thought: The Jewish Experience in History, (New York: Macmillan Publishing Co., Inc.,1980), 291.

> Josiah (ruled 640-609) annexed territories that had belonged to the former kingdom of Israel. He also sponsored the most extensive purge yet of Israelite worship: All rites now considered contrary to authentic Yahwist practice were suppressed, including local hill shrines dating from the tribal period... The system of Israelite sacrifices was centralized at the Jerusalem Temple. Around 622 B.C.E. this reform program was climaxed and justified by the publication of a lawbook, the "Torah of Moses" (see 2 Kings 22.8, 23.25), which is considered by modern biblical scholars to be the core of the biblical book of Deuteronomy.[19]

This reassertion and clarification of identity and ritual changed the nature of both the boundaries and the requirements for entry into the community. The boundary was no longer primarily a geographic one. Cultural and religious assimilation became more important but more difficult after the centralization of worship in Jerusalem. It was no longer possible to participate in sacrifices at a local shrine, while travel to Jerusalem involved great trouble and expense. And at some point circumcision became a requirement for those who wanted to participate fully in the Pascal sacrifice.

Under the threat of external domination and dilution of its identity and religion, Israel began to tighten its boundaries. This created a class of resident aliens whose status depended on their level of participation in the cult. Events of the next century and a half continued the tendency

19 Ibid., 31.

towards clearer religious self-definition and consequently towards more demanding requirements of those who wanted to enter the community of Israel.

Then, in 586 Judah was conquered by the Babylonians. Within a year the city of Jerusalem and the Temple were destroyed and the majority of the population was exiled to Babylonia. In 539 Cyrus, the king of Persia, defeated the Babylonians and abolished their state. The following year he gave permission to the Judean exiles to return to Jerusalem and to reconstruct their Temple.

The next turning point in the evolution of the status of *gerim* occurred during that period of restoration. It came about as a result of the reforms initiated by Ezra (see Ezra 9-10 and Nehemiah 8-10). He tried to force the Judahites to divorce their foreign wives and forbade participation by nearby peoples in the worship of Israel's God. Richard Seltzer assesses the impact of Ezra's program on the process of conversion as follows:

> The rejection of nearby peoples who wanted to worship YHVH at the Temple and Ezra's efforts to force the Judahites to divorce their foreign wives were symptomatic of a certain phase in the transformation of ancient Judaism. Earlier, in the pre-exilic period, assimilation of gentiles into Israel probably took place naturally and on an individual basis. The book of Ruth, set in the time of the judges, depicts its heroine as becoming an Israelite merely by declaring [her intention] to her mother-in-law Naomi... Deuteronomic reform... made ad hoc conversion difficult, if not impossible, especially for large numbers, and the post-exilic priesthood placed considerable emphasis on genealogical purity. Later in

> the Hellenistic era formal conversion - even forced conversion - brought many thousands of gentiles into the Jewish people. But the religious atmosphere of the period of restoration militated against both the earlier absorption of non-Israelites and the later proselytism."[20]

This was a watershed period for both the people and the religion of Israel.

> The most decisive act undertaken by Ezra was an assembly in Jerusalem where the "Book of the Law of Moses which YHVH had given to Israel" was read and explained to the people...Many modern historians feel that it was at this moment that the Torah book...became the unchallenged norm of Israel's religion..."[21]

After Ezra's reforms the people of Israel were no longer defined primarily by their ties to the land. The various occupations and the exile had exposed the limitations of that self-definition. Instead, Israel had become a ritually segregated group.[22] Outsiders could no longer join informally. The term *ger* had new content. The ties of the *ger* were no longer to the cult and the state. Israelite identity had become dependant on religion.[23] The *ger* had become the proselyte. Allegiance to the God of

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20 Seltzer, 129f.

21 Ibid., 130.

22 Max Weber, Ancient Judaism (Glencoe, Ill., 1952), 336, 362.

23 Rosenbloom, 20.

Israel, rather than place of residence, was the crux of Israelite identity. "The distinguishing mark of a Jew would not be political nationality, nor primarily ethnic background, nor even regular practice of the Temple cult (impossible for Jews in the Diaspora), but adherence to the law of Moses..."[24] Along with the freeing of Israelite identity from the land came the dawn of the concept of the God of Israel as a universal God, tied to no one land or people. The vision of a time when all peoples will worship the God of Israel first finds expression in the writings of the prophets of this period.

At this point in Israel's history, with the establishment of Torah as fundamental, the foundation was laid for all later rabbinic elaboration of the details of the nature of *gerut*, and for the expression of all official attitudes towards *gerim* since all rabbinic statements must find their ultimate warrant in Scripture.

In the last few centuries of the period there was one further landmark event with implications for the attitude of the Jews towards proselytes. In 330 B.C.E. Alexander's forces became dominant in the area. Under his influence, that of his successors, and that of the Romans who eventually followed him, ancient Palestine became cosmopolitan. The Jews found themselves in a world in which

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24. John A. Bright, A History of Israel (Philadelphia: Westminster Press, 1981), 390.

religion could be determined by an act of will, rather than solely by a fact of geography or birth. In that atmosphere, the rabbis were challenged to clarify the boundaries of Judaism on the basis of what they found in the Biblical text.

The Testimony of the Biblical Text

There is nothing in the Bible that tells us how *gerim* are to be received into the community. The text also makes no explicit statement about the desirability of proselytes and their impact on the community. Based on what is implicit in the text however, there is much that we can infer.

First we must note that the text does not begin with the story of the first Hebrew, but with an account of the creation of all of humankind. What follows must in some way concern itself with all of humanity, not just with one group. We must also consider the implications of the origins of the Hebrews. The first Hebrew was a *ger* in every sense of the word. Abraham left his native country to settle among strangers. Since he embraced a new religion he was also a proselyte. Thus Israel is a group made up, from its very origin, of proselytes. At least one scholar has found support for this idea in the etymology of the word "Hebrew", which he says is not a proper noun designating a specific people but rather a widely used general Semitic

term signifying a resident alien or *ger*.[25]

The narrative portions of the text seem to take it for granted that there will always be individuals who enter the community from other nations. There are many accounts of non-Israelites who have entered the community of Israel in the past. The Biblical accounts of the future, as related by the prophets reflect a similar assumption. The prophet Jeremiah informs us that:

> At that time, they shall call Jerusalem "Throne of the Lord," and all nations shall assemble there, in the name of the Lord, at Jerusalem. They shall no longer follow the willfulness of their evil hearts[26].

The prophet assumes that eventually all who are outside of Israel will become *gerim*, and that this is a desirable outcome. In the writings of Deutero-Isaiah we find:

> Thus said the Lord:
> Observe what is right and do what is just...
> Let not the foreigner say,
> Who has attached himself to the Lord,
> "The Lord will keep me apart from His People"...
> As for the foreigners
> Who attach themselves to the Lord,
> To minister to Him,
> And to love the name of the Lord,
> To be His servants -

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25 Julius Lewy, "Origin and Signification of the Biblical Term 'Hebrew'," Hebrew Union College Annual (1957): 1-13.

26 Jeremiah 3.17. JPS (All biblical citations will be taken from the 1985 translation of the Jewish Publication Society unless otherwise specified).

All who keep the sabbath and do not profane it,
And who hold fast to My covenant -
I will bring them to My sacred mount
And let them rejoice in My house of prayer.
Their burnt offerings and sacrifices
Shall be welcome on My altar;
For My House shall be called
A house of prayer for all peoples.
Thus declares the Lord God,
Who gathers the dispersed of Israel;
"I will gather still more to those already gathered."[27]

Isaiah does not merely affirm that others will join Israel. He states plainly that it is God's will that this should be so. And these foreigners will not only be gathered to Israel, they will be the equal of Israel. Their sacrifices will be acceptable on God's altar. This statement is not only descriptive of an ideal future, it also implies a prescription for the reception and treatment of such foreigners.

The prophet Ezekiel is even more explicit:

Therefore I will make you the mockery of the nations and the scorn of all the lands... Every one of the princes of Israel in your midst used his strength for the shedding of blood. Fathers and mothers have been humiliated within you; *gerim* have been cheated in your midst; orphans and widows have been wronged within you. You have despised My holy things and profaned My Sabbaths.[28]

Proselytes are desirable to God, and their mistreatment

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27 Isaiah 56.1-8.

28 Ezekiel 22.4, 6-8

is an offense against God. Elsewhere Ezekiel is explicitly prescriptive:

> This land you shall divide for yourselves among the tribes of Israel. You shall allot it as a heritage for yourselves and for the *gerim* who reside among you... You shall treat them as Israelite citizens; they shall receive allotments along with you among the tribes of Israel. You shall give the stranger an allotment within the tribe where he resides - declares the Lord God.[29]

Thus proselytes are not only to be equal to Israelites in their participation in the religion, they are also to be equal inheritors of the major material asset of the people of Israel, the land.

The legal portions of the Torah, with very few exceptions, are consistent with the attitude toward *gerim* expressed in the narrative accounts of Israel's past and the prophetic visions of its future. The law is applicable to all times, and so can be said to refer to Israel's present. The law is the connective tissue between the implications Israel can draw from its past and the ideals posited for its future. In the book of Deuteronomy it is stated explicitly that the law applies to *gerim* as well as to the Hebrews:

> You stand this day, all of you, before the Lord your God - your tribal heads, your elders and your officials, all the men of Israel, your children, your wives, even the *ger* within your camp, from woodchopper

29 Ezekiel 47.21-23

> to the waterdrawer - to enter into the covenant of the Lord your God, which the Lord your God is concluding with you this day, with its sanctions; to the end that He may establish you this day as His people and be your God, as He promised you and as He swore to your fathers, Abraham, Isaac, and Jacob. I make this covenant, with its sanctions, not with you alone, but both with those who are standing here with us this day before the Lord our God and with those who are not with us here this day.[30]

The tradition understands the final verse to imply that the covenant, and thus the force of its law, applies to all the descendants of the Hebrews who stood at Sinai, as well as to all future *gerim*. Thus, all of the content of Mosaic law is binding on proselytes. In addition, there are many specific provisions in the law that concern the treatment of proselytes. For example:

> There shall be one law for the citizen and for the *ger* who dwells among you.[31]

> The *ger* who resides with you shall be to you as one of your citizens; you shall love him as yourself, for you were strangers in the land of Egypt: I the Lord am your God.[32]

> When a *ger* resides with you in your land, you shall not wrong him.[33]

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30 Deuteronomy 29.9-13

31 Exodus 12.49, cf. Leviticus 24.22, Numbers 9.14, 15.15, 16.29, Deuteronomy 1.16.

32 Leviticus 19.34.

33 Leviticus 19.33.

Although proselytes were not included in the category of Israelites, they not only were bound by all the obligations of a native born citizen, but also were entitled to all of the rights and remedies accruing to a citizen. The evidence of the text, then, presents a very positive picture of the attitude of the tradition in regard to the entry of outsiders into the community of Israel.

The only potentially negative note in the whole Bible in regard to proselytes and proselytism is the story of Ezra's rejection of nearby peoples' participation in the Temple cult and his rejection of foreign wives. There is no suggestion in that text that proselytism was an option. This stance occurs nowhere else in the Bible and so cannot be said to represent the general attitude of the text towards *gerim*.

Conclusions

On the basis of our examination of the shifting meanings of the word *ger* in the biblical text, and our brief review of the history of the Biblical Period, we can infer that the way outsiders entered the Israelite community changed over time. The content of that change seems to have been directly related to the nature of the boundary between the community and outsiders. That boundary, in turn, seems to have been defined by the state of the community's relationship with outsiders, and its perception of its own

identity and goals. Both proximate goals such as Ezra's when he tried to avoid religious syncretism in the post-exilic community, and ultimate goals as reflected in prophetic visions of Israel's future are salient.

Thus, when Israel was a loose confederation of tribes whose primary identification was with land, geography was the determining factor for *gerut*. If one lived in the land long enough, one became a member of the community. Later, when conquest and exile taught the community the ephemeral nature of geographic boundaries, it was religious identity that defined the community, and it was this boundary that the *ger* had to cross to enter the community. When Israel was secure within whatever boundaries it defined for itself, it was relatively easy for outsiders to enter. When there was a threat to the continuity or the integrity of Israel's identity, barriers were erected against newcomers.

The recorded statements of the Bible about *gerim* express an ideal. The presence of many warnings against ill treatment of proselytes suggests that the reality of newcomer's lives during the Biblical period continued to be characterized to some extent by the low status and dependency that had been the lot of this group early in the Biblical era. This tension between the ideals of the Biblical text and the reality of daily life was inherited by the Sages of the Talmudic Era as they struggled to discover the meaning of the text.

CHAPTER TWO

THE TALMUDIC PERIOD

The leaders of the Jewish people during the Talmudic Period[1] inherited a predominantly positive attitude towards *gerim*, and what seems, for lack of direct testimony to the contrary, to have been a passive stance in regard to *gerut*. The prescription of the Bible for *gerim* can be epitomized by two citations:

> For the Lord your God is God of gods and Lord of lords, the great, the mighty, and the terrible God, who is not partial and takes no bribe. He... loves the *ger*, giving him food and clothing. Love the *ger*, therefore; for you were *gerim* in the land of Egypt.[2]

> When a *ger* resides with you in your land, you shall not wrong him. The *ger* who resides with you shall be to you as one of your citizens; you shall love him as yourself, for you were *gerim* in the land of Egypt: I am the Lord.[3]

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1 For the purposes this study the years between the end of Hasmonean rule and the closure of the Babylonian Talmud will be called the Talmudic Period.

2 Deuteronomy 10.17-19 (Revised Standard Version) The word *ger* is left untranslated for emphasis.

3 Leviticus 19.33-34.

These passages express the Biblical ideal. The two fundamental imperatives in regard to *gerim* are *v'ahavtem*, you shall love them, and *lo tonu oto*, do not oppress him. It is implied that *gerim* are to be the equals of citizens, that is to say, the native born, in all matters.

The requirements for *gerut*, however, are not explicitly stated. Based on the scant evidence of the Biblical text, we know only that for men the conditions were length of residence and circumcision. Women seem to have become Jews simply by marrying Jewish men. There is no evidence that Jews actively sought proselytes. This heritage was the source for those who led the community during the Talmudic Period.

Historical Factors in the Talmudic Period

At the beginning of the seven hundred years between the first century B.C.E. and the sixth century C.E., the Israelites were a land-bound nation under foreign domination with a diaspora community in Babylonia. By the end of that period, they had been transformed into the Jewish people, living in dispersion in almost every area of the known

world.[4] Obviously the nature of the relationships between the Jews and their neighbors changed radically, and there was a corresponding shift in self-concept and consequently, in the content of the Jewish vision of the ideal future. The nature of the boundary between the Jews and outsiders and the requirements for *gerut* were also transformed by the events of the Talmudic Period.

It was not political events per se, but rather their cultural and religious concomitants that were the proximate causes of these changes. The first important influence that should be noted is that of the Hellenistic culture that permeated the area of ancient Palestine in the closing years of the Second Commonwealth. This cultural environment was tolerant, for the most part, of a broad range of sects and cults. It was easy for individuals to change their group identification, or to belong to more than one group. In this context, the traffic between groups must have increased. Indeed, there is some evidence that the remarkable growth in the Jewish population during the Second Commonwealth can be partially explained by proselytism. One historian notes that:

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[4] For a full discussion of the history of this period see Robert M. Seltzer, Jewish People, Jewish Thought:The Jewish Experience in History (New York: Macmillan Publishing Co., Inc. 1980) 171-310, or M. Stern, "The Period of the Second Temple," 185-303, and S. Safrai, "The Era of the Mishnah and the Talmud (70-640)" 307-382 in H.H. Ben Sasson,ed., A History of the Jewish People (Cambridge, Massachusetts: Harvard University Press, 1976).

> This phenomenon existed throughout the days of the Second Commonwealth, and reached its peak towards the end of that period. Historians are divided in their view of this development. There are those who believe that the Jews deliberately set out to preach their religion to the pagans. Others deny the existence of any Jewish proselytizing efforts, and ascribe the trend towards conversion to direct contacts between Jews and non-Jews. The latter, they say, were attracted by the religious and moral example they encountered in dealing with Jews.
>
> There is probably a measure of truth in both these views. But the fact itself - that there was a great wave of conversion to Judaism throughout the Diaspora, Egypt included, during the last pre-Christian century and the first years of the present era - is amply attested.[5]

Thus we know that large numbers did join the Jewish people, but neither the official, nor the popular attitude towards these individuals can be determined with any certainty. Given the ease with which people seem to have entered Judaism, it is likely that it was equally easy to return to the pagan fold.

Another significant factor in the last years of the Commonwealth and in the century immediately after the destruction of the Temple in 70 C.E. was the proliferation of numerous Jewish sects, including what was to become Christianity. Bernard Bamberger, in his study of proselytism in the Talmudic Period, comments as follows on

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[5] Gedaliah Alon, The Jews in Their Land in the Talmudic Age (70-640 C.E.) vol. 1, translated and edited by Gerson Levi (Jerusalem: Magnes Press, The Hebrew University, 1984).

the effect of the rise of Christianity on *gerut*:

> First, as regards semi-converts. In the earlier period there was a regular class of *metuentes*, more or less permanently attached to the synagogue but not formal converts to Judaism; yet we rarely meet in Talmudic sources with "fearers of Heaven." Such individuals must have been objects of suspicion during troublous times; they might be informers and spies; they might be heretics seeking to undermine Judaism. The demand that they be circumcised was a stern, but dependable test of sincerity.[6]

What was once a process that took many years to accomplish came to be defined by a specific ritual. Bamberger elaborates further:

> We need not doubt... that the rise of Christianity... led the Rabbis to stress the halakic requirements of Judaism and the Oral Law more explicitly. Monotheism and ethical conduct were no longer unique characteristics of Judaism; and Pauline Christianity carried on a bitter polemic against legalism. Under such conditions it was dangerous to admit as converts monotheists whose attitude toward the Law was indefinite. [Some]...Judaeo-Christians became informers.
>
> [The Rabbis]... wisely refused to admit into the Jewish fold any who could not give unreserved adherence to the Torah.[7]

This does not imply that the Rabbis were less friendly to converts. They were simply more selective.

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6 Bernard J. Bamberger, Proselytism in the Talmudic Period (New York: Ktav Publishing House, Inc., 1939), 289.

7 Ibid., 310.

Persecution was also a salient factor. There were intermittent episodes of persecution during this period. The Macabbean revolt was accompanied by religious persecution. Later, under Roman rule there were various restrictions on religious freedom, some of which seem to have been directed explicitly against Jewish proselytism. In other instances the effect of Roman Law was incidentally negative for Judaism and for proselytes.

In the years after the fall of the Temple and the suppression of the first revolt against Rome there were evidently a large number of conversions to Judaism throughout the Roman Empire. The official response focused on the collection of a special Jewish Tax. According to the second century Roman historian Suetonius:

> In the days of Domitian [ruled 81-96 C.E.] the collection of the Jewish tax...was carried out with especial severity. Informers were encouraged to come to the *ficus* and inform on individuals who practiced Judaism secretly, and also on those who sought to evade the payment of the tax levied on their nation, by concealing their Jewish origin. I myself remember a scene from my youth, when the Procurator, surrounded by a host of his assistants, subjected an old man of about ninety to a physical examination, in order to determine whether or not he was circumcised.[8]

The modern historian Gedaliah Alon comments that the collection of taxes had nothing to do with any government

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[8] Suetonius *Vita Domitiani*, 12 (Reinach, p.333) quoted in Alon, 1233

deficit. Rather it seem that there was a drive against converts to Judaism:

> ...We cannot be absolutely sure that Domitian's persecutions were aimed specifically at the Jews. It seems more likely that he was trying to stem the wave of conversions to Judaism that swept through Rome in his time, and continued afterwards.[9]

After the Jews revolted two more times within sixty-five years after the first uprising,[10] the Roman Emperor Hadrian initiated oppressive legislation that had profound and lasting effects on the process of *gerut* and on attitudes towards proselytes. The warnings to prospective proselytes found in Yevamot 47a and tractate Gerim probably reflect conditions at that time:

> An applicant for conversion should be addressed thus: Why do you want to become a Jew? Don't you know that these days Jews are persecuted and downtrodden and driven form pillar to post and made the victims of suffering...?[11]

The version found in tractate Gerim includes the phrase *v'einan nohagin be'farhessia*, that they (the Jews) cannot

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9 Ibid. 123f

10 The Jews revolted in Egypt, Cyrene, and Cyprus in the years 114-117 C.E. and in Judea under Simon bar Kokhba in the years 132-135 C.E.

11 Yevamot 47a quoted and translated in Alon, 653.

practice (their religion) openly.[12]

An example of the Hadrianic legislation that made it impossible to proselytize openly was the law forbidding Jews to circumcise non-Jews, including any slaves that they owned. Gedaliah Alon notes that:

> Although the original thrust of the edict was not directed against Judaism, its enforcement after the Bar Kokhba revolt focused on preventing Jewish missionary activity. The net effect was to stem the flow of proselytes into the Jewish fold. The law remained in force throughout the Antonine and Severan periods, and we have no evidence that it was ever rescinded; so that when Constantine, the first Christian emperor, forbade the conversion to Judaism of Jewish-owned slaves, he was simply confirming a prohibition of long standing... the law turned out to be a severe blow to the Jewish religion, even though it was never completely effective.[13]

The self-imposed discipline of increased selectivity was reinforced by environmental forces that made it dangerous and illegal to accept proselytes. Within fifteen years or so most of the persecutions abated. The Jewish leadership probably recognized that there was no guarantee that similar disruptions would not occur in the future. We can speculate that this is why the process that eventually

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12 Tractate Gerim in Seven Minor Treatises, translated and edited by Michael Higger (New York: Bloch Publishing Company, 1930) 47 quoted in Alon, n. 50, 654. In his note Alon comments that Higger translates this phrase as "they do not assume an air of ostentation...", but that this seems inconsistent with the spirit of the context.

13 Alon, Vol. 2, 659.

produced a written version of the Oral Law began a few years later. The tradition was more likely to survive upheaval and the loss of leading teachers if its contents were preserved in writing as well as in the memories of the rabbis.

The redaction[14] of the Mishnah[15] under the auspices of Judah HaNasi, the patriarch of the Sanhedrin at that time, is generally believed to have been completed in 200 C.E. In that collection of traditions there is much that pertains to *gerim* that is not explicit in the Bible. The general tendency, which continued in the later literature, was that more of the tradition was committed to writing after times of upheaval and threat to the community. With each addition, the law in regard to proselytes was expanded and

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14 It is not clear whether R. Judah HaNasi "wrote" or simply "ordered" the Mishnah. See Yevamot 64b where Rabbi Judah is said to have "ordered" the Mishnah, and *Igeret Rav Sherira Gaon*, which says several times that Rabbi Judah "wrote" the Mishnah.

15 Mendell Lewittes, Principles and Development of Jewish Law (New York: Bloch Publishing Company, 1987) 77f describes the formation of the Mishnah as follows:

> The bulk of Jewish Law, transmitted mainly by the disciples of Rabbi Akiva, had become so voluminous and disorganized, and the conflicting opinions so numerous, that Jewish life could easily become fragmented... [Rabbi Judah HaNasi collected] the numerous opinions handed down from preceding generations and arrange[d] them in proper order, preserving them for future generations... [In his commentary to Bava Metzia 33b Rashi says that] "those opinions that R. Judah saw fit to accept were repeated without stating the name of the authorities so that they would be established as the Halakhah." [illegible]ah...

clarified. The Mishnah includes many laws that deal with ritual observance of proselytes and how such ritual is effected at the time of their change in status and thereafter.[16] Like the Bible, however, it still does not specify the exact requirements for becoming a Jew, although traditions from that period that do so specify are recorded elsewhere.[17]

For most of the remaining four hundred years of the period under discussion there were two centers of authority in the Jewish world, the academies in Palestine and Babylonia, the former under Roman rule, the latter a part of the Persian Empire. Both of these centers flourished during the third century, producing the commentary on the Mishnah that later was redacted in the two Talmuds.[18]

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16 The Index to Philip Blackman, ed. and trans., *Mishnayot* (Gateshead: Judaica Press, Ltd., 1990) lists the following references to proselytes: Pe'ah 4.6, Demai 6.10, Shevi'it 10.9, Ma'aser Sheni 5.14, Halah 3.6, Bikurin 1.4,5, Pesahim 8.8, Shekalim 1.3,6, 7.6, Yebamot 6.5, 11.2,3, Ketubot 3.1,2, 4.3, Gittin 2.6, Kiddushin 3.12, 4.4,7, Baba Kama 4.7, 5.4, 9.11, Bava Metzia 4.10, Makot 2.3, Eduyot 5.2,6, Horayot 1.4, 3.8, Hulin 10.4, Bekhorot 8.1, Keritot 2.1, Negaim 3.1, Nidah 7.3, Zavim 2.1,3, Yadaim 4.4.

17 Traditions that date from the same period as those recorded in the Mishnah are cited in the Talmud. See, for example Yevamot 47a-b.

18 See Encyclopedia Judaica, vol 15, col. 750, s.v. "Talmud:"

> [Talmud] is the body of teaching which comprises the commentary and discussions of the *amoraim* [later scholars, ca. 200-500C.E.] on the Mishnah of Rabbi Judah HaNasi... The study of the Mishnah was actively pursued in two centers, Eretz Israel and Babylon, and as a result two distinct Talmuds emerged. That of

Early in the fourth century, the Romans imposed some restrictions on Jewish legal rights. As in the past, constriction of freedoms led to the redaction of a corpus of the oral tradition. The result, in this instance, was the Palestinian Talmud, which is thought to have been completed some time in the middle of the fourth century.

Events in Babylonia followed a similar line of development. The academy there was able to function essentially undisturbed until the middle of the fifth century when the Babylonian community became the subject to persecution. Predictably, the closing of the text of the Babylonian Talmud followed not long afterwards.

It is in the Talmuds that the requirements for *gerut* are finally explicitly delineated. These texts, as well as other literature of the period, contain some statements that are suggestive in regard to official and popular attitudes towards *gerim*.

During the Tannaitic-Amoraic Period the old boundary between Israelites and outsiders, defined by land and participation in the Temple cult, became meaningless with the loss of sovereignty in the land, and then later, of the Temple. By the end of the period, the salient boundary was allegiance to the Covenant as defined in the Talmuds. They

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Eretz Israel is inaccurately called the Jerusalem Talmud; the other is called the Babylonian Talmud.

had become the authoritative source of law and guidance in regard to all matters in Jewish life. It was no longer continuity of sovereignty that assured the survival of Jews and Judaism. It was rather, continuity of the legal literature, that would assure the future. Accordingly, the requirements for proselyting and the attitude of the community, as they unfolded in the centuries that followed, were based on the utterances of the Talmuds. Thus, our examination of the testimony of the literature of the period must focus on some of the relevant Talmudic texts.

The Evidence of the Talmud

The Talmuds contain the collected commentary of the rabbis on many of the tractates of the Mishnah. This commentary, known as *gemara*, or learning, records the positions of various authorities on the subject matter of the Mishnah and parallel Tannaitic literature, as well as sundry other matters. There are two kinds of data in the Gemara. The halakhic, or legal, information in the text sometimes provides a definite ruling about the law in regard to the matter under discussion. More frequently a range of opinion is recorded without an explicit finding. As we explained earlier, all of these opinions are derived from the Biblical text or from the received tradition of Oral Torah. Together, the explicit and equivocal legal material

in the Talmuds comprise the legal source for all later legal decisors.

The Talmuds also contain *aggadic*, or homiletic material. This material is more subjective and personalized than the halakhic material. One scholar of the period explains the relative authority of the legal and aggadic literature as follows:

> The halakhic material is of primary importance because it represents the official attitude... Frequently aggadic opinions represent the view of an individual, which his contemporaries did not share...But the halakhic [tradition is] impersonal: generally speaking, [it] express[es] the view point of Judaism, not of Rabbi so-and-so. The Halakhah avoids the extremes of the aggadah... it is the more reliable source both for Rabbinic attitudes and for actual conditions of life.
>
> To this there must be one qualification. Not all the law was practiced...Obviously, there may have been a wide gap between the opinions of the teachers and the actual practice of the community.[19]

The Halakhah then, reflects the legal ideal for the community, if not always actual practice. Aggadah records the opinions of individuals. We can make only limited inferences about actual conditions of life for *gerim in the Talmudic Period* on the basis of the these sources. However, the statements in the Talmuds are the foundation for the range of official attitudes that can be traced in the literature produced by later generations.

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19 Bernard J. Bamberger, Proselytism in the Talmudic Period, (New York: Ktav Publishing House, Inc., 1939) 10f.

The bulk of the material in the Talmuds, like that in the Mishnah on which it is based, is simply descriptive of law relevant to the unique status of the proselyte. The text is matter-of-fact about the existence of proselytes and for the most part expresses no particular attitude toward them.[20] However, there are some statements that can be construed as explicitly positive or negative.

Negative Statements

Four seemingly pejorative remarks about *gerim* are frequently cited by those who would find support for a negative attitude towards proselytes among the authorities in the Talmud. These are the only four passages in the entire literature which are unfavorable without any reservation. Two of them are Tannaitic and two of them date from the third or fourth century. It is not clear that any of them actually express an adverse opinion about *gerim* or *gerut*.

In Niddah 13b we find the assertion that "Proselytes and those who play with children delay [the coming of the] Messiah." Certainly, this passage is obscure. The

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20 Ibid., 141. In his study, Bamberger surveyed all of the Talmudic literature that mentions proselytes. See also William G. Braude, Jewish Proselyting in the First Five Centuries of the Common Era: The Age of the Tannaim and Amoraim (Providence, R.I.: Brown University, 1940).

traditional interpretation of "those who play with children" is that those who do not direct their reproductive energies in normal channels delay the Messiah because the Messiah cannot come until all souls have been born.[21] What this might mean in reference to proselytes is not certain. A modern commentator has speculated that perhaps proselytes also are accounted among souls to be born and their delay in being born as Jews slows the arrival of the deliverer.[22] If there is any truth in this speculation, this assertion cannot be considered unfavorable to proselytes except as a mild reproof because they did become Jews sooner.

Another frequently cited passage is the discussion among Tannaim in Yebamot 48b about the question "why are proselytes in this time afflicted?" Four opinions are advanced:

1. Because before they became proselytes they did not observe the seven Noahide commandments.[23]

2. Because they are not as knowledgeable about the commandments of the Torah as a born Jew.

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21 Yebamot 62a.

22 Braude, 43f.

23 The Noahide commandments are those laws which the rabbis considered binding on all of humanity. They derived them from the covenant in Genesis 9. See Sanhedrin 56a-b and Yoma 67b. The seven are avoidance of idolatry, incest and adultery, bloodshed, profaning the name of God, robbery, cutting off flesh from a living animal, and the establishment of courts of justice.

3. Because they do not become Jews out of love [of God], but out of fear [of divine punishment].

4. Because it takes them too long to decide to convert.

Only the first of these really has the force of a negative criticism of proselytes themselves.[24] The rest are observations about the situation of converts, who come late in life to the knowledge and observance of Judaism. There is no indication here that those who held these opinions had a negative attitude towards *gerut*.

An interpretation of Proverbs 11.15 by Rabbi Isaac[25] that is recorded in Yevamot 109b is often cited as evidence of rabbinic negativity in regard to proselytes. The Proverbs verse reads:

> Great evil will befall one who stands surety for a stranger (*zar*).

Rabbi Isaac observes that the meaning of this verse is that "Evil after evil comes upon those who receive proselytes." From the standpoint of modern criticism we can speculate that such a statement, made in the context of the fourth century, may have referred to evil that the Christian

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24 See, however, the opinion of Rabbi Yose, Sanhedrin 56b. He exempts proselytes from guilt for transgressions that occurred before they became Jews.

25 Probably a fourth century Amora.

authorities of that era would have visited upon any Jew who received a proselyte. If so, nothing unfavorable about proselytes or proselytizing in itself was intended. The Talmud itself, however, understood the statement as negative since it uses a negative statement about proselytes that is found elsewhere in the Talmud to interpret Rabbi Isaac's comment.

That statement is the most negative, and consequently, it the one most frequently cited by those who theorize that the leaders of Talmudic Judaism did not favor proselytizing.[26] The passage reads :"Rabbi Helbo[27] said: Proselytes are as hard on Israel as a sore (sappahat),as it is said (Isaiah 14.1) 'and the stranger (*ger*) shall join himself with them and they shall cleave (*vehispehu*) to the house of Jacob.'"[28] In other words, Rabbi Helbo is translating the word usually rendered "cleave" as "scab", thus reading the Isaiah verse to signify that the stranger who joins with Israel will be a scab on the house of Jacob. One modern scholar suggests that Rabbi Helbo's sole interest in this interpretation was the pun on which he based his

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26 For a review of the opinions of contemporary scholars who address this issue see Bamberger, 5-9.

27 Late third or early fourth century Amora who was born in Babylonia and emigrated to Palestine.

28 Yevamot 47b, Kiddushin 70b, cf. Yevamot 109b, Nidah 13b.

saying.29 Given the tone of the remark, this does not seem a sufficient explanation.

The passage appears four times in the Talmud and there are those who assert that this fact alone lends it weight as evidence of negativity. This is a weak argument. The intent of Rabbi Helbo's remark is not clear. In the Medieval Period commentators provided no less than seven different interpretations of his assertion. Also, the contexts in which his statement appears are not alike.

In two instances, Rabbi Helbo's remark is brought quoted as if it provided support for other assertions that seem unfriendly to proselytes. This is the case in regard to both the comment about proselytes and the Messiah in Nidah 13b, and Rabbi Isaac's statement about receiving proselytes in Yebamot 109b. In both of these instances Rabbi Helbo's comment is cited to affirm the negative import of a statement about proselytes. In neither case is any elaboration offered as to exactly why and how proselytes are problematic. Although the Talmud certainly understands the comment as pejorative, the exact intent of the statement remains obscure.

In the other two places where Rabbi Helbo's remark is cited it seems to have a logical connection with the topic

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29 George Foot Moore, Judaism in the First Centuries of the Christian Era: The Age of the Tannaim (Cambridge, Massachusetts: Harvard University Press, 1970), vol. 1, 347.

under discussion. In Kiddushin 70b it appears in the context of a discussion about the consequences of marriage with an unfit partner. It is asserted that God causes His divine presence to rest upon families of pure birth in Israel only. The text then makes a distinction between proselytes and the native born; God approached the latter, while the former had to approach God. Then Rabbi Helbo's statement appears. There is no explicit statement in the text that connects his assertion to what precedes it, but later commentators make the plausible assumption that the juxtaposition implies that proselytes are damaging to the genealogy of Israel. If this interpretation is valid, then indeed there is a negative attitude expressed towards *gerim* and consequently towards proselytization in this instance.

The logical connection between Rabbi Helbo's statement and its context is strongest in Yebamot 47b where it appears in a description of the procedure to be followed with candidates for *gerut*. If, after the candidate is warned about the tribulations of Israel and the obligations implied by the commandments, he or she wishes to withdraw, then the text says, "Let him withdraw." The reason for this acceptance of the candidate's decision is that "proselytes are as hard on Israel as a sore..." which would seem to imply that Israel is better off without proselytes. Even here, however, we are not told explicitly why this should be so.

Given that Rabbi Helbo lived in Palestine when it was ruled by Christian Rome, it is possible to speculate that in his case, as in that of Rabbi Isaac discussed earlier, the difficulty he had in mind was the response of hostile Christian authorities rather than some intrinsic failing of proselytes themselves. This is somewhat borne out by the fact that neither Rabbi Helbo's teacher, nor his students seem to have had negative attitudes towards proselytes. On the contrary, favorable statements are attributed to them.[30] It seems likely, then, that this statement represents an isolated minority opinion. As such it partakes more of the nature of aggadah than halakhah, and is not legally binding, per se.

However, in spite of their ambiguity, all of the statements we have discussed, in so far as they are contained in the Talmudic text, are available to future decisors as support for legal decisions bearing on proselytes. In the chapters that follow we will examine how these assertions have been employed in the formulation of opinions about *gerim*. We will also trace the use of positive statements, which are far more prevalent in the literature of the Talmudic Period.

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30 For a favorable comment attributed to Rabbi Helbo's teacher Rabbi Samuel ben Nachman see P. Berachot 2.8. 5c top, Canticles Rabba 6.2, and Ecclesiastes Rabba 5.11. For a favorable comment attributed to his student Rabbi Berakiah see Exodus Rabba 19.4.

Positive Statements

We have already mentioned that the bulk of the material in the Talmud pertaining to proselytes is simply descriptive of their unique status and the modifications of law necessary to accommodate their differences from the native population. The very fact that the rabbis devoted energy to the derivation of law to facilitate the life of the proselyte in Israel surely can be construed as positive. The text also attests some explicitly positive views.[31] There is the notice in Pesachim, for example, to the effect that "the Holy One exiled Israel among the nations only in order that proselytes might be added to them, for it is said (Hosea 2.25) 'and I will sow her for Me through the earth.' Does a man sow... unless he hopes to harvest...? 'I will say to them that were not my people: Thou art My people.'[32]

Amazingly the exile, which is most frequently interpreted as punishment for sin, is the pretext here for the ingathering of the peoples of the earth. Surely this is an indication that these teachers[33] considered proselytism

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31 For a more complete survey of favorable comments in the literature of the period see Bamberger, 149-161.

32 Pesachim 87b.

33 This opinion is attributed to Rabbi Elazar and Rabbi Yohanan, two Palestinian Amoraim.

important and valued those who joined Israel. This theme appears in numerous other locations in the literature of the period.[34]

In the Palestinian Talmud there is a parable:

> There was a king who had a son whom he loved very much. What did the king do? He planted a park for him. When the son did the will of his father, [the king] would travel through the whole world, and whatever fine plant he would see in the world, he would set in the middle of the park. But when [his son] angered him, he would cut down all his plants. Just so, whenever Israel does the will of the Holy One, He finds who is righteous among the nations, and brings him and makes him cleave to Israel..."[35]

Again we find that proselytization is part of God's plan for Israel, and that the presence of proselytes is not only not a "sore", but is rather a reward for good behavior. In the aggadic literature of the period there are numerous and, in some cases, very lengthy examples of favorable comments about proselytes some of which go so far as to imply that they are even more beloved to God than born Jews.[36]

Numerous statements in the Talmud are protective of *gerim*. Many warn born Jews about the penalties for

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34 See for example Pesikta Rabbati 35.160a, Sifre Deuteronomy 354, and Canticles Rabba 6.11.

35 P. Berachot 2.8.5c top.

36 See Bamberger, 154f.

humiliating or harming proselytes. In a baraita in Baba Metzia we find the following:

> He who wounds the feelings of a proselyte transgresses three negative injunctions, and he who oppresses him infringes two. Wherein does wronging differ? Because three negative injunctions are stated: Viz. You shall not wrong a *ger*. (Exodus 22.20) And if a *ger* sojourn with you in your land, you shall not wrong him. (Leviticus 19.33) And you shall not therefore wrong each his fellow man. (Leviticus 25.17) A proselyte is included in 'fellow man.' But for 'oppression' also three are written, viz. and you shall not oppress him (Exodus 22.20) Also you shall not oppress a *ger*. (Exodus 23.9) [If you lend money to any of my people that is poor by you,] you shall not be to him as a usurer (which includes a proselyte).[37]

Traditionally "wronging" is defined as verbal abuse, and "oppressing" is construed as referring to money matters. In this example we find that the rabbis' reliance on the attitude of the Biblical text is explicit.

In Haggigah a similar remark is recorded:

> Resh Lakish said: Anyone who wrests the judgment of a proselyte is as if he had wrested the judgment of Him who is on high. For it is said (Malachi 3.5) 'And I will come near to you to judgement... that turn aside the *ger* from his right,' which may be read: u-matti 'and turns Me aside.'[38]

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37 Baba Metzia 59b.

38 Haggigah 5a.

There are also a number of opinions that have been cited as negative, which, if quoted in their entirety, are actually positive. For example:

> Rabbi Hiyya said: Do not trust a proselyte for twenty-four generations, for he retains his leaven (his evil tendencies)...

This much has been quoted as an unfavorable reflection on proselytes. But the passage continues:

> But when he receives the yoke of Heaven upon him out of love and fear and becomes a *ger* for the sake of Heaven, the Holy One will not let him backslide, for it is said (Deuteronomy 10.18) 'and He loves the *ger*.'[39]

Clearly, an important distinction is being made here. Not all *gerim* are equal. Some proselytes backslide, and it is to those individuals that the first part of the passage refers. Sincere proselytes, like the ones alluded to in the second part of the statement, are certainly to be trusted and are under God's protection.

This distinction should be kept in mind in the evaluation of both positive and negative statements in the literature. It may be that some statements refer to sincere proselytes and others to unstable individuals who quickly

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39. This version is from Ruth Zuta 1.12, but see also P. Sanhedrin 2.3.20b and P. Horayot 3.7.48b.

return to their old behavior. Since the term *ger* is used for both, all statements are, to some extent, rendered ambiguous.

Conclusions

During the Talmudic period the Jewish people lost its geographic base, and consequently, its land-related boundaries. In order to guard the integrity and continuity of an identity based on religion, the requirements for entry within those bounds were clarified and made more stringent. In spite of frequent waves of persecution during the period, the literature of the time reflects a predominantly positive attitude towards both proselytes and proselytism.

With the commitment of Oral Torah to writing, the legal sources for future generations were crystallized in a fixed form. Unlike the Biblical text, the Talmud contains what appears, from the viewpoint of modern criticism, to be a range of opinion expressed at various times in diverse places about proselytes. However, if we take the text on its own terms as the word of God, and hence univocal, these various opinions might be construed as reflecting ambivalence. But since it is not possible for God to contradict Himself by holding opposite opinions about the same matter, later generations of commentators were challenged to reconcile this seeming conflict in the literature.

CHAPTER THREE

THE POST-TALMUDIC PERIOD - THE GEONIM AND RISHONIM[1]

The Geonim

During the last half of the first millennium, the Jews were a diaspora people whose communities were scattered from Spain to Persia and from central Europe to the Sahara.[2] Although they no longer had a homeland, they retained a unified identity. All of these outposts continued to view themselves as one people because of their reliance on a central institution for legal rulings and cultural leadership. Authoritative rulings came only from the Sura

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1 The period is called Gaonic after the leaders of the central academies of the era. All of the halakhic literature of that time appears under their names. This period began after the redaction of the Babylonian Talmud and ends with the beginning of the proliferation of a network of yeshivot in the West that superceded the authority of the old central academies. (ca. 600 - ca. 1000 C.E.) The period that follows is named after the heads of those western yeshivot, the Rishonim, or first authorities. Their influence lasted from the eleventh century until the publication of the Shulchan Arukh in the sixteenth century. (1000 - 1567 C.E.).

2 This discussion of the history of the Gaonic Period is based on Seltzer, Robert M., Jewish People, Jewish Thought: The Jewish Experience in History (New York: Macmillan Publishing Co., Inc. 1980) ch. 7. See also Ben Sasson, H.H., "The Middle Ages" in A History of the Jewish People, Ben Sasson H.H., ed. (Cambridge, Massachusetts: Harvard University Press, 1976) 385-461.

and Pumbedita academies, which, for most of the period, were located in Bagdad. The leaders of these academies, the Geonim,[3] were drawn almost entirely from a few prominent Bagdad families. By the eighth century these leaders had ensured the ascendancy of their academies and, consequently, the triumph of the Babylonian halakhah as the foundation for the cohesion and continued unity of later legal development in Medieval Europe.

During this period, the context of the diaspora community was profoundly altered by two great religious expansionist movements. Christianity and Islam, the two daughter religions of Judaism, conquered Europe, North Africa, and Asia Minor. Judaism itself did not take part in this great wave of proselyting. In a study of proselyting in the Gaonic Era, Ben Zion Wacholder speculates as to why this might have been so:

> [Perhaps] because of its political impotence, the inflexibility of its ritual, or its insistence on genuine persuasion, [Judaism] did not participate in that proselyting avalanche. Since it required that the candidate for conversion have an intellectual knowledge of the issues involved and a yearning for the new faith, as described in the Talmud, Judaism was no match for the Gospel and the sword of the Cross and the Crescent. The few who did become Jews left no visible

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3 Gaon means excellency. The title is a shortened form of the Hebrew phrase *rosh yeshivat geon Ya'akov*, "head of the academy which is the pride of Jacob." The last part of the phrase is based on Ps. 47.5.

mark upon Jewish life.[4]

With very few exceptions, proselytes entered the Jewish community as individuals. Few gaonic responsa refer to converts, and the treatment of the question in the *Halakhot Gedolot*, the major gaonic code, contains little from which to draw conclusions.[5] There is one area of exception however. Some evidence in the literature of the period suggests that the institution of slavery was a conduit for the entry of many individuals into the community during the Gaonic Era. The proselyting of slaves was not an innovation. It originated in the Pentateuch. Masters were required to circumcise their slaves[6] and when a slave was set free it is implied that he then had the status of a free Jew[7]. The proselytization of slaves is explicitly described in the Talmud. There is at least one statement in the Talmud to the effect that the acquisition of slaves is holy work, for thereby more men come to recognize the God of

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4 Ben Zion Wacholder, "The Halakah and the Proselyting of Slaves During the Gaonic Era", Historia Judaica (October 1956): vol. 28, pt.2, 89.

5 Ben Zion Wacholder, "Attitudes Towards Proselytizing in the Classical Halakah", Historia Judaica (October 1958): vol. 20, pt. 2, 77.

6 Genesis 17.12-13.

7 Exodus 21.26-7

Israel[8]. Accordingly, we can speculate that some individuals must have entered the community through slavery in the Talmudic Era. In the Gaonic Era, as Wacholder points out, the institution of slavery reached its peak in the Jewish community. As evidence for this assertion he cites some of the many references to problems with proselyted slaves that appear in the responsa literature of the period. Based on the frequency of these concerns in the literature, and the fact that slavery played such an important part in the economic and social life of the era, Wacholder goes so far as to speculate that between the seventh and eleventh century Middle Eastern and North African Jewry doubled as a result of the proselyting of slaves. If even a fraction of that number of slaves were absorbed by the Jewish population at that time one would expect some friction as they and their offspring were integrated into the community.

The evidence of the responsa literature does reflect such tensions. Because of the economic and social circumstances of the times some authorities found it necessary to reinterpret the Talmudic requirement to convert slaves. In the last quarter of the ninth century the Gaon Nashon b. Zadok[9] responded to an inquiry about the

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8 *Yerushalmi, Avodah Zarah* 1.1, cited in Wacholder, "Attitudes Towards Proselyting," 91.

9 A Gaon of the Sura academy who was appointed to office in 871 C.E. For a chronology of the Geonim see Encyclopedia Judaica, s.v. "Gaon."

permissibility of the very profitable practice of purchasing slaves for resale to Gentiles:

> You have asked, "It is customary in our place to buy slaves at low cost since there is no more profitable merchandise. Is it permissible to sell them immediately? For only one of a hundred remains under Jewish jurisdiction; the others are sold at great profit." Since they [the slaves] have not taken upon themselves to observe the [Jewish] laws, it is permissible to sell them to Gentiles. The sages' statement that one is not allowed to sell a slave to Gentiles refers only to those who have obligated themselves to observe the laws, but it is permissible to sell these non-Judaized slaves.[10]

There were also tensions about the conversion of slaves who were purchased to serve in Jewish homes. Another ruling illustrates these concerns:

> There are places [Muslim countries] where Jews are not allowed to own women slaves unless they are Christian, except when unknown [to the authorities] which is dangerous...But the Jews who live in those places are in great need of them. Whoever does not own a woman slave is very much inconvenienced; his wife or his children must carry water on their shoulders, wash clothes, and go to the bakery in the company of heathen, licentious slaves - since there are no other maids available. Are the owners allowed to hold them [the woman slaves] if their movements on the Sabbath and feast days is restricted in such a manner that the slaves could not profane the days of rest, or are all slaves equal [and must be Judaized]?[11]

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10 *Sha'arei Zedek*, Salonika 1792, 26b, no. 27, quoted and translated in Wacholder, Ibid. 92.

11 A. Harkavy, ed., *Teshuvot Ha-Geonim*, Berlin 1888, no. 431 quoted and translated in Wacholder, Ibid. 94.

The requirement that slaves be Judaized was not only contrary to local law, it also deprived Jewish families of the services of the slave on the Sabbath. Within this social context it would have been very difficult to forgo slave ownership altogether.

Another difficulty posed by the presence of an unconverted slave was the danger that he might endanger his owner by denouncing him to the authorities. The same responsum cited above rules that "in a place where they [the Jews] are afraid that the unconverted slaves may reveal Jewish secrets to their mortal enemies and thereby bring danger or war upon the Jews, unconverted slaves should not be held at all."[12]

Thus there were forces that argued for and against the conversion of slaves. Economically and socially there were advantages to the interpretation of Nashon Gaon cited above. Security concerns, on the other hand, were a motivation in favor of these conversions. Wacholder points out that the two academies and the various Geonim differed on these points and others concerning the proselyting of slaves. In his study he mentions two other issues concerning proselyted slaves that caused conflict in the Jewish community. In the middle of the ninth century Natronai Gaon responded to

12 Ibid., 95.

someone who enquired about what was evidently a common problem:

> Many people... buy good looking slaves, claiming that they acquired them for service, but it is suspected that they have ulterior motives. Should they be permitted to hold them? There are some who claim: "She is my concubine; I have already manumitted her." Should each case be investigated and the master be forced to show the documents of manumission and marriage?[13]

There were also racial tensions. Some of the slaves were Blacks, and their status after manumission was a matter of dispute. The majority of the Geonim, including the *Halakhot Gedolot* and *Halakhot Pesukot*, rejected the idea that these slaves could not be considered proselytes after they had been freed.[14]

We find then, that although there is very little in the literature of the Gaonic period that addresses proselytes per se, there is a substantial body of material that is concerned with the proselyting of slaves. The nature of this material is very different than the Talmudic statements we examined earlier. The citations we have examined are part of a genre that was an innovation of the Gaonic Period, the responsa literature. During the Gaonic Period,

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13 *Sha'arei Zedek*, 27b, no. 38 quoted and translated in Wacholder, Ibid. 102.

14 Wacholder, Ibid.

communities from all over the Diaspora wrote to the heads of the academies for halakhic rulings. The replies to these letters, known as responsa, comprise the bulk of the surviving legal literature of the period.

Unlike the generalized statements of the Talmudic literature, these materials relate to specific problems that occurred at specific times. Thus we have much more information about the particular circumstances of one group of proselytes in this era. We can speculate, as Wacholder does, that large numbers of proselytes entered the community during the Gaonic Period and that the bulk of them were slaves. There are some who theorize that the majority of these must have been female slaves. The sample of the literature that we have examined would seem to support that hypothesis.[15] There are also a few scattered references to what seem to have been isolated instances of conversion among males, most frequently, Christian clergy. It is the former that seem to have had the most immediate impact on the Jewish community as there is some evidence that these conversions were used as a pretext by the Church for severe anti-Judaizing laws.[16] All of this is consistent with the scant evidence of the legal literature. There is no clear

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15 David J. Seligson, "The Post-Talmudic Period", in David Max Eichhorn, Conversion to Judaism: A History and Analysis (New York: Ktav Publishing House, 1966) 68f.

16 Ibid. 69, 92ff.

statement of attitude towards proselytes in general. At least some of the Geonim felt that conversion implied loyalty in that it removed the danger that the slave would betray his or her master to the authorities. The fact that this was not always the case is reflected in other responsa of the period touching on the question of whether a proselyted slave can ever dissociate him or herself from Judaism. Evidently not all slaves accepted proselytization voluntarily.

So it is that for the first time we are able to glimpse directly from the record how environmental conditions in the form of economic and social forces shaped the questions that were asked by the community about *gerim* and the answers of the authorities of the time. Wacholder speculates that the differences among the opinions issues by the two academies were directly attributable to environmental variables:

> It may be that the differences between the Sura and Pumpedita Geonim had economic and social roots. Sura was an important commercial and political center... The wealth of the Sura Jewish community effected a more pragmatic attitude in its scholars. Thus, the Sura Geonim legalized the slave trade, rejected the idea of freedom of choice in accepting the Jewish faith, and refused to consider the slaves' forced conversion as eternally binding. Since many Jewish masters had children by their slaves and since they were brought up as Jews, legal means had to be found to legitimize them. The Pumpedita scholars, however, were farther removed from the pressures of the capital. Thus the latter school could more freely follow talmudic

procedures objectively.[17]

It may be then, that the nature of the boundary between the Jewish community and outsiders in the Gaonic Period was determined by Talmudic law viewed through the prism of local circumstances. We can certainly infer that proselytes did enter the community during this period and that their entry was problematic. The literature tells us almost nothing about their status after conversion. But through the responsa literature, rooted as it is in actualities of daily life in the community, we are granted a broader view of the status of proselytes than that afforded us by the more general assertions in the Talmudic literature.

By the end of the millennium the institution of slavery was well past its heyday in the Jewish community. A large portion of the Jewish population had moved to Europe, thus depriving the institution of its economic superstructure.[18] Christian and Islamic restrictions on the ownership and proselyting of slaves also contributed to the gradual decline of slavery among the Jews.[19] In the first three centuries after the Gaonic Period the discussion in the halakhic literature shifts back to the subject of proselytes

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17 Wacholder, "The Halakah and the Proselyting of Slaves," 101.

18 Ibid., 104.

19 Ibid.

per se. During that period the study of rabbinics flowered in two centers in Europe, and it is to the literature produced during that time that we must turn to trace the continuation of the development of the traditional attitude toward *gerim*.

The Rishonim

Historical Factors

By the turn of the eleventh century the Pumpedita and Sura academies were in decline. Hai ben Sherira, the last important Gaon in the East, died in 1038. During the first century of the second millennium the center of Jewish scholarship and legal authority shifted to the west, where two vibrant centers of Jewish learning developed. This flowering of rabbinic scholarship was possible because in that century copies of the Talmud were available to scholars outside of Babylonia for the first time.

One of the centers was in Spain, which by the eleventh century, had become the second largest Jewish population center in the world, second only to Babylonia. The other center was located in the Rhineland. The traditions of these two centers were named after the locations where they began. The Spanish tradition is known as the Sephardic school and the tradition of the Rhineland came to be known as the Ashkenazic school. The two did not approach the study and interpretation of the tradition in the same way.

Some of the most important literature of the end of this era was devoted to reconciliation of the frequently divergent rulings of the Sephardic and Ashkenazic authorities.

Since the beginning of the Gaonic Period, all of the Diaspora community had been under either Christian or Islamic rule. This continued to be the case throughout five hundred year period during which the Rishonim made their contribution to the Jewish legal tradition. The Ashkenazic tradition arose in Christian lands. That of the Sephardim developed in an Islamic context. In both communities the most important environmental factor effecting attitudes toward proselytes was an escalating wave of persecution and, toward the end of the period, expulsions, that eventually drove the Jews out of western Europe. Severe penalties for Jewish proselytizing were operative under both regimes during this period. It is against this background that we must consider the unfolding of the literature about proselytes in the time of the Rishonim.

Jacob Katz observes in regard to the Askenazic community:

> No assertion can be made about the numbers of Christians who turned to Judaism or of the frequency with which this occurred. That it happened occasionally amongst the Ashkenazim in the Middle Ages is clearly attested in the sources, and the occurrence was frequent enough to induce the exponents of Judaism

to evolve an attitude towards it...[20]

Attestation of the presence of proselytes in the Sephardic communities is also scant, although there are some indications that there were proselytes among the Sephardic Jews and that some of them were refugees from Christian lands, where their conversion was punishable by death.[21] In the Muslim domains conversion from Islam to Judaism was illegal, but the authorities evidently were not concerned about converted Christians.

Evidence of the Literature

The halakhic literature of this period is extremely important to the study of the development of the Halakhah. As Wacholder observes:

> The Mishnah and Gemara, to be sure, are the basis of Jewish law; Halakah, however, is determined, not by the utterances of the Tannaim and Amoraim, but by the interpretation given to them by the medieval scholars... The views expressed by the Tosafists [Askenazic scholars], on the one hand, and by the scholars of Northern Africa and Spain [Sephardic scholars] on the other, became the basis of all

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20 Jacob Katz, Exclusiveness and Tolerance:Studies in Jewish-Gentile Relations in Medieval and Modern Times (London: Oxford University 1961) 77.

21 See, for example, Alexander Scheiber, "New Texts from the Geniza Concerning the Proselytes," Hebrew Union College Annual, Vol. 50, 271ff.

subsequent rabbinic law.[22]

During the first two centuries of the millennium the two schools were not aware of each others work. Although they based their decisions on the same talmudic sources, their methods of interpretations and the decisions they arrived at were occasionally as divergent as they would be if different sources had been used.[23] This difference is manifest in the work of the earliest scholars of the two schools.

In the eleventh century both centers produced important scholars whose work was the seed of all that followed in their respective traditions. Richard Seltzer sketches the background of the first great scholar of Askenazic Jewry:

> Solomon ben Isaac of Troyes (1040-1105), known by his acronym Rashi, was the first major literary figure of Ashkenazic Jewry - and one of the greatest. His commentaries on the Bible and Talmud became fundamental texts of Ashkenazic Jewish education... Rashi's Talmud commentary is a masterpiece of conciseness and clarity, opening up the extremely condensed talmudic text to the average Jewish youth attending one of the schools that had been established in most Ashkenazic communities.[24]

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22 Wacholder, "Attitudes Towards Proselytizing," 77f.

23 Ibid., 78.

24 Richard M. Seltzer, Jewish People, Jewish Thought: The Jewish Experience in History, (New York: Macmillan Publishing Co., Inc. 1980), 354.

The Askenazic school followed Rashi's technique of careful examination of and clarification of the received texts of Talmud. Learning and leadership were democratized, for males at any rate, with the spread of the ideal of Torah learning for all males. This is in contrast with the Sephardic tradition:

> The Ashkenazic ideal, with its emphasis on talmudic learning for every man, is quite in contrast with the Sephardic admiration for universal culture [and] the study of science and philosophy... The difference between the two Jewries reflects their different environments: Muslim Spain at the height of its cultural splendor, and feudal Europe...[25]

While both traditions studied Talmud, the Ashkenazim did so with greater intensity, since they did not devote any time to science and philosophy. The work of the first great scholar of the Sephardic tradition embodies this difference in approach. Isaac Alfasi (1013-1103) began his career in the city of Fez, in what is now Morocco. In later life he moved to Spain where, in the academy at Lucena near Cordova, he trained a group of disciples who were among some of the most eminent Spanish halakhists.[26] Alfasi's contribution to the evolution of the Halakhah took the form of a digest of Talmudic law, rather than a commentary on the text. His

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[25] Ibid., 355.

[26] Ibid., 345f.

major work, *Hilchot ha-Rif*, is a digest of those sections of the Talmud that had practical significance, including the post-Talmudic decisions of the Geonim.[27] Of his work Maimonides, the twelfth century exemplar of the Sephardic tradition wrote:

> The Halakhot which the great Rabbi Yitzhak composed...include all the necessary decisions and judgements required in our time...In them he rectified all the errors found in the decisions of his predecessors, and we can question only a few of his decisions, not even ten.[28]

Thus, the Sephardic tendency was to summarize, to make the essence of the law readily available to the scholar. Although Alfasi's work attracted commentary, the basic thrust of the Sephardic tradition was toward codification.[29]

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27 Mendell Lewittes, Principles and Development of Jewish Law: The Concepts and History of Rabbinic Jurisprudence from its Inception to Modern Times (New York: Bloch Publishing Company 1987) 131.

28 Maimonides, Introduction to Commentary to the Mishnah, Kapah, ed., Jerusalem 5723, p. 25, quoted in Ibid.

29 Although the main thrust of the Ashkenazic tradition favored commentary over codification, there was one segment of that community that did produce works containing legal decisions without dissenting opinions. The German halakhists, perhaps because of old community traditions that emphasized practical over theoretical knowledge, did compile *sifrei halakhot*, law books. See, for example *Sefer Hasidim* (Berlin, 1891).

The attitude of the eleventh century literature towards proselytes is mixed. Rashi's commentary on Isaiah 44.4-5[30] depicts adherence of proselytes to the Jewish people as a prerequisite for redemption. This interpretation is drawn from various talmudic sources. It is noteworthy that it was this particular explanation of the text that Rashi chose to repeat in his commentary.[31] The choice seems to indicate that he believed that acceptance of proselytes was a necessary and positive part of God's plan for redemption.

His comment on Ruth 1.18[32] is that "this is a good example of what our tradition means when it says that we should not teach too much to one about to be converted and should not be too demanding." This indicates an assumption that conversions would and should take place and that converts should not be discouraged.[33]

Rashi's commentaries on the talmudic statement of Rabbi Helbo to the effect that proselytes are like a sore to Israel are not so positive. He offers three possible

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30 And they shall sprout like grass,
Like willows by watercourses.
One shall say, "I am the Lord's,"
Another shall use the name of "Jacob,"
Another shall mark his arm "of the Lord"
And adopt the name of "Israel."

31 Katz, Ibid., 80.

32 When [Naomi] saw how determined she was to go with her, she ceased to argue with her.

33 See Rashi on Yevamot 47b, s.v. "ein m'dakdakin alav".

interpretations:

1. Proselytes are unlearned in the mitzvot, set a bad example for born Jews and may cause them to suffer retribution.[34]
2. Proselytes cling to their former beliefs and cause Jews to accept erroneous beliefs.[35]
3. All Jews are responsible for each other and proselytes are an added burden.[36]

It seems that while proselytes are a requirement for the realization of a messianic future, in the present they can present problems. They may lower the standard of observance of born Jews or even mislead them into improper observance. They are also a burdensome responsibility. This last may reflect the reality that conversion was illegal and endangered the community.

Alfasi's attitudes are similarly mixed. He does choose to include Rabbi Helbo's comment in his digest.[37] Evidently considered it of practical significance for the

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34 Yevamot 109b, Kiddushin 70b.

35 Yevamot 47b.

36 Yevamot 109b, Niddah 13b.

37 Alfasi on Yevamot 47b, 16a.

determination of the law. On the other hand, elsewhere[38] he affirms the importance of welcoming converts and the merit of some converts:

> It is understandable that, in the time of David and Solomon, those who wished to convert were looked upon with suspicion [because it was beneficial to be a Jew at that time]; but, in a time like ours, when Israel is poor and lowly, we receive converts without inquiring so carefully into the motives that impel the convert to come to us...It must be said that many who have come into Judaism with unworthy motives have, as a result of following the Jewish was, become the worthiest of Jews...

There was one eleventh century scholar who stated explicitly that receiving proselytes was not only desirable, but obligatory, a mitzvah. Rabbi Isaac of Barcelona derived the duty of receiving converts from the Biblical command to love the *ger*.[39]

One other eleventh century view that should be noted is that of that of the great philosopher and poet Judah HaLevi (1075-1141). HaLevi believed that proselytes can never be the equals of born Jews. In a study of proselyte Judaism in the thought of HaLevi, Daniel Lasker describes this distinction:

> It would seem that the Judaism of the proselyte is not

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38 Alfasi on Yevamot 24b.

39 Isaac of Barcelona, Azharot, cited in *Encyclopedia Talmudit*, vol. 1, s.v. "ahavat hager"

> exactly the same as the Judaism of the born Jew...HaLevi states explicitly: "Someone who joins us completely from among the nations will enjoy the good which we have but will not be equal to us." (*Kuzari* 1.27) Furthermore..."someone who enters the religion of Israel will not be equal to the native-born, for only the native-born can achieve prophecy"(*Kuzari* 1.115)...The differences between "Jewish Judaism" and "Proselyte Judaism", in Halevi's view, can be expressed as follows. First, the convert is not a full participant in the religion. Second, the proselyte does not completely share the fate of the People of Israel. Third, the native-born Jew and the convert have a different relation to the Land of Israel and the duty to live there.[40]

It seems that HaLevi believed that there is an inborn difference between Jews and non-Jews, and that complete conversion can never take place. However, since the citations quoted above occur in the context of his account of the conversion of an entire nation, the Khazars, to Judaism, he does not seem to have ruled out conversion as undesirable.

The most prominent twelfth century bearer of the Sephardic tradition was Rabbi Moses ben Maimon, known as Rambam or Maimonides (1135-1240). He was born in Spain, but fled to North Africa when conditions there became untenable for the Jewish community. Maimonides' contribution to the tradition is immense and his halakhic rulings were accepted by many who followed him.

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40 Daniel J. Lasker, "Proselyte Judaism, Christianity, and Islam in the Thought of Judah HaLevi", The Jewish Quarterly Review, (July-October 1990), Vol. 81, no. 1-2, 78.

One the face of it, the attitude of this great teacher towards proselytes seems as ambivalent as that of the tradition that preceded him. On the one hand there is the testimony of his famous responsum to Rabbi Ovadiah Ger Tzedek, that is Rabbi Ovadiah, the righteous proselyte. Rabbi Ovadiah had enquired whether he should use the same wording as a born Jew when he prayed, as for example, in the phrase "God of our fathers." Maimonides reply was that the proselyte should use the same wording as a born Jew since:

> All who embrace Judaism until the end of all generations, and all who profess the unity of the Lord's name as is directed in the Torah, are like the pupils of Avraham of Blessed Memory and are members of his household, all of them; it was he who brought them to this positive juncture, and, as he did to the members of his own generation with his skill in oratory and pedagoguery, so he has reclaimed all those who would convert in the future...The result is that Avraham our forefather was the father of his legitimate progeny who follow the path forged by him, and he too, is father to every *ger* who converts...There is no distinction or incongruity between you and us in any respect.41

On the basis of this responsum we might conclude that Maimonides considered proselytes an unmitigated good within the community. His delineation of proper relations with proselytes in his code of law, the *Mishneh Torah*, also supports this conclusion:

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41 The Rambam's Response, Blau edition, no. 293; II:549.

> Loving the *ger* who comes and enters under the wings of the Shechinah is entailed in two positive commandments; the first because he is included in the category of "your fellow" (Leviticus 19.18) and the second because he is a *ger* and the Torah has said "You shall love the *ger*." (Deuteronomy 10.19) God commanded us to love the *ger* in the same way that He commanded us to love Himself, since it says "and you shall love the Lord your God."(Deuteronomy 6.5) The Holy One, Blessed Be He, Himself loves *gerim* since it says "He loves the *ger*." (Deuteronomy 10.18)[42]

The *locus classicus* for Maimonides' attitude towards *gerim* is not so affirming. In chapter thirteen of *Hilchot Issurei Biah* he opens his exposition about proselytes with a discussion of Solomon's wives. They are problematic to the tradition because at first glance the text seems to imply that Solomon married non-Jews. Maimonides explains that they were converts converted for ulterior motives since they reverted to idolatry. Consequently, Solomon was held responsible as if he had built the "high places" (places for

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42 Maimonides, Mishneh Torah, *Hilkhot De'ot*, 6.4. See also his rulings in *Hilkhot Bikurim* 4.3 based on Mishnah Bikurim 1.4, and *Hilchot Ma'aser Sheni* 11.17. In the former case he relies on the ruling of the Jerusalem Talmud in regard to the Mishnah to permit proselytes to make the declaration over the first fruits using the words "God of our fathers" and "which the Eternal swore to our fathers to give us" in regard to the land. There is no comment on this Mishnah in the Babylonian Talmud. In the latter case, however, Maimonides rules that proselytes are excluded from participation on similar grounds. The Jerusalem Talmud is consistent with the Babylonian in this case. The explanation for this discrepancy may be that Maimonides' rulings reflect fidelity to the halakhic process, rather than to conceptual consistency.

the worship of idols) himself.[43] nevertheless, Solomon did not divorce his wives. Maimonides' explanation of this fact is that once they became proselytes they remained Israelites, albeit apostate Israelites, even if they reverted. This, he says, is the reason for Rabbi Helbo's statement in the Talmud that they are "as hard on Israel as a sore."[44] He expands this characterization of proselytes as follows:

> The majority of them become proselytes for ulterior motives and subsequently lead Israel astray, and once they become proselytes, it is a difficult matter to separate from them. An instructive example is what happened in the wilderness in the matter of the golden calf, and at *Kibroth-Hataavah*[45], as well as in most of the trials with which the children of Israel wearied God. All these were initiated by the mixed multitude.[46]

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43 Ibid., *Hilkhot Issurei Biah*, 13.16.

44 Yevamot 47b, 109b, Niddah 13b, Kiddushin 70b.

45 Maimonides refers here to the midrash *Sifrei* on Numbers 11.4, which speaks of the Israelites in the wilderness: "The mixed multitude in their midst felt a gluttonous craving; and then the Israelites wept and said, 'If only we had meat to eat!' God responds with a rain of quail. The Israelites eat to satiation and as punishment for their rebellion against God, they are sickened by the meat and many die. The midrash informs us that the mixed multitude who caused this, and many other rebellions during the wilderness period, were the proselytes who had joined Israel."

46 Ibid., 13.17-18.

The explanation for the apparent contradiction in Maimonides' recorded opinions may be that Maimonides does not consider all proselytes to be equal. In his study of attitudes towards proselytes in the classical Halakhah, Ben Zion Wacholder speculates in this vein about the apparent inconsistencies in Maimonides statements about proselytes:

> Maimonides' unusual departure from purely halakic matter to express his historical and theological views concerning proselytes in the days of...Solomon; [and] his statement that "the majority of them become proselytes for ulterior motives..." ...point to bias against proselytizing...His moving epistle to Obadiah Ger Tzedek...offers another aspect of his views on proselytism. He imposes the full force of the law and advises the utmost caution before admitting a proselyte. But once the convert sincerely accepts the God of Israel and devotedly practices His Commandments, it is as if he had been present at Sinai and Abraham was his ancestor....It would seem that Maimonides draws a sharp distinction between converts in general and those whose sincerity cannot be questioned.[47]

This construction of the evidence seems very plausible.[48] Maimonides distinction seems to turn on a

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47 Wacholder, "Attitudes Towards Proselytizing," 85,91f.

48 An alternative that must be considered, however, is that the apparent contradictions among the Rambam's statements reflect textual concerns rather than a personal attitude towards proselytes. It may be that what prompted his discussion of Solomon and his wives was the apparent contradiction between that story and the fact that conversion for ulterior motives, such as marriage, is forbidden. He may also have been trying to reconcile the story with the explicit statement in Yevamot 24b to the effect that converts were not accepted in the days of Solomon.

phrase he used in his responsum to Obadiah. "All who profess the unity of the Lord's name as is directed in the Torah [are like us in every way]." The righteous proselyte, then, is one who grasps the philosophical conception of God's unity, and accordingly accepts and practices the commandments. All others have ulterior motives and are likely to be a bad influence on the community. It does not seem likely that very many converts could have met Maimonides standards. His is certainly an elitist view.

During the same century that Maimonides flourished in North Africa, Rashi's successors carried on the Ashkenazic tradition. Among his disciples were his two sons-in-law and his grandsons, who studied his commentary to the Talmud critically and added their own comments. This gave rise to a super-commentary that eventually developed into a compilation of the comments of many scholars over a period of two centuries (1100-1300).[49] A selection of these comments are printed in most editions of the Talmud opposite Rashi's commentary.[50] They are known as Tosafot, or additions.

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49 Lewittes, 124. For more information about the Tosafists see Ephriam E. Urbach, The Tosafists: Their History, Writings and Methods (Jerusalem: Bialik Institute, 1980).

50 Others exist as separate works, such as *Tosafot HaRosh*, *Tosafot Rabbenu Peretz*, and others.

The agenda of the Tosfists was the reconciliation of seeming contradictions in the talmudic text and the critique of Rashi's understanding of the text. It was natural, then, that the apparent contradictions in the text in regard to proselytes attracted substantial comment. The Tosafists' views were sometimes significantly different than those of their Sephardic contemporaries. An excellent example of this divergence is the contrast between their comments about proselytes with ulterior motives and those of Maimonides that we examined earlier. In Tosafot to Yevamot 109b,[51] for example we find the following:

> [The Gemara here says:] "Evil after evil will come upon those who accept proselytes." Rabbi Isaac said: This refers to those who encourage them to convert, and those who accept them immediately, but if they persist [in their desire to convert] we should accept them. Abraham, Isaac, and Jacob were punished because they did not accept Timna when she wanted to convert. She [instead] became the concubine of Eliphaz, the son of Esau, and one of their descendants was Amalek, who greatly troubled Israel.(Sanhedrin 99b)... and we find that Hillel converted one who said "Convert me on the condition that you make me High Priest," and one who said that he would convert only if he (Hillel) could teach him the whole Torah [while standing on one foot].(Shabbat 31a)... Hillel knew that in the end they would become good Jews...

This seems to imply a more welcoming attitude than that of the Sephardic tradition as exemplified by Maimonides, who did not cite these aggadot, perhaps because he did not

51 Tosafot to Yevamot 109b, s.v. "ra'ah."

regard them as having halakhic force.

The Tosafists offer a variety of interpretations for Rabbi Helbo's statement that proselytes are as difficult for Israel as a sore. These views are summarized in the commentary on Kiddushin 70b:[52]

1. First they cite Rashi's view that they are not expert in regard to the observance of the commandments and that Israel may be misled by their example.
2. Another view is cited without attribution to the effect that they are difficult because all Israelites are responsible for each other. This view is rejected on the basis of evidence from Sota 37b in regard to this mutual obligation. According to the discussion there, there is no evidence that the proselytes are to be included in the category of those who are thus obligated.
3. Another anonymous view is that they are difficult for Israel because although God warns us in twenty-four places in the Torah that we are not to oppress them, we are unable to refrain from doing so, and thus are more likely to transgress because of them.
4. A third anonymous view states that the difficulty is that it is in order to gather proselytes that Israel has been sent into exile, as it says in Pesachim 87b.

52 Tosafot on Kiddushin 70b, s.v., "*kashin gerim.*"

This view is rejected on the basis of the Gemara of Yevamot 47b where Israel is instructed to discourage prospective proselytes. Thus, it is not when they are prospective proselytes that they are a problem. It is after they convert that they are difficult.

5. Rav Abraham the Ger's view is that proselytes are difficult for Israel because they <u>are</u> expert in regard to the commandments, and observe them meticulously. Consequently they bring the sins of Israel [the sins of nonobservance] to the attention of the Holy One.

6. Finally, the interpretation of Rabbi Yitzhak is cited. It is his opinion that proselytes create difficulties because they become mixed in with Israelite families and the Shechinah, that is, the Divine Presence, only rests on pure families in Israel. This explanation is cited in order to explain the citation of Rabbi Helbo's statement in this particular location in the Talmud, in the context of a discussion of family purity.

All of these statements attempt to explain a very negative text. If we examine them with an eye to the underlying attitude of their authors, we find, first of all, that two of them are eliminated by the compiler of the list on formal grounds. Opinion two is irrelevant because proselytes cannot additionally burden Israel in terms of mutual obligation, because that obligation is not relevant

to them. The fourth opinion, as stated, is also eliminated. It cannot be that Israel has been exiled for the purpose of gathering proselytes if they are elsewhere instructed not to force the issue if a prospective proselyte wants to withdraw. The statement that they are a problem after conversion is left standing, but there is no clarification of what this might mean.

Opinion number six seems to be there for the sake of reconciling the immediate question of why Rabbi Helbo is quoted in relation to a discussion of family purity. This interpretation is indeed unflattering to proselytes, implying as it does that they mar some inherent sanctity that inheres in Israelite families.

The negative aspects of opinions one and three seem more a comment on the failings of Israelites that those of proselytes. In the first case, the difficulty arises from Israelites who are foolish enough to follow the example of novices. The second describes the inability of Israelites to tolerate newcomers. In neither case is the negative import attributable to proselytes themselves.

The inclusion of the fifth opinion is of particular interest as it is attributed to a proselyte. Here, what is only implied in the last two opinions is stated explicitly. Rabbi Abraham, evidently on the basis of his own experience, and perhaps with some polemic intent, completely inverts the meaning of the text. His comment is homiletic rather than

interpretive. The difficulty of which Rabbi Helbo speaks, Rabbi Abraham says, does not lie with the proselytes, but rather with the native-born. The proselytes observe God's law more scrupulously than born Jews and so expose the latter to God's disapproval.

One other commentary that should be noted here is the comment of Rabbi Isaac on Yevamot 109b that we discussed earlier[53], in regard to motivation. Although the text of the Gemara says that evil will befall those who accept convert, here the seeming thrust of the talmudic statement is inverted completely. The evil is not in the converts, but in those Israelites who go out seeking converts. Not only is receiving appropriate converts not an evil; it is a requirement for the future well being and safety of Israel. This may be a veiled reference to the problems of Jews in the hostile environment of Medieval Europe. They could ill afford to turn away potential friends even though conversion was dangerous and often entirely outlawed by the Church.

The general tendency of this set of commentaries does not seem to be negative, based on this analysis. This seems consistent with the welcoming attitude reflected in the Tosafists' interpretation of the issue of ulterior motives cited above. However, these and other statements about proselytes form the basis of the rulings of many of the

53 , see p. 72.

halakhists who followed them, and in their selections from this menu of attitudes towards proselytes, they did not always choose to emphasize the positive.

By the thirteen century the heyday of rabbinic study in Askenaz was over. The last of the Tosafists lived in an atmosphere of persecution that is reflected in their recorded statements about proselytes. Rabbi Meir ben Baruch of Rothenberg, known as Maharam (1215-1293) was the last great Tosafist. Some of the queries addressed to Maharam illuminate the ambivalence of his thirteenth century German community toward proselytes:

> Some members of the community took an oath that B is a proselyte. As a result B was arrested and was ransomed for thirty marks to which amount A contributed his share. A now demands that the members who caused B's arrest refund him his money, since he was not among those who caused B's arrest by their oath.

> A, a convert to Judaism, was arrested. The Jews B,C,D, and E, who were summoned to testify under oath as to A's identity, were threatened with confiscation of their property if they refused to tell the truth. They, therefore, admitted that A was a convert and avoided the taking of a false oath. Luckily, A escaped being burned at the stake [concerning which Rabbi Meir expresses his astonishment "since not even one out of a thousand in such circumstances ever escaped such a fate"] and suffered only a financial loss. Now A demands that B,C,D, and E make good the loss that befell him owing to their testimony.54

54. Quoted in David J. Seligson, "In the Post-Talmudic Period", in Eichhorn, 83.

It is noteworthy that Rabbi Meir's decision in the second case is that the four witnesses are liable for A's loss because it was their duty to disregard the possible monetary loss to themselves and to save A's life,even though this would involve the taking of an apparently false oath. They should have modified their statement mentally, he says, so that it would not have been false,or they could have nullified the oath by a whispered statement.[55]

Small wonder that there are records of stringent community ordinances which forbade Jews to attempt to make proselytes, for fear of Christian reprisals. Proselytes were a source of danger.[56]

During the same century, the Sephardic community was subject to increasing levels of persecution, but continued to produce important scholars. The centers of learning in Spain at that time were under Christian rather than Muslim rule. The leading Sephardic scholar in that century was Rabbi Moses ben Nachman, known as the Ramban or Nahmanides (1194-1270). Unlike his predecessors in Spain, he was aware of the work of the Ashkenazic scholars and accepted some decisions of the Tosafot.[57] In his work he initiated the a task that absorbed scholars for the next century or so, the

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55 Ibid., 83f.

56 Ibid.

57 Lewittes, Ibid., 133.

reconciliation of the Sephardic and Ashkenazic traditions.

In his commentary on Leviticus 23.42,[58] which specifies that only the native born should celebrate Sukkot by living in booths, he comments on the status of proselytes:

> There is no intention in the verse of excluding proselytes from dwelling in booths on Sukkot. The Torah says over and over that there shall be the same law for the born-Jew and the proselyte. The Scripture here simply means that everyone who lives in a Jewish home must use the sukkah. It will not be sufficient for just one member of the family to dwell in the sukkah and for the remainder to stay in the house.[59]

This statement seems to indicate an inclusive and positive attitude towards proselytes. It is also possible that this interpretation reflects the primary thrust of his commentary, which was to arrive at the plain meaning of the text. Perhaps it was necessary for him to include proselytes to explain the presence of the seemingly superfluous word "all" in the verse on which he is commenting.

The process of bridging the Sephardic and Askenazic traditions was also facilitated by the work of Rabbi Menakhem HaMe'iri who flourished in Provence in the second half of the thirteenth century. In his commentary to the

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58 "You shall live in booths seven days; all citizens in Israel shall live in booths."

59 Cited in Seligson, 86.

Talmud, the *Bet HaBehira*, he cites both traditions frequently. In regard to proselytes, he is not innovative. In his comment on Rabbi Helbo's statement about a sore (Yevamot 109b) he preserves both the interpretation of the Rambam and that of Rashi and the Tosafot:

> One should only accept proselytes after thorough investigation in the manner that is explained in this tractate lest they convert for some ulterior motive and their intentions be impure...They are lax in regard to the details of the commandments and Israel may learn from them. This is why it says "Proselytes are as difficult for Israel as a sore."[60]

The first part of this comment, emphasizing intention and purity of motive, reflects the approach of Maimonides. The second is nearly verbatim quotation of the Rashi and Tosafot on this Gemara. The overall impression is that the Me'iri is expressing the need to extremely cautious in regard to prospective proselytes. This is not surprising considering that he lived in a time when the Church was trying to rid Europe of Jews.

The reconciliation of the two traditions was furthered in the fourteen century by Rabbi Asher ben Yechiel (b. 1250). He was a student of Maharam of Rothenberg. In 1303, he left Germany, and the following year settled in Toledo,

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60 Menahem ben Shlomo Me'iri, *Bet HaBehira al Masechet Yevamot*, (Yerushalayim: Machon HaTalmud HaYisraeli HaShaleim).

where he became the head of the academy. He brought with him the decisions of the Ashkenazic scholars and the method of study of the Tosafot.[61] His major contribution to the Halakhah is his commentary on Rabbi Isaac Alfasi's eleventh century digest of Talmudic law.

In his commentary on Yevamot he simply presents the procedure for *gerut*. Like Alfasi, he does not quote Rabbi Helbo's statement, which appears in the Talmud at that point. In his *Tosafot HaRosh* he reproduces some of the interpretations of the Tosafot on Kiddushin 70b: that they are not expert in the commandments and Israel learns from them, that in spite of many warnings Israel cannot help oppressing them, and that they taint the purity of Israelite genealogy. The interpretations that he chooses not to preserve are the two that are eliminated by the Tosafot themselves, and the flattering comment of Rav Abraham the Ger. In his comment to Yevamot 109b he reproduces the comment of Tosafot almost word for word, ie. that the "evil that comes upon those who receive proselytes" refers to those who entice them, and so on.[62] These choices seem to indicate an attitude similar to that of the Tosafot, that it is desirable to receive proselytes but that their integration into the community can be problematic because of

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61 Lewittes, 141f.

62 *Tosafot HaRosh al Masechet Yevamot*, HaRav Sargah HaCohain Vilman 1974, 62.

the responses of born-Jews.

By the fourteenth century, the halakhic literature had become very bulky. The son of the Rosh, Rabbi Ya'akov ben Asher (1270-1340) undertook the organization of the opinions of the Rishonim into a compendium. The result was the *Arba'ah Turim*, or the Four Rows. The title reflects the organization of the book's contents into four broad categories of law. In his Introduction, the author states that he intends to gather halakhic opinions, and to follow the opinion of his father, the Rosh, when the those opinions conflict.[63] Indeed, the Tur, like the Rosh's commentary on the Talmud, does not preserve the statement of Rabbi Helbo, although some of the commentaries on the Tur later restored it. We cannot infer any attitude towards proselytes in the Tur, except from its matter of fact acceptance of the necessity of a body of law to govern their entry into the Jewish community.

One other noteworthy development in the proselyte Halakhah of the fourteenth century was the opinion of Rabbi Shim'on ben Zemach Duran, known as the Tashbetz. He was the first to ask why the computers of the commandments did not include the admission of proselytes among the positive commandments. He argued that proselytism should be counted as one of the six hundred thirteen precepts found in the

63 Lewittes, 146.

Torah.[64]

As the fourteenth century ended, the momentum of the persecution of Jews in western Europe increased. There were massacres in diverse locations, and expulsions. By the end of the following century, the Jews had been expelled from virtually all of that part of Europe. Understandably, there is very little relevant literature from that time of upheaval. During that time many Jews moved to eastern Europe. In 1452 Casimir IV of Poland ratified the charter that Casismir the Great had granted to the Jews of Poland. That charter gave the community sufficient autonomy to allow the flowering of a new center of rabbinic learning in Poland in the next century. Another new center developed at Safad in Palestine. We will examine the literature of those centers in the next chapter.

Conclusions

The fifteenth century marks the end of the period of the Rishonim. The halakhic heritage of the period was a weighty body of literature, based on the creativity of the Ashkenazic and Sephardic schools of the early centuries of the millennium. In time, the opinions of the Rishonim came to be considered the authoritative determinants of the

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64 Simon ben Zemach Duran, Zohar HaRaki'ah, (Wilno 1879), 'esin 40 c, cited in Encyclopedia Talmudit (Jerusalem 1954) vol VI, col. 426.

meaning of the Talmud.

Ben Zion Wacholder comments on the divergent attitudes of the two strands of that heritage:

> The two branches of classical Halakah differ in their basic approach to the admission of converts. The Spanish school does not recognize any injunction to proselytize. Thus Yevamot 47a-b, stating the principle of purity of motive, became the nucleus of proselyte Halakhah. It happens that this principle fits in well with Maimonides' general philosophic ideas. Only candidates with the most lofty aspirations can be admitted, lest they become a plague. Judaism is a spiritual aristocracy...Any doubts in law are resolved against the candidate. But once the proselyte has passed through the severe screening, the glory of being a Jew, of sharing the Jewish past, present, and future, belong to him.
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> The Franco- German rabbis make the commandment to proselytize their basic premise. The baraita requiring purity of motive is viewed by the Tosafists as a mere thread in the tapestry of talmudic legislation...Doubt or contradictory passages regarding admission of proselytes must be decided in favor of the convert...The scholars of France and Germany put more emphasis on the practical observance of the Torah than on philosophical abstractions like purity of intention and sudden recognition of truth. [65]

He speculates that these differences were related to the different intellectual climates within which the two traditions developed. It is his opinion that the position of the Spanish school ultimately prevailed. However, both are within the halakhic heritage of the period. Those who came after have drawn on both positions.

65 Wacholder, "Attitudes", 95f.

We can no longer speak of ambivalence in a tradition that had grown so broad and diverse. Rather, we can say, that at the end of the period of the Rishonim there existed a range of halakhic opinion which has served as the resource and foundation for all of the proselyte halakhah that has unfolded since.

CHAPTER FOUR

THE EARLY MODERN PERIOD AND THE EARLY AHRONIM[1]

The oppressive conditions of the Medieval Period persisted until the years of emancipation at the end of the Early Modern Period. David Eichhorn describes the environment of the Jewish communities during those centuries as follows:

> In the later medieval period, the Jews lived in the same sort of unpleasant social environment and were subjected to the same kind of hostile pressures that had marked and marred the earlier centuries. The enmity of the Church, persecution by local rulers, and the violence of the mob were almost a commonplace for the Jew of the sixteenth, seventeenth, and eighteenth centuries as they had been in... earlier years. For the most part, Jews continued to live in fear of their Gentile neighbors, bewildered by the cruel and unjustifiable suffering they endured at the hands of the Christian and, as a result, generally full of well grounded suspicion and dislike for the non-Jews in whose midst they lived. Until the patterns of Jewish living in Europe were improved by the Era of Enlightenment, the rise of modern nationalism, and the spread of political democracy, most Jews did not

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1 Halakhic authorities who lived and wrote after the publication of the sixteenth century code of law known as the *Shulchan Aruch*, or The Prepared Table, are known as the *Ahronim*, or later authorities. The Early Modern Period (1500- 1800) begins with the first century after the expulsion of the Jews from western Europe, and concludes with the beginning of emancipation two centuries later.

associate freely with Gentiles.[2]

At the beginning of the sixteen century, there were two major centers of Jewish population and learning. The Ashkenazic tradition was the heritage of the communities of Poland and Lithuania. Sephardic Jews who migrated to the lands ruled by the Ottoman Turks after the expulsions form Spain and Portugal extended the Sephardic tradition. It is in the context of these two communities that the historical events that were determinative of the Jewish attitude toward proselytes in that period unfolded.

Historical Factors

Among the most potent environmental factor affecting sixteenth century Jewish communities in Europe was the heightened sensitivity to heresy that the advent of the Protestant Reformation generated among Christian authorities. Their efforts to stem the influence of Judaism took many forms. That century saw the introduction of the Inquisition in Portugal in 1536, the burning of the Talmud in Italy in 1553, and the establishment of church censorship

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[2] David Max Eichhorn, *Conversion to Judaism: A History and Analysis* (New York: Ktav Publishing House, Inc., 1966) 96.

of Hebrew books in 1554.[3] In the following year Pope Paul IV ordered the Jews of Rome into a ghetto. Proselytization by Jews of non-Jews was illegal.

In Poland, there were frequent Church incited accusations of Judaizing during the sixteenth and seventeenth centuries. Proselytes and proselytization were a threat to the safety and survival of most European Jewish communities.

In the seventeenth century the same siege-like conditions continued in most of Europe. In eastern Europe the environment became even more threatening for the Jews when they became the victims of frequent massacres and pogroms. Attitudes towards proselytes in these communities were shaped by the precarious circumstances of Jewish existence. Since proselytization brought danger, there were instances when the leaders of Jewish communities ruled that proselytes should not be accepted in order to protect the community.

In the middle years of the century a shift occurred that generated a different version of this closed door policy on proselytizing. A small trickle of Jews began to return to some of the western countries from which they had

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3 For a chronological chart of important events in general and Jewish history in this period see Richard M. Seltzer, Jewish People, Jewish Thought: The Jewish Experience in History (New York: Macmillan Publishing Co., Inc. 1980) 451-453.

been expelled centuries earlier. For example, in 1656 Jews began to resettle openly in England after an absence of hundreds of years. Part of the price of readmittance was a promise to the English that the new Jewish community would not proselytize. Accordingly, the leaders of that community issued strict prohibitions against proselytes and proselytizing. In this case the purpose of the prohibitions was not to keep an existent danger at bay, but to forestall possible future reactions from the host authorities. Whereas in eastern Europe the community's attitude towards proselytes was governed by the motive of survival, in the new community in England the official position of the authorities on this issue was shaped by a desire for toleration. In order to secure that end, one leader of the Jewish community went so far as to make the fallacious claim that active proselytization was completely contrary to the basic principles of Judaism.[4] This type of claim was to be asserted with increasing frequency in the next century when the Enlightenment made it possible for Jews to seek not only tolerance, but also acceptance from the Christian communities in which they lived.

In another of the new western European communities of that era an attitude towards proselytism emerged that was entirely different than the one that characterized other

4. Bigbborn, Ibid., 130.

contemporary communities. The tolerant attitude of the Dutch authorities spawned an atmosphere in which it was possible for Amsterdam to become a "hotbed of Jewish conversionist activity"[5] in the seventeenth century. The positive and active attitude of the Amsterdam Jews in regard to proselytization can be inferred from the incident of the excommunication of the philosopher and freethinker Uriel Acosta (1585-1640). The basic charge against him which led to his excommunication was that he had tried to discourage three Christians who wanted to become Jewish proselytes.[6]

At the dawn of eighteenth century most Jews were still isolated and under siege. During that century however, the philosophic currents of the European Enlightenment finally began to pull the Jews into the mainstream of European civilization. As the old walls between the Jewish community and Christian civilization began to topple with the advent of Emancipation, the leading thinkers of the century were presented with an urgent challenge, the formulation of a definition of Judaism that would advance the cause of equality without sacrificing the integrity and survival of the people and the tradition. Consequently, it was necessary to reexamine the range of traditional views regarding proselytes in order to derive guidelines for the

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5 Ibid., 120f.

6 Ibid., 121.

entry of outsiders into the community in an era of equality.

The Evidence of the Literature

The literature of the period reflects the compelling force of environmental forces. Throughout this period, the physical survival of the community was challenged. At the end of the era, in the parts of Europe where the Enlightenment bloomed earliest, a new and almost unprecedented challenge arose. It became necessary to justify the continued existence of the Jewish people and religion while convincing Christian authorities that the Jews could function as loyal neighbors and citizens in a modern state.

Two types of responses are manifested in the traditional legal literature and commentaries of the period. First of all, there are examples of sympathetic commentary on the difficult circumstances in which converts lived. In the opening years of the sixteenth century the statesman and scholar Isaac Abravanel (1437-1509) commented on Deuteronomy 10.18-20[7] as follows:

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7 [God] upholds the cause of the fatherless and the widow, and befriends the *ger*, providing him with food and clothing. You too must befriend the *ger*, for you were strangers in the land of Egypt. You must revere the Lord your God: only Him shall you worship, to Him shall you hold fast, and by His name shall you swear.

> The orphan, the widow and the convert are singled out for special mention in this passage because they are weak and helpless and God has pity on them, even though He has no pity on sinners...The intention of Scripture here is to state that the Jews should not depend on the merit of their fathers and not upon their being God's people; for God has more pity on one who has no father or on a convert who was not born as a member of His people than He has on a Jewish sinner... You are commanded to walk in God's way. Therefore He commands you to love the convert; for you yourselves have known from the time of Egypt what it is to live among a people not your own.[8]

Although proselytes are "weak and helpless" they have virtue in God's eyes and merit esteem from born Jews.

Similar comments can be found in two commentaries from the end of the Early Modern period. The Vilna Gaon, Eliahu ben Shlomo Zalman (1720-1797) commented[9] on Leviticus 19:10[10] that "the poor Jew and the convert are as precious to God as any other Jew. But the life of the poor Jew is difficult and the life of the convert is difficult."

In the early part of the same century the French scholar Jacob ben Joseph Reichler commented on Yevamot 48b:

> The text [Yevamot 48b] states: Why are the proselytes in our day afflicted and suffering? Rabbi

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8 Quoted in Eichhorn, 97.

9 *Aderet Eliyahu* on Leviticus 19.10 quoted in Ibid., 135.

10 You shall not pick your vineyard bare, or gather the fallen fruit of your vineyard; you shall leave them for the poor and the ger: I am the Lord your God.

> Chananya ben Rabban Gamliel says: Because some of them do not observe even the seven commandments which are to be observed by the righteous non-Jew. Rabbi Jose says: Because some of them are not as familiar with the commandments as are born Jews. Abba Chanan says: Because it took some of them too long to decide to becomes Jews.
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> The text refers to an historical period when Israel was at the height of its power and glory, during which time proselytes were afflicted in order to test them. For example, Job was tested by Satan in order to find out if his conversion to Judaism was genuine. But now, when Israel is in exile, who can question the sincerity of anyone who wants to become a Jew? Any afflictions which are undergone now by a proselyte must be smitings of love.[11]

Proselytes are viewed in a positive light here, and a sympathetic interpretation of their unpleasant lot is offered. The tone of these commentaries seems to be homiletical, and its intended audience the general Jewish population. Whether these comments were prompted by the realities of daily life, or merely by the text, is a matter of speculation. Jacob Katz suggests that comments like these referred to an ideal and did not shape real-life attitudes and practices in regard to proselytes. He goes so far as to suggest that proselytization had virtually ceased at that time:

> Public sentiment had long since veered away from proselytization; indeed, it was now opposed to it. Ample evidence is available to substantiate this. The first indication that proselytizing had ceased is the absence of instructions and legal decisions on this

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11 Jacob ben Joseph Reicher, *Iyun Yaakov* on Yevamot 48b quoted in Ibid., 125f.

subject in contemporary halakhic and moralistic literature.[12]

As Katz points out, Joseph Hahn's *Yosef Omets*, a seventeenth century moralistic work which was written in 1630 and appeared in 1723 offers absolutely no guidance in regard to dealing with proselytes. In fact, the book completely ignores the subject.[13] This silence suggests that no guidance was needed because there were virtually no proselytes in the community.

This contention is supported by the tone of many of the discussions of *gerim* in the literature of the Early Modern period. In one case an author used the Biblical meaning of the word *ger* as "stranger" to construct cabalistic interpretations, while entirely ignoring proselytes. Isaiah Horowitz (1560-1630), in his encyclopedic work, *Sheney Luchot Ha-Brit*[14] uses the word in the sense of stranger or sojourner. He uses it symbolically, in the neo-platonic manner, to describe the soul in its temporary sojourn on earth.[15]

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12 Jacob Katz, *Exclusiveness and Tolerance: Studies in Jewish -Gentile Relations in Medieval and Modern Times* (West Orange, N.J.: Behrman House 1961) 143.

13 Ibid.

14 Isaiah Horowitz, *Sheney Luchot Ha-Brit*, *Sha'arey Ha-Otiyyot*, 45b cited in Ibid.

15 Ibid.

Mordecai Jafffe (1530-1612) also injected the theme of the ger as soul, or spirit into his discussion of proselyte law in the Levush[16]. He retains the meaning proselyte, but frames his presentation with a restatement of the cabalistic notion that a proselyte receives "a new soul from on high and...becomes another man; and that it is as if he was created and born anew on that day, as if his entire former life had never been."[17] The import of this statement seems positive although it does imply a disapproval of the proselyte's former existence that probably reflects Jewish distrust of the gentiles in whose midst they lived.

This malaise about proselytization appears in a stronger form in the writings of two major figures who flourished in the middle of the period, Judah Loewy of Prague (1520-1609) known as the Maharal, and Solomon Luria of Poland (1510-1573) known as Maharshal. Jacob Katz' description of the attitude of the former is as follows:

> [He believed that] the difference between Jew and Gentile was one of innate essence, and not the result of any decision to accept or reject the Divine Law [and] felt that the dividing line between them should be impassable. Moreover, Maharal attributed inborn racial qualities to every nation, and denied the possibility that a member of one nation could become part of another...On...occasions, he states that the proselyte is an incongruous addition to the Jewish people. The talmudic dictum that 'proselytes are as bad for Israel as a scab' which...troubled those who

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16 Mordecai Jaffe, Levush, ch. 268.

17 Mordecai Jaffe, Ateret Zahav, 269.I.

> favored conversion could be accepted by Maharal in its original, negative sense, although he explained away its derogatory aspect. The offensive expression *sappakhat* (scab) was taken by him to mean simply accretion. The undesirability of the proselyte does not spring from his inherent qualities, as is suggested by the expression scab, but from the circumstance of his addition to a body which is perfect and complete in itself.18

The Maharal's stance in this matter is reminiscent of that of Judah HaLevi, who believed that although they could be admitted to the community, proselytes could never be the spiritual equals of Jews. The Maharal extends this notion. The Jewish community, being spiritually superior, does not gain anything by the admission of proselytes. They are an unnecessary addition, irrelevant to Israel's present or future. He does not go so far as to say that they are detrimental, and stops short of explicitly ruling out proselytization.

The Maharshal, Solomon Luria, did prohibit proselytization. His comment on the Tosafot on Yevamot 109b which says that proselytes are only a problem to those who take the initiative to seek them is that:

> All this was said in regard to the time when Israel was

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18 Ibid., 147-148. He gives the following sources for the Maharal's opinions about proselytes and proselytization: *Gevurot Ha-Shem*, ch. 42 (Lublin edition, 1875), *Tiferet Yisrael*, ch. I fin., *Derekh Hayyim on Mishnah Avot, 5.22 (Warsaw edition, 1933, p. 138a)*, Introduction to *Derush al Ha-Torah* (Lodz edition, p. 6), *Netzach Yisrael* (Warsaw edition, 1873), p. 194.

> settled in its own country, even after the Destruction. For even though they had become enslaved to the Roman Emperor...they had the authority to accept anyone who came to them in the land in order to become a proselyte. But now that we are in a country not our own, like slaves beneath the hands of their owners, should one of Israel accept [a proselyte], he is a rebel, and is responsible for his own death...Thus I hereby give warning that anyone who is a participant in such acceptance today, when the Gentile kingdom is stringent in its attitude, let his blood be on his own head, whether he himself engages in proselytization, or whether he merely knows of such; so may there be survival and stability for the seed of Israel among the peoples all the days of our exile, throughout our exalted communities, without aliens joining us. And this is a matter demanding the greatest possible caution.19

Here we have another commentator who believed that there was an intrinsic difference between Jews and Gentiles.20 His commentary about proselytization, however, is not rooted in exalted and remote spiritual concerns. He explicitly connects his prohibition of proselytization and the hostility of the environment. He clearly differentiates between proselytes in general and the acceptance of proselytes under a particular set of external circumstances.21

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19 Solomon Luria, *Yam Shel Shlomo*, Yevamot 4.49 quoted and translated in Ibid., 144f.

20 Ibid., 146.

21 Interestingly, neither Moses Isserles, the Maharshal's contemporary, nor Mordecai Jaffe, Isserles' student, expresses similar fears about proselytizing.

The seventeenth century ordinances of the Sephardic community in England are similarly reactive to an environment that would not tolerate proselytization. In that community converts were not allowed to pray in the synagogue after the year 1660. In 1664 all arguments with non-Jews on religious topics and all attempts to proselytize were banned. In 1671 employment of Christian maids was forbidden. In 1678 it was decreed that anyone who harbored a convert for even one night would be treated as one who had made a convert. Three years later it became illegal to be present at a conversion, and the penalty for such an offense was a fine and excommunication.[22]

Again, it was not proselytes themselves who were being disparaged. It was the act of proselytizing that was unacceptable, not to the Jews themselves, but to the host community. These rulings, and the writings of many of the authorities cited earlier, reflect not an attitude towards proselytes and proselytism, but rather a reaction to a particular type of historical circumstance.

Stronger evidence for the true nature of the basic attitude of contemporary authorities towards proselytes can be found in the authoritative legal codes and accompanying commentaries that guided the Jewish community in the Early Modern period. By the opening years of the era, the

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22 Albert M. Hyamson, The Sephardim of England (London 1951) 19, 22, 29, 69ff., 174ff., 329, 358.

halakhic literature had become vast and unwieldy. This difficulty came about because of the frequently diverging opinions of the Sephardic and Askenazic traditions and the advent of printing, which made the publication of a flood of new halakhic material possible.

Beginning in about 1520, Joseph Caro (1488-1575) began a commentary on the fourteenth century code known as the *Arba'ah Turim*. In his commentary he summarized all prior laws and opinions and then drew his own conclusions, which were most often consistent with those of the Sephardic tradition. This work took him twenty years to complete. It appears in printed editions of the *Tur* as the commentary called the *Beit Yosef*. Because of the great length of this work Caro later wrote a shortened digest of the halakhic opinions in his commentary called the *Shulchan Aruch*, the prepared table. This digest,along with the commentaries that reconcile it with Askenazic tradition, is considered binding on traditional Jewish communities to this day. Hence it is one of the most legal sources for the tradition's attitude towards proselytes in the centuries that followed its publication. This code cannot be regarded as the theological speculation of one particularly tolerant or intolerant individual reactive to one particular locale or circumstance.

David Max Eichhorn outlines the general thrust of the material in the *Shulchan Aruch* as follows:

> In general the position of the *Shulchan Aruch* with regard to converts is the same as that of the other Jewish classical writings: For almost every spiritual and practical purpose, a convert is in exactly the same position as every other Jew... [It] treats the matter of conversion to Judaism... in a very straight forward, completely objective, almost matter-of-fact manner. It is taken for granted that there will be Gentile[s]... who, for a variety of reasons, will desire admittance... There is a rather implicit acceptance of the fact that converts can, should, and will come.[23]

We can conclude then that since this code[24] devotes space to the elucidation of the law regarding the acceptance of proselytes that it is considered normal that they should become a part of the community. The code definitely leaves the door open to proselytes in a way that the more particularized opinion examined earlier do not. Traces of the Jewish community's distrust of the Gentile are not absent from the code. However they do not express themselves through outright prohibitions or discriminations against proselytes. Rather, they are to be discerned in carefully drawn boundaries between the proselyte and his or her relatives, who are considered to be part of a world with lower moral standards than those of the Jewish community.

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23 Eichhorn, Ibid., 111. See also Caro's comments on Tur, *Yoreh Deah*, 268, 215b, in *Beit Yosef*, s.v. "v'dah" in which he demonstrates a relatively tolerant attitude towards proselytes for "ulterior motives."

24 Cf. the code of Caro's contemporary, Mordecai Jaffe, *Levush*, *Yoreh Deah*, 268.

The ramifications of such distinctions are evident in such areas of law as inheritance. For example, according to the Halakhah, the non-Jewish relatives of a proselyte may not inherit his or her estate.

Like the *Tur*, the *Shulchan Aruch* does not quote Rabbi Helbo's negative statement about proselytes being as difficult for Israel as a sore.[25] It is interesting, however, that Caro did not altogether ignore this negative statement. He does cite it in his *Beit Yosef* even though it does not appear in his code. He offers it as one of two possible interpretations of the statement in Yevamot 47b to the effect that one seeking conversion is cautioned about the difficult circumstances of Israel, and that if he then decides not to seek conversion we are not concerned. Caro also offers another interpretation from Moses of Coucy's thirteenth century compilation of mitzvot. According to that interpretation, the prospective convert is warned so that afterwards he will not say 'If I had known I would not have converted.'[26] In this context, the citation does not seem indicative of a negative attitude toward proselytes. It is more likely that Caro is simply being thorough. He does not consider Rabbi Helbo's statement important enough to require

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25 Yevamot 47b, 109b, Kiddushin 70b, Niddah 13b.

26 Joseph Caro, *Beit Yosef* on *Tur*, *Hilchot Gerim*, 268, 213b s.v. 'Quesheban'. See also Jaffe, Ibid., 268.2, who cites the same opinion.

elucidation of the various interpretations of its meaning that were available to him in earlier legal literature.

With only one exception, other commentators on the *Tur* and commentators on the *Shulchan Aruch* are either silent in regard to Rabbi Helbo's statement, or simply reproduce one or both of Caro's citations. The exception is the commentary of the Polish scholar Joel Sirkes (1561-1640), known as the Bach after the name of his commentary on the *Tur*, the *Bayit Chadash*. In his comment on the warning to prospective proselytes, he cites Rabbi Helbo but offers a fairly lengthy explanation concerned with motive and possible lax observance that might set a bad example for born Jews. Both of these concerns about proselytes echo interpretations of Rabbi Helbo given by some of the Rishonim. The Bach's innovation here is that he links the two. He suggests that prospective proselytes are warned so that those who have poor motives, that is to say, those who want to become Jews because they hope for some sort of material or other gain, will be dissuaded. This is necessary, he says, because proselytes who convert because they hope for some sort of benefit are the ones who are most likely to retain their old (idolatrous) practices and set a bad example for born Jews.27 Sirkes' citation of Rabbi Helbo here does not indicate a negative attitude towards

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27 Joel Sirkes, *Bayit Chadash* on *Tur*, *Hilchot Gerim*, 268, 213b, s.v. u-quesheban.

proselytes in general. Rather, he uses the statement as an occasion to differentiate desirable and undesirable kinds of proselytes. He limits the applicability of Rabbi Helbo's statement to "bad" proselytes.

The positions of the other commentators are as follows. Moses ben Israel Isserlis (1530-1572) does not discuss Rabbi Helbo's statement in either of his commentaries.[28] Joshua Falk, (d. 1614) in his commentary to the *Tur*, simply reproduces Caro's commentary.[29] The two major commentaries on the *Shulchan Aruch*, *Turei Zahav*[30] and *Siftei Cohain*[31] restore one or both of Caro's citations. There is no clear implication of a negative, or for that matter, a particularly positive attitude regarding proselytes in these commentaries. Given that these codes and their commentaries are authoritative for all poskim after them, we can say that the available readings of Rabbi Helbo's statement have been narrowed to only one explicit interpretation, that of the Bach. All of the other citations are equivocal since no interpretations of the statement are offered.

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28 *Darkhei Moshe* on *Arbaah Turim* and *Mappah* on *Shulchan Aruch*.

29 Joshuah Falk, *Drishah* on *Tur*, *Hilchot Gerim*, *268*, *213b*, n. 5.

30 David ha-Levi, *Turei Zahav on Shulchan Aruch*, *Yorah Deah*, *Hichot Gerim*, *268.1*, *n.3.*

31 Shabbatai Ben Meir ha-Cohain, *Siftei Cohain on Shulchan Aruch*, *Yorah Deah*, *Hilchot Gerim*, 268.1, n. 3.

The general import of the evidence of the legal literature then, is that proselytes are desirable, but that prospective proselytes should be screened carefully to exclude those with ulterior motives who are likely to set a bad example if they are admitted into the community. On the basis of this attitude, it seems likely that proselytization would have continued in the Early Modern period if it had not been illegal in most contemporary communities. That this is so is demonstrable on the basis of the history of the Amsterdam community mentioned earlier, where the tolerance of Dutch authorities spawned a "hotbed of conversionist activities." The isolated example of that community is entirely overshadowed by the bulk of the literary evidence from the period. In most places, proselytization and proselytes were prohibited as dangerous to the community.

It was this prevailing attitude that provided the foundation for the development of both the traditional and the liberal strands of opinion on this issue during the nineteenth and early twentieth centuries. The roots of the liberal position are found in the writings of the earliest exemplar of the Jewish Enlightenment, Moses Mendelssohn (1729-1786).

Mendelssohn asserted that Judaism was not interested in converting others. Jacob Katz outlines his thought on this issue as follows:

> He stated that religious tolerance was one of the basic characteristics of Judaism and constituted its moral superiority over Christianity. As proof of his contention that Judaism was not interested in converting others, Mendelssohn pointed to the halakhic procedure that must be followed before a proselyte is accepted into Judaism...the warning that the latter would, with his conversion assume the responsibility of observing the Torah and that great hardships were involved in joining a politically and socially inferior community... Mendelssohn paraphrased the admonition to proselytes, and, in doing so, perhaps unintentionally, but nonetheless significantly, inserted a statement not contained in the halakhic formulation of the procedure to the effect that, even without becoming a Jew a Gentile was assured of salvation by observing the Seven Commandments of Noah.[32]

According to Mendelssohn then, Jews do not proselytize because it is unnecessary for them to do so. Others can obtain the same benefits in the world to come simply by observing the Noahide Laws. Although his vision of the future of the Jewish people is entirely different than that of the Maharal of Prague, he inadvertently echoes his position. The Maharal also held that proselytes are not required for the realization of Israel's future. Ironically, both the traditional authorities of the period and their challengers, the liberals, ruled out proselytization. The rabbis however, did not, at least not in that period, claim that Jews had never proselytized or

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32 Katz, 172f. He cites *Shriften*, iii, pp.43-44. as his source for Mendelssohn's thought in regard to proselytes.

that proselytization was not intrinsic to Judaism. Katz comments that:

> Mendelssohn was wrong in stating that the Rabbis had never been zealous in bringing influence to bear on Gentiles to be Jews. He read into Jewish sources, as well as into Jewish history, the prevailing attitudes of his own and preceding generations...[but] Mendelssohn could reasonably state, with the support of the rabbinical authorities of his own time that Judaism was a religion with no missionary tendencies.[33]

Mendelssohn's apologetic position regarding proselytes and proselytization, reinforced by the example of contemporary traditional authorities was extremely influential, if not dominant, until the middle years of the twentieth century.

Conclusions

The unifying feature of the attitude of the Jewish community towards proselytes in the Early Modern period is reactivity to environmental circumstances. Throughout the period the most prevalent response was defensive. At the beginning of the era, the communities had to defend themselves against physical threats. By the end of the eighteenth century, it was spiritual continuity and identity that were threatened.

Accordingly, the opinions about proselytes in the

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[33] Ibid., 173.

literature of the era reflect one of two approaches. Some commentators avoid any discussion of actual proselytes in favor of homiletics, spiritualization of the issue, or silence. Others are more straight forward, and state explicitly that they prohibit proselytization because of contemporary unfavorable conditions. This general lack of enthusiasm and support for proselytizing formed the basis of the apologetic of Moses Mendelssohn and those who followed him.

CHAPTER FIVE

THE MODERN PERIOD

As the modern period has unfolded the clarity of the nature and location of the boundary between the Jewish community and outsiders has become increasingly uncertain. This confusion has produced heated debate within the community that has led to the ramification of a range of opinions about proselytization. The roots of the divisions that exist in the twentieth century Jewish community about this issue are located in the preceding century. All shades of opinion have found their ammunition in the menu of attitudes in the traditional literature.

Historical Factors

The nineteenth century witnessed four trends that were important in the determination of the Jewish community's self-definition, which, consequently, also shaped its attitude towards proselytes and proselytization. The first was the gradual spread of Emancipation through Europe and the colonies, and the disappearance of traditional barriers

between the Jewish and Gentile communities.[1] The second trend was the spread of anti-semitic[2] movements in both eastern and western Europe in the last half of the century, perhaps in reaction to the spread of Jewish equality. These two trends reinforced the tendency, already evident in the eighteenth century, to prohibit proselytization. In areas where Emancipation had not yet arrived, and later where anti-semitic reaction arose, the prohibition was a direct responsive to conditions external to the community and to the law. Where Jewish equality was not immediately followed by a negative backlash, and even sometimes when it was, Jewish proselytism was deemphasized, if not totally denied, in the interest of facilitating acceptance by, and avoidance of conflict with, Gentiles.

A third important trend was the spread of the Jewish Enlightenment, or Haskalah, and the birth of the Reform Movement early in the century. The former movement developed in two centers. The first was Germany. The second was the product of a fourth important trend, the migration of large numbers of Jews to America. In the second half of the nineteenth century, the American Reform

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1 For a listing of the dates of Emancipation of the various communities, see Richard M. Seltzer, Jewish People, Jewish Thought: The Jewish Experience in History (New York: Macmillan Publishing Co., Inc. 1980), 508-511,619.

2 According to Seltzer, this term was first used in the 1870's.

Jewish community began to be an important force in the unfolding of one strand of opinion about proselytization. At the turn of the century, the voice of the American Conservative movement entered what was by that time a heated debate about the meaning of Judaism. They, along with the western European group, were the religious heirs of the Haskalah. All in various ways departed form what had for centuries been a fairly unified stream of tradition in regard to the understanding of Jewish law. These two movements became the most influential representatives of what came to be known as liberal or progressive Judaism. They articulated what was to become the more positive of the two strands of thought about proselytism in the Modern Period.

The other important movement that emerged from the nineteenth century was that of the traditionalists, those who continued to find the received traditional law binding, and who came to be known as the Orthodox movement. Within that camp there was some difference of opinion about the extent to which Jews should participate in the surrounding gentile culture. In regard to acceptance of proselytes however, they were almost always negative.

The seeds that had been planted in the nineteenth century have unfolded in the twentieth. The antisemitism of the closing years of the earlier century spread in the first half of the second. This spawned a cautious, apologetic

tone in the literature of the European communities of the time, and an atmosphere in which proselytization was a potentially embarrassing topic. The American community was not untouched by antisemitism, but it had far less impact there.

The anti-semitic movements ultimately culminated in the Holocaust and the extermination of a large proportion of the world's Jewish population. That event and the establishment of the State of Israel were formative of the discourse about proselytism in the years after World War II. Also important was the increasing wealth and influence of the American community, the first in history to develop within a context of complete civil equality.

The post-War years have brought a number of unprecedented challenges that have informed the range of opinion about proselytism and proselytes. The sovereignty of the State of Israel on the one hand, and the absence of barriers between American Jews and the Gentile population on the other hand, have changed the way that Jews view themselves and those who would join their community.

The Evidence of the Literature[3]

The primary tendency of the traditional camp in the Modern Period has been towards retention and reinforcement of the reluctance to convert that evolved in the hostile conditions of the eighteenth century. We can find examples of this tendency both in Europe and in America.

In 1820 the congregation K.K. Beth Elohim of Charleston, South Carolina issued the following regulation:

> The congregation will not encourage...making proselytes under any pretense whatsoever, nor shall any such be admitted under the jurisdiction of the congregation, until he, or she, or they, produce legal and satisfactory credentials, from some other congregation, where a regular Chief, or Rabbi and Hebrew Consistory is established, and provided he, or she, or they, are not people of color.[4]

This certainly indicates a lack of enthusiasm, if not outright hostility, to proselytes and others perceived as outsiders. The requirement of positive proof exceeds the Shulchan Arukh in stringency.[5]

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3 The term literature in the Modern Period covers a much broader range of materials than those we have examined in earlier chapters. Information relevant to law and practice in regard to proselytes may be found in many sources besides the traditional ones.

4 Constitution of K.K. Beth Elohim, Charleston, South Carolina, 1820, quoted in Abraham Shusterman, "The Last Two Centuries," in David Max Eichhorn, Conversion to Judaism: A History and Analysis (New York: Ktav Publishing House, 1966), 137.

5 See Shulchan Arukh, Yoreh Deah, 268.

In Europe, in the early decades of the century, many traditionalists still lived in very hostile gentile communities. Abraham Shusterman describes the contents of a responsum that Rabbi Akiva Eger the Younger (1761-1837) of Posen, Prussia published in 1834:

> He instructed an inquirer to abide by Prussian law which forbade Jews to accept converts. He stated further that, to be on the safe side, Jews should not circumcise Christians, and should not even give non-Jews instruction in Judaism. This has been cited on occasion as the learned and objective opinion of a great Talmudist. One who studies carefully the provisions of the Shulkhan Aruch...will discern quickly that it was hardly that. It was the prudent and timely counsel of a wise community leader. When Rabbi Eger wrote this opinion, Prussia was in the midst of the most vicious anti-Jewish period it had ever experienced. [6]

A few years later Rabbi Samson Raphael Hirsch of Germany (1808-1885) published his book Nineteen Letters of Ben Uzziel, an Orthodox reconciliation of the tradition with the demands of the modern world. Shusterman describes his attitude towards proselytization as follows:

> The task of the Jews individually and as a people is to observe scrupulously the...613 positive and negative commandments of the Torah. When every Jew has reached this state of spiritual excellence, the human race will be so impressed that the whole world will be converted to the Jewish point of view and acknowledge the Oneness of God. Universal brotherhood will then be achieved and mankind prepared for the advent of the Messianic

6 Shusterman, 137f.

Age.[7]

This is another rationale for prohibition of proselytization. The time is not right for it since not all Jews observe all of the commandments. It is doubtful that Hirsch expected the achievement of his prerequisite in the near future. In effect, he rules here that proselytization is not permissible.

At the end of the century avoidance of proselytization had become a staple of the traditional approach even when adverse conditions no longer existed. A more positive version of the same approach, echoing the stance of Moses Mendelssohn, is the response of Rabbi Elijah Benamozegh of Leghorn, Italy to a prospective convert:

> In order to be our brother, in the sense that you want it, there is no need for you to embrace Judaism in the manner that you understand it. It is not necessary for you to submit to the limitations of our law...[The difference between Jews and Gentiles is that] the former, as priests of humanity, are subjected to the priestly rules of Judaism. The latter, as the laymen of humanity, are subject only to the one, ancient, eternal, universal religion in whose service the Jews have been placed.[8]

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7 Ibid., 140f. See Samson Raphael Hirsch, The Nineteen Letters (Jerusalem: Feldheim Publishers, 1969).

8 Quoted in Ibid., 154.

It is not necessary then, for Gentiles to convert to Judaism, because each has a distinct role in God's plan. Gentiles are required only to live by Noahide Law.

Thus, whether for positive or negative reasons, a body of precedent accrued which later writers cited out of context in order to assert that proselytization had never been the Jewish way.

The position that evolved within the Reform movement was contrary to the closed-door stance of the Orthodox. Perhaps because of the continuing hostility of the European environment, it was within American Reform that a positive, welcoming attitude towards proselytes and proselytism evolved during the second half of the nineteenth century.

The Reform position was not without ambivalence, however. In 1858 Rabbi David Einhorn published his new Reform prayerbook, *Olath Tamid.* The book included a service for acceptance of proselytes. One scholar interprets this fact as indicative of a positive attitude towards proselytes.[9] However, at the 1869 Philadelphia Conference of Reform rabbis Eichorn, a Jewish elitist, expressed an opinion that seems to contradict the positive evidence of the prayerbook.[10] The conference was debating whether it

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9 Ibid., 141.

10 For a history of the development of the Reform Movement's attitude, see Michael Meyer, Response to Modernity: A History of the Reform Movement in Judaism (New York and Oxford: Oxford University Press, 1988).

would require circumcision of male proselytes. Einhorn stated that "the acceptance of proselytes, through which Judaism acquires many impure elements, must be made more difficult and it is precisely circumcision which can form a barrier against the influx of such elements."11

In the context of the same discussion Isaac Meyer Wise (1819-1900) expressed a contrary view that became the foundation the attitude of the mainstream of American Reform on the issue of proselytization. Wise proposed that "[We] open the gates so that 'On that day the Lord shall be One' will become a reality."12

The conference must have been inclined towards Wise's view since they passed a resolution about the mission of Israel which asserted that the destruction of the second commonwealth and the dispersion of the Jews were not punishments, but rather an opportunity to fulfill the mission they inherited from Abraham, which is "to lead the nations to the true knowledge and worship of God."13

Twenty-two years later, in an editorial in his newspaper, the American Israelite, Wise described the practical outcome of his positive approach:

Our readers must have noticed of late that we have

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11 Quoted in Ibid., 257.

12 Ibid.

13 Ibid., 146.

> published in every issue accounts of one or more conversions from Christianity to Judaism. There is little doubt that these are constantly increasing and are a daily occurrence. Owing to their frequency they now attract little attention.[14]

Even if Wise was exaggerating a bit it is notable that in contrast with the avoidant attitude of the Europeans and traditionalists, he was in an environment in which he felt free to brag about the success of Jewish proselytization in his community. In another editorial he stated his agenda explicitly. "Israel's mission is to bring about the universal triumph of Monotheism."[15]

The "mission of Israel" was confirmed by the next major conference of American Reform Rabbis, which took place in Pittsburgh in 1885.[16] Abraham Shusterman characterizes the Reform attitude as follows:

> In all rabbinic utterances, as well as in all resolutions and formulated guiding principles, Reform Judaism has affirmed the doctrine of the open door. The intensity of aggressiveness in advocating a policy of active proselyting has varied, depending upon the spirit of the times, the problems faced by each generation of leaders, and their temperamental differences.[17]

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14 Quoted in Shusterman, 143.

15 Ibid.

16 For the texts of all of the Reform Platform statements see Meyer, 383-384.

17 Ibid., 146f.

Around the turn of the century, some the movement's spokesmen were proposed aggressive action. In a sermon given in 1894 at the Hebrew Union College, the seminary of the Reform movement, Rabbi Adolph Moses (1840-1902) proposed that the name "Judaism" be changed to "Yahwism" because he believed that the latter would be more attractive to prospective gentile proselytes.[18] Needless to say, this proposal was not adopted by the movement. Two years later Moses expressed what was to become a prevalent attitude among Reform leaders. He condemned those who believe that Judaism is synonymous with the Jewish race, and argued that modern Jews must make a choice between a narrow, racist or nationalistic interpretation of the Jewish cult and a broad, world embracing, universalistic Judaism.[19]

While the consensus of the movement has most often favored a passive open door policy, Rabbi Moses' program was more aggressive:

> If the Israelites have no wish to make propaganda for their faith, the worse for them and the worse still for their descendants... We have long enough been hiding our light under a bushel. We have, like Jonah, been fleeing form the presence of God and have refused to bring His message to the children of men.[20]

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18 Ibid., 143.

19 Ibid., 144.

20 Quoted in Ibid., 144.

What is perhaps the most extreme example of a contemporary call to proselytization was the proposal of the eminent archeologist and author Sir Charles Waldston, originally Waldstein, (1856-1927) in his book The Jewish Question and the Mission of the Jews, written in 1899. In order to attract gentiles he proposed that a Neo-Mosaic Church be established with the racial "Judaic" and "Hebraic" elements excluded.[21]

What was proposed was not only active proselytization, but also modifications of Judaism in order to render it more attractive to prospective proselytes. This approach opens the boundary between Jews and non-Jews by abolishing the boundary. The leadership of Reform never went so far as to do away with the boundary altogether, however they did make it easier to pass through the gate.

At an early date they abolished ritual immersion as a prerequisite for conversion. After long debate, the Central Conference of American Rabbis, the rabbinical organization of Reform Rabbis, published their requirements for the admission of proselytes in 1883. They based their formulation on a thoroughly researched responsum[22] that

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21 Ibid., 145.

22 Walter Jacob, ed. American Reform Responsa: Collected Responsa of the Central Conference of American Rabbis 1889-1983 (New York: Central Conference of American Rabbis, 1983) Yoreh Deah 68, 216-237. See also Solomon Freehof, Reform Responsa For Our Time (Cincinnati, Hebrew

concluded that the ritual requirements as previously understood by the tradition had no legal basis in the Torah or the Rabbinical Literature and were, in fact, merely customs. Hence, they were free to reject them in favor of the following standard:

> The Central Conference of American Rabbis agreed that any rabbi, with the concurrence of two associates, might accept into the Jewish faith any "honorable and intelligent person, without any initiatory rite." The only requirements were that the person freely seek membership, that he be of good character, that he be sufficiently acquainted with the faith and practices of Judaism and that he give evidence of a sincere desire:
>
> 1. To worship only the One and Eternal God.
> 2. To live by God's laws.
> 3 To adhere in life and death to the sacred cause of Israel.[23]

The question then, was not whether proselytes were desirable, or whether they should be accepted. What was at issue was how. This has continued to be the official

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Union College Press, 1977), 71-79 in which Freehof responds to the earlier responsum on circumcision:

> The <u>total</u> tradition is vital to us as guidance, at least, if not as rigid governance. Therefore it is important to us that the Talmud and Maimonides and the <u>Shulchan Arukh</u> (*Yoreh Deah* 268) have circumcision as a firmly established law and that, therefore, it is the widespread practice of our people to circumcise proselytes. The fact that these laws are post-Biblical and post-Mishnaic has no strong importance for us, at least not as strong an importance as it did for our predecessors. Therefore, the matter remains one for our own decision, based upon our feelings in the matter.

[23] Shusterman, 148.

position of the Reform Movement in the twentieth century.

In 1927, the movement confirmed the establishment of proselytization as a part of Reform with the publication of a rabbinical handbook, Judaism, a Manual for the Instruction of Proselytes. The 1937 Columbus Platform, in the less congenial conditions that preceded the Second World War, deemphasized the "mission of Israel" theme in favor of harmony with other religious groups, but did state that "the non-Jew who accepts our faith is welcomed as a full member of the Jewish community."[24] The most recent official statement by the movement, the San Francisco Platform of 1976, assumes the existence of proselytes within the community, and includes them in its definition of Jewish peoplehood.[25]

Although is seems likely that the movement has been accepting proselytes throughout the century, there have been periodic concentrations of interest on the issue accompanied by calls for more active, or systematic action. The pre-World War II years saw the publication of two books by Reform scholars that examined the history of

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24 Meyer, 389.

25 Meyer, 392.

proselytization.[26] Both of these studies refuted the commonly held notion, most strongly asserted by the Orthodox, but also commonplace among the laity of all movements, that Judaism has never been a proselytizing religion.

Shortly after the War, the CCAR passed a resolution calling for a more active approach to proselytization. A Committee on the Unaffiliated was formed in 1951. In 1957 that committee submitted a report recommending that a program be adopted to reach the unaffiliated.[27]

In 1978 Alexander Schindler, the president of the Union of American Hebrew Congregations, the lay arm of the movement, called for the establishment of an Outreach Program[28] which would, among other things, develop programming to meet the needs of a group newly designated as Jews-by-Choice. After study by a joint task force of the CCAR and the UAHC, this recommendation was accepted in 1981

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26 Bernard J. Bamberger, Proselytism in the Talmudic Period (New York: Ktav Publishing House, Inc., 1939) and William G. Braude, Jewish Proselyting in the First Five Centuries of the Common Era (Providence, R.I.: Brown University, 1940).

27 Shusterman, 165-167.

28 For a concise history of the Outreach Program and a statement of its purposes and goals see Defining the Role of the Non-Jew in the Synagogue: A Resource for Congregations, Commission on Reform Jewish Outreach of the Union of American Hebrew Congregations and the Central Conference of American Rabbis, Union of American Hebrew Congregations, 1990, 12ff.

by the UAHC, and in 1983 a joint UAHC/CCAR Commission on Reform Jewish Outreach was established. The mandate of that organization is to develop programs and materials for, among others, Jews-by-Choice. Among these programs are Introduction to Judaism courses for prospective proselytes. This unprecedented joint effort by the rabbinic and lay branches of the movement is worth particular note because for the first time lay leadership were directly involved in an initiative favoring proselytization. At the Biennial Convention of the UAHC in 1991 there was a further initiative along these lines. It was proposed that congregations invite the non-Jewish spouses of the intermarried couples in their midst to become Jews.

This proposal, like all of the others that have been offered by the rabbinic and lay leadership of the movement, was greeted with some ambivalence. The great Reform scholar Solomon Freehof, for example, expressed reservations about an earlier proposal in favor of active proselytization couched in language reminiscent of the position of Moses Mendelssohn:

> We have always insisted that religions can be universal without war between religions and without capturing members from each other. We already have a universal religion, a uniquely universal religion. We are the one universal religion that believes that other universal religions can coexist with us.[29]

29 Quoted in Ibid., 162.

It seems however, that very few official dissenting opinions about proselytization have been recorded in the Reform Movement. Even here, Freehof's reservation is in regard to active pursuit of converts. He does not rule out acceptance of those who seek to become Jews of their own accord.

Although there is not much negative opinion on record, Abraham Shusterman speculated in the early sixties that a majority of Jewry, perhaps including the Reform community, held such opinions:

> It is altogether possible that, if a poll were to be taken of world rabbinic opinion right now, a majority of the world's rabbis would vote against any suggested program set up for the purpose of proselyting non-Jews. If a similar poll were taken among the Jewish laity, it is quite likely that the percentage of negative votes would be even higher than among the rabbis.[30]

Although it is only speculative, his statement suggests an ambivalence that is not evident in the official statements of the leadership of the Reform Movement. Further evidence for the possible validity of his observation is the absence of any support for the various Jewish missionary organizations that have been established

30 Ibid. 162f.

since World War II.[31] It would seem that the masses of Reform Jews might have lent some support to these groups if they had shared the positive views of their leadership but, in fact, none of these organizations has ever received any substantial support.

The evidence for ambivalence, not to mention hostility, towards proselytes within the Reform Movement consists largely of hear-say evidence from some rabbis and some proselytes who report a less than welcoming attitude among born Jews.

The Conservative Movement has recorded many more negative voices in regard to proselytization. That movement's stance vis-a-vis newcomers to the community does not seem to be grounded in a philosophy like the "mission of Israel" expounded at various times in the Reform movement. Instead, the leaders of the movement who favor a welcoming attitude to proselytes often explicitly propose proselytism not as a Jewish ideal, but rather as a solution to specific problems of the community. In recent years the Reform Movement has tended towards more pragmatic approaches to the issue, but this tone seems to have always characterized the discussion around proselytization in the Conservative Movement. The debate in the latter group has been more

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31 For a description of these organizations see Rosenbloom, Joseph R. Conversion to Judaism: From the Biblical Period to the Present (Cincinnati, Ohio: Hebrew Union College Press, 1978), 133-135.

public if the number of recorded dissenting opinions is any indication of willingness to acknowledge ambivalence.

The writings of a number of prominent spokesmen from the Conservative Movement suggest that interest in proselytizing has been prompted by environmental challenges such as the loss of millions of Jews in the Holocaust, and the explosion in the rate of intermarriage in this century. The Conservative Rabbi Robert Gordis, for example, in an article in the March 1958 edition of the National Jewish Monthly proposed that his movement begin a discussion of proselytization and some pilot programs because of "the need for new acquisitions by a people who have lost millions of their members in recent years as the result of Nazi brutality and the quest for a new faith by millions."[32]

Not all of his contemporaries shared his enthusiasm for this initiative. Rabbi Ira Eisenstein[33], in his book Judaism Under Freedom, discusses what Judaism can and should offer to those who are outside the community. His stance is based on a distinction he makes between the ideals and the sancta that characterize religions. Sancta, he says, include the scriptures, holy days, ceremonials, hero-

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32 Robert Gordis, "Has the Time Arrived for Jewish Missionaries?", National Jewish Monthly (March 1958): 6f.

33 Ira Eisenstein, Judaism Under Freedom (Philadelphia: Reconstructionist Press, 1956). Eisenstein is a member of the Reconstructionist Movement, an offshoot of the Conservative Movement. The following discussion of Eisenstein's work is based on that in Shusterman, 167.

personalities, mode of worship, and history particular to a religion. It is possible for two religions to share the same ideals, but not the same sancta. Eisenstein acknowledges an obligation to share Jewish ideals with the world but does not think that there is a similar duty in regard to sancta. Sharing means influence, not proselytization. In contrast with the views of those in the Reform Movement for whom proselytization is entailed in the "mission of Israel," Eisenstein concludes that "the universalism of a religion should consist in the universal applicability of its values."[34]

Another leading Conservative thinker, Rabbi Jacob Agus expressed a similar attitude. He regarded it as wrong for a people to think of itself as existing "only by virtue of supposed usefulness to the outside world." Jewry should exist as a "creative minority". Again the emphasis is on a sharing of ideas rather than active proselytizing.[35]

A much more strongly worded dissent appears in Richard Kirshenbaum's 1958 book, Mixed Marriage and the Jewish Future:

> When before have Jews taken pride in non-Jewish ancestry or family relationship... even when the convert in truth followed Judaism? Among certain Jewish parents, a proselyte daughter-in-law who can make tasty *gefilte* fish for the Sabbath and *kreplach*

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34 Ibid.

35 Ibid.

> for the festivals is more highly regarded than their own daughters and certainly more than their Jewish daughters-in-law.[36]

Kirshenbaum's poignant statement clearly represents the opinion of one individual and is in clear contradiction with later statements by his movement. However, it is noteworthy because it places the discussion of proselytization clearly in the midst of the community's confrontation with the phenomenon of intermarriage. He addresses himself not to an abstract ideal standard for proselytization by the Jewish community, but to one real result of one kind of proselytization. His plaint is suggestive of a gap between official statements about proselytization issued by the leadership of his movement and the dynamics of day to day life within the community.

Twelve years later, an article appeared in the journal Conservative Judaism that directly addressed the relationship between proselytization and intermarriage. The article was prompted by the results of a 1969 survey[37] conducted by the Committee on Jewish Law and Standards of the Rabbinical Assembly, the rabbinic organization of the

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36 Richard Kirshenbaum, Mixed Marriage and the Jewish Future (New York: Bloch Publishing, 1958) 107, quoted in Steven Huberman, "Conversion to Judaism: An Analysis of Family Matters," Judaism (Summer 1981) vol. 30, no. 3.

37 The results of the survey are reported in Aaron H. Blumenthal, "Questionnaire on Conversion," Conservative Judaism (Summer 1970): vol. 24, no. 4, 43-47.

Conservative Movement. In that year the Committee sent a questionnaire about conversion to the membership of the Assembly. One hundred and eighty rabbis responded.[38]

The results indicated that most candidates for conversion who were approaching Conservative Rabbis at that time were attracted to Judaism by the desire to marry Jews. The report further notes that "sixty percent admit that they do not discourage candidates for conversion."[39] The wording is interesting. Evidently failing to discourage prospective proselytes was not entirely acceptable if it was something that rabbis had to "admit." The report does not derive any implication from the fact that forty percent evidently did discourage proselytes.

Instead, the focus of the remaining portion of the report is on the "...problem [which is] larger than we have believed it to be... The number of converts to Judaism has become so substantial, that we must address ourselves vigorously to the problem on a national level. Parents and rabbis are accepting intermarriages where the non-Jewish partner converts to Judaism. We no longer debate whether to

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38 The study does not indicate how many active rabbis were members of the Rabbinical Assembly at that time, however the names of 481 participants are listed in the Proceedings of the Rabbinical Assembly for that year so it would seem that the sample is a fairly large one.

39 Ibid. 43.

accept the converts to Judaism, but *how* to accept them."[40]

The response to this report was a motion by the Law and Standards Committee proposing that a "pilot" school for converts be set up in New York City, that the topic of conversion be addressed at the next R.A. convention and that a standing committee be established to address concerns regarding proselytes.

The movement acknowledged that the increasing influx of converts for the sake of marriage was a phenomenon that required official response and action from the movement. In the same issue of Conservative Judaism, another article appears that addresses a halakhic question raised by the report. Rabbi Donald Frieman frames the question as follows:

> A mixed marriage, where neither party converts, can... be a tormenting experience for the parents...By comparison, there is almost a sense of relief when it is divulged that, although their son or daughter is engaged to a non-Jew, the fiance(e) wishes to convert to Judaism. The question is whether, as Jews, we should open our arms and accept these converts or be cautious in accepting some of these conversions for convenience.[41]

Frieman finds the traditional approach to such proselytes, that is, rejection of all who want to convert

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40 Ibid., 43f.

41 Donald Frieman, "Conversion or Convenience?", Conservative Judaism (Summer 1970): Vol. 24, no. 4, 36.

because of a planned marriage, unacceptable, because it would mean turning away almost all prospective proselytes. He bases his rejection of this stance on the demographic fact that Jews are a minority and cannot afford a position that might greatly diminish their numbers. His proposed solution is selective acceptance and screening of proselytes. The screening is to be accomplished by means of certain educational prerequisites. If at the end of an educational program, in the form of a class sponsored by the Conservative Movement, the candidate seems suitable he or she may be accepted as a proselyte. This model has been implemented in some cities, and resembles the Introduction to Judaism classes of the Reform Movement.

Frieman also addresses the issue of acceptance of proselytes by the laity:

> The motives of the convert, unfortunately, are frequently suspect in the eyes of the Jewish community. Seldom are converts accepted into the community as equals. They are always pointed to as "converts." Recently a member of the congregation called me prior to the Bar Mitzvah of the son of another member in the community. She informed me that the mother of the Bar Mitzvah was not Jewish, and that the boy should not become a Bar Mitzvah. I thought it best to ask the mother of the boy about the matter. She explained that indeed she had not been Jewish, but had converted prior to her marriage and had the required documents to prove it. Upon learning this, my initial caller remarked, "She's still a *shikse* as far as I'm concerned. [42]

42 Ibid., 38f.

Five years later, another commentator speculated about the intransigence of individuals like the woman described above:

> [There is a] subtle self-hatred which infects many rank-and-file members of congregations... Those who are Jewishly literate or sophisticated may find it hard to believe that a *goy* would give up the advantages of being "out there" in order to accept the burden of Jewish identity. Since most converts are women who have married Jewish men they are also perceived as the ever-present *shikses* who threaten... [the fidelity of Jewish] husbands, [the loyalty of Jewish] sons, and [Jewish daughters'] chances of finding a suitable Jewish mate. This factor tends to attenuate with each generation removed from the immigrant and is virtually non-existent among the more educated and assimilated young people, but remains significant for the present.[43]

In spite of the author's unsupported observation about the diminution of this attitude over time, hear-say reports to the contrary still circulate in the community.

In 1974, in the wake of the "Who is a Jew" crisis that had disrupted the Israeli government in the prior year, a leader of the Conservative Movement called for a reexamination of the movement's stance in regard to proselytization. This took the form of a clarification and justification of Conservative Halakhah and practice in relation the other major movements, and in relation to

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43. Gilbert Muller, "The Advisability of Seeking Converts," Judaism (Winter 1975), Issue 93, vol. 24, no.1, 53.

Orthodoxy in particular.[44] The main thrust of the article is a justification of the acceptance of converts for the sake of marriage, because in the author's experience and that of his colleagues, "often enough conversion is the only possible answer to a contemplated intermarriage."[45] Unlike most prior writers from the Conservative movement, he very carefully supports his position with citations from the traditional legal literature.

His article is accompanied by another that is totally devoted to the matter of conversion for the sake of marriage.[46] This study also offers traditional citations to justify the acceptance of such candidates. It goes so far as to conclude that it may be that in today's world marriage may be a sounder motive for conversion than the traditional notion of "for the sake of Heaven":

> It is...significant to note that, though many Jews are inclined to mistrust the religious sincerity of a convert embracing Judaism for the sake of marriage, such a conversion often turns out to be of a more enduring nature than that which results from an inner conviction on the part of a proselyte. There is frequently the likelihood that the latter's decision to embrace Judaism was influenced by a whim or an emotional appeal which is of a passing nature. Inner

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44 Theodore Friedman, "Conversion and Conservative Judaism," Conservative Judaism (Spring 1974): vol. 28, no. 3, 21-29.

45 Ibid., 22.

46 [illegible], "Converting Because of Marriage--Motives," Conservative Judaism (Spring 1974):vol. 28, no. 3, 30-40.

> conviction is not as tangible and compelling a motivation to remain steadfastly within the Jewish fold as the determination of both the convert and the Jewish-born mate to have their marriage succeed.47

Five years later a different Conservative leader initiated yet another reexamination of the issue of conversion, this time in response to the 1978 proposal of Alexander Schindler of the Reform Movement.48 A mini-convention49 on proselytization was convened. The convention took place in April of 1979, and was attended by 100 rabbis. In anticipation of the conference a questionnaire about some of the basic issues of proselytization was sent to all members of the Rabbinical Assembly.50 Interestingly, the question of whether proselytes should be accepted was no longer an issue. The questionnaire focused on questions about instruction for proselytes, public versus private rituals, and the desirability of a permanent record file in New York. Many of the questions were similar to those asked in the 1970 survey. This time, however, the rabbis were also asked to

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47 Ibid., 39.

48 See p.122 above.

49 The proceedings of that conference and the contents of and responses to the questionnaire that was sent out before the conference are reported in the Fall 1979 issue of Conservative Judaism.

50 Harold I. Stern, "Gerut: Introduction", Conservative Judaism (Fall 1979): vol.33, no. 1, 28-31.

indicate whether they were satisfied with the extent to which converts are absorbed into the Jewish community.

The response to the latter question was as follows:

> General satisfaction with the extent to which converts are absorbed by the congregation was expressed by fifty-eight percent of the rabbis. On the other hand, seventy-nine percent would welcome the Rabbinical Assembly's dealing with the subject of absorption. These statistics point to at least an uneasy satisfaction with the [absorption of]... our proselytes. To bear this out, eighty-nine percent of the rabbis want the RA to provide educational material designed to alter the negative attitudes evinced by Jews toward converts.[51]

The presentations at the conference included a review and justification of the Conservative Halakhah[52], a proposal for a Conservative Outreach program[53], and responses from four converts[54]. The review of the Halakhah covers much of the same ground as prior studies that addressed the various Orthodox challenges to the Conservative interpretation of the law. It concludes that:

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51 Ibid., 30.

52 Seymour Sigel, "Gerut and the Conservative Movement," Conservative Judaism (Fall 1979): vol.33, no. 1, 32-41.

53 Stephen C. Lerner, "Gerut and the Conservative Movement: An Approach for Our Time," Conservative Judaism (Fall 1979): vol. 33, no. 1, 42-49.

54 Sue Goldfarb, Adele Milch, Joan C. Berman, and Rick Thompson, "Responses from Converts," Ibid. 50-62.

> We should encourage those who wish to join us in our vocation, who are attracted by the light of Torah and the luminosity of Jewish life. We are a movement committed to conversions according to the laws and traditions of Judaism...We do not wish to see narrow and hard-hearted interpretations of Jewish law which cause separation rather than closeness.[55]

The Conservative Movement then, defines itself as faithful to the traditional laws of gerut, in contrast with the Reform Movement. On the other hand, the movement also wants to avoid the "narrow" interpretations that characterize the Orthodox camp.

The action proposal that follows grapples explicitly with the ambivalence that exists in the movement in spite of its official stance:

> To be sure, we... have been...welcoming of *gerim*. Still our ambivalence is great and this is reflected by the fact that while we have set up schools for *gerut* or individual conversion programs in many places, we have generally been loath to publicize our programs extensively...The result is that people sometimes wander fruitlessly before finding a rabbi or program sympathetic to them, some encountering at first unsympathetic rabbis who browbeat or insult them... Our stance is so parve and grudging that we hardly touch all who might be interested. Furthermore we tell our congregants between the lines that this is only a necessary evil and not a potential plus for our people or our faith. The fear is, I know, that if we speak more positively, somehow we will encourage interdating and intermarriage. ..The truth is that the acceptance of these things is so widespread that it is hard to see how a more open approach could change the situation

55 Sigel, Ibid., 41.

except to clear up some of the hypocrisy.[56]

The same writer lists four gains of a positive outreach program:

> First we would bring into Judaism many intermarried families on the fringes of Jewish life... Second, we would once and for all break out of the club-like mentality which threatens to strangle Conservative Judaism... An outreach program would affirm clearly that Judaism is a vision, a goal, a holy way to be loved, not a fact of birth alone. The presence of sincere converts in every shul can and does have a positive effect on born Jews. Watching a convert take Jewish demands seriously, the indifferent Jew can begin to wonder if there is in fact something in his faith... Third, we would tell ourselves and the world that we are not to be picked off by... missionary group[s]... Finally, we would be bringing back to our faith and people some of those who have been lost to us during ages of persecution and assimilation[57].

Since 1979 occasional articles have appeared reporting on the outcomes of various outreach models and offering information for rabbis who counsel converts.[58] Meanwhile, the debate goes on. In 1983, Dr. Egon Mayer spoke to that year's convention of the Rabbinical Assembly about the

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56 Lerner, Ibid., 45,47.

57 Ibid., 47f.

58 See for example Michael Wasserman, "Outreach to Interfaith Couples: Two Conceptual Models," Conservative Judaism (Fall 1988): vol. 41, no. 1, 74-86 and Samuel H. Weintraub, "Protect, Unify, Principled, Sensitive Conservative Outreach," Conservative Judaism (Fall 1990): vol. 42, no. 1, 39-52.

implications of his sociological research about proselytes and their families.[59] It is evident form the content of his remarks that he was responding to, among other things, the criticism that converts make indifferent Jews. At the time, the movement seemed to be trying to finetune its programs for proselytes while continuing an internal debate with the traditionalist members of the RA.[60]

We can conclude then, that officially the Conservative Movement continues to welcome proselytes, but that an ongoing debate and some ambivalence exist within both leadership and lay circles. The approach of the centrist group is very similar to that of the Reform Movement, although there seems to have been a more explicit official discussion of ambivalence among the former group. We may speculate that the experience of any particular proselyte in any particular community is dependant on where that community's lay and rabbinic leaders fall on the continuum of opinion about *gerut*.

Officially, there is no such ambivalence among the Orthodox. This is consistent with the fact that in theory this movement retains the traditional authority structure under which the "great ones of the generation" determine how

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59 Egon Mayer, "Jews By Choice:Their Impact on the Contemporary American Jewish Community," Proceedings of the Rabbinical Assembly (1983): vol. 45, 57-70.

60 See for an example, David Novak, "Should Jews Proselytize", Sh'ma (October 1979): 9/179, 153-155.

the law is to be interpreted. However, since there is no central Chief Rabbinate, the practical result is that peer pressure holds sway. One observer describes the situation as follows:

> The peculiar dynamics of a decentralized Orthodoxy tend to put a premium on caution. It is always more comfortable to be a *makhmir* (strict constructionist) than a *maykil* (loose constructionist). In the absence of a recognized authority to sanction liberalizing moves, any leader who claims Orthodox credentials stands in danger of being accused of not being Orthodox enough and of losing his constituency to super-pietists... All of this... make[s] involvement in conversions a potentially uncomfortable or even risky activity for the average Orthodox rabbi.[61]

The responses of Orthodoxy to the issue of proselytization seem to have been shaped by two related concerns that the movement perceives as a threat to the Jewish community. The first of these is the diminishing level of observance among modern Jews. Second is the accelerating phenomenon of intermarriage and conversion for the sake of marriage.

The most extreme response is that of some Orthodox communities that have issued ordinances banning the acceptance of any converts in order to forestall mixed marriage. This solution has been employed in a few small communities that still affirm the authority of a Chief

61 Kollin, 52.

Rabbi. S. Zevulun Lieberman describes the stance of the Syrian-Sephardic community in New York:

> In 1935, following the example of the Syrian-Sephardic community of Argentina, the Brooklyn bet din promulgated a ban on accepting any converts; this was reaffirmed by the rabbinical authorities in 1946 and 1972... It is the realization that no converts whatsoever will be accepted that keeps all but the most marginally affiliated from embarking upon serious social relationships with non-Jews.
>
> The current situation in America regarding conversions, whereby most *gerut* is done for the purpose of marriage, represents a sham and travesty of the Jewish tradition. But the Sephardic community's approach is proof of the power of a community to protect its heritage and traditions, even though it may not be reproducible across all American Jewish communities.62

One gets the impression that if it were possible, the author would enforce just such a regulation in all American communities. It seems that the issue of proselytization has been politicized by the tensions between the liberal and traditional wings of Judaism. This is consistent with the findings of David Ellenson's study of the development of Orthodox attitudes towards conversion in the modern period in the diaspora.63 His examination of the responsa

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62 S. Zevulun Lieberman, "A Sephardic Ban on Converts," in Emaunel Feldman and Joel B. Wolowelsky, eds., The Conversion Crisis: Essays from the Pages of Tradition (New York: Ktav/The Rabbinical Council of America, 1990), 49f.

63 See David Ellenson, "The Development of Orthodox Attitudes to Conversion in the Modern Period," Conservative Judaism (Summer, 1983), Vol. 36, No. 4, 57-73, and David Ellenson, "Representative Orthodox Responsa on Conversion

literature of the last two centuries related to that issue suggests that in periods when the Orthodox felt confident of their influence in the community their rulings in regard to conversion for the sake of marriage tended towards stringency. When the traditionalists were a minority, leniency was more likely. Thus, in the earliest part of the period, from 1830 to 1870 the opinions of prominent rabbis were stringent. They felt that this was the way to stem the rising tide of Jewish exogamy and to avoid further attenuation of traditional Jewish observance. During the period from 1870-1930, perhaps because of the rising influence of the liberal movements, the traditional responsa addressed to this issue were far more lenient. Ellenson speculates that the traditionalists had to respond to the fact that their adherents lived in close proximity with the non-Orthodox community at that time. In the years since World War II, and especially in the last twenty years with the resurgence of Orthodoxy, the traditionalists in the diaspora have virtually closed the door to conversion altogether.

Exemplary of this stringency is the position taken by Rabbi Moses Feinstein, the most prominent decisor in the diaspora in this century. He and his colleagues have based their position on the requirement that every candidate for

and Intermarriage in the Contemporary Era," Jewish Social Studies (1985) vol. 47, 209-220.

proselytization must accept every one of the commandments. Ellenson describes Rabbi Feinstein's stance as follows:

> Feinstein was keenly aware that most conversions in the modern period were done... for purposes of marriage to a born Jew... Expressing his desire for absolute standards to be established in this area of Jewish law, he held such conversions, except in the rarest of cases, to be generally unacceptable. Thus, in 1963, Feinstein stated that he was uncomfortable with conversions where an intermarriage was involved even when all requirements for conversion were fulfilled by the convert and supervised by an Orthodox rabbinic court.(*Igerot Moshe, Yoreh Deah*, II, no. 125)... He believe[d] that the majority of Orthodox rabbis in the current day "did not want to engage in matters concerning conversion at all." (*Igerot Moshe, Even Ha-Ezer*, I, no.27)[64]

Ellenson raises questions about the contemporary tendency towards stringency since his study indicates that in prior generations there was a greater diversity of published opinion on the subject. He theorizes that "these Orthodox rabbis, aware of both their isolation from... non-Orthodox elements and their perceived ever-increasing strength both within and without their own communities, feel compelled and sufficiently confident to engage in a literal holy war... "war of the Lord"... against the forces of dissolution, [and] "lawlessness" in the non-Orthodox Jewish world. The inclination of these men to rule stringently in these cases is thus heightened by their perception that the

64 Ellenson, "Representative Orthodox Responsa," 218.

actions of this non-observant majority are feckless and potentially fatal to the continuity of the group unless such non-compromising stances are adopted."[65]

It should be noted that not all diaspora authorities subscribe to this position although those espousing a more moderate position have not published opinions, probably because of fear of delegitimation by colleagues. There is some evidence in a 1968 sociological study of American Orthodoxy[66] that actual practice may not be consistent with the position of leaders like Rabbi Feinstein. David Ellenson assesses that evidence as follows:

> [The study] quote[s]a Cincinnati-based Orthodox rabbi who had converted three non-Jewish women to Judaism. This rabbi, in explaining his actions, contended, "In each case there were minor children involved with great likelihood that these children would marry Jewish partners eventually. My reasoning was that there was nothing to be gained and a great deal to be lost in not converting the non-Jewish women and their children." If this rabbi is typical, it would appear that these modern Orthodox rabbis in communities like Cincinnati are not as distant from the non-observant Jewish populations of their cities as are rabbinic authorities such as Rabbi Feinstein.[67]

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65 Ibid., 218f.

66 Albert Ehrman and Abraham C. Fenster, "Conversion and American Orthodox Judaism: a Research Note," Jewish Journal of Sociology, 1983, 53.

67 Ibid., 219, n.4.

Undoubtedly, the fact that Cincinnati is a city in which the Orthodox are not dominant has some bearing on the fact that a traditional rabbi in that locale might lean toward liberal practice. Nevertheless, the testimony of this rabbi may reflect a discrepancy between p'sak and practice, on the one hand, and/or a tension between the right wing and "modern" sectors of the Orthodox community.

An indicator that both may have some validity is the recent publication of a handbook for prospective proselytes by a member of the "modern" camp.[68] Rabbi Maurice Lamm is a professor at Yeshiva University. The dust jacket of his book describes it as "a work designed expressly for non-Jews who are contemplating converting, for those who have already converted, and for Jews by birth who wish to gain a deeper insight into their heritage." Evidently some in the more moderate "modern" movement do not agree with Rabbi Feinstein's position. Rabbi Lamm explicitly dissents from the prevailing public position that conversion for marriage is totally unacceptable in an appendix devoted to that issue:

> There is a significant source of hope implicit in the very nature of conversion today. It is possibly an opportunity, not only a danger as seen heretofore, that is of significant value in our contemporary situation... Conversion can often lead to an authentic transformation, even if it begins only as an

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68. Maurice Lamm, Becoming a Jew (New York: Jonathan David Publishers, 1991).

> accommodation. And if that appears to be likely, then flippancy toward the accommodation convert can easily result in a noxious form of spiritual vandalism... Today, couples can freely live together... without fear of community rejection or even disapproval. If conversion is undertaken, it is usually not for the sole purpose of marriage.... Further, it is not out of the realm of possibility in our day, that rejecting a candidate for conversion will encourage a non-observing couple to simply slip out of the fold and join a church some time later... Do we want to chance this?... This situation falls under the legal rubric of *sha'at ha'dechak*, "times of emergency"...
>
> How much intermarriage are we prepared to risk in order to defend the "pure motive" idyllic state that we have cherished all through history? It is not an accident, I hold, that Maimonides placed the laws of admission to Judaism purposely within the folds of the laws of prohibited unions, such as intermarriage. The avoidance of one may lead us to the other... For these reasons and others, Orthodox rabbis often participate in such conversions. Nonetheless, the fundamental *sine qua non*, even of these of these conversions and regardless of the motivation, is the safe predictability of living a traditional Jewish life, replete with Jewish values, Jewish education for the children, and observance of the whole skein of Jewish practices.[69]

He follows these comments with the caveat that no rabbinic decision should be based on them. Nevertheless, given the tendency of the last twenty years, it is noteworthy that anyone in the Orthodox camp would publish a book such as this containing a public statement condoning any form of conversion for the sake of marriage. It would seem that the debate around this issue is becoming more public, even within the Orthodox sector of the diaspora

69 Ibid., 437-439.

Jewish community.

Theoretically, the Jewish community in Israel is guided by the opinions of the same great scholars whose decisions are decisive for the diaspora. However David Ellenson comments that:

> Impressionistic evidence drawn from Israel indicates that Orthodox rabbinic attitudes toward conversion to Judaism in Israel may be different from that of Orthodox rabbinic leadership in the diaspora. Rabbi I. Y. Unterman, for example, who stated that he would not receive converts who came for purposes of intermarriage while serving in the diaspora, took quite a permissive stance toward comparable persons when living in Israel. Similarly, in a very famous case, former Chief Ashkenazic Rabbi Shlomo Goren, of the State of Israel, converted ...a resident on a irreligious ...kibbutz to Judaism. It is unlikely that any person electing to live there would fulfill Orthodox Jewish standards of observance.[70]

Indeed, in a number of instances Israeli rabbis have published opinions that counsel examination of each case on its merits as opposed to a blanket assumption that no prospective convert for the sake of marriage is suitable.[71] However, although a range of halakhic opinion evidently exists among Israeli Orthodox authorities, policy

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70 Ellenson, Ibid., 219, n.2.

71 See for example the relatively lenient approach of Rabbi Haim David Levi in his article on Gerut his book *Asseh Lecha Rav* (Tel Aviv: 1974). He bases his opinion on that of Rav Ben Zion Uziel, a prominent Israeli halakhist. See also the articles by Rabbi Betzalel Zolti and Rabbi Shmuel T. Rubenstein in *Torah She Ba'al Peh* (Jerusalem: Mosad HaRav Kook, 1971).

considerations may be more influential in the shaping of actual practice.

A Conservative observer of the Israeli scene has described the state of the conversion process in Israel as follows:

> [There is] *tohu vavohu* [utter disorder] surrounding conversion in this country. Annually, there are no less than about six thousand applications for conversion but only about five of six hundred actual conversions. The disparity is largely due to the fact that conversion here is a kind of obstacle course. Some rabbinic courts flatly refuse to accept any converts. Those that do insist on a waiting period of a year before accepting an applicant and directing him or her to a course of instruction that can last a year. Some years ago, the late Rabbi Unterman, the Chief Rabbi of Israel, issued a regulation waiving the waiting period for intermarried couples. Today this regulation is disregarded... To round out the chaos, there are Battei Din that for a significant fee, labeled, contribution to a Yeshiva, will perform a conversion in two weeks.... While matters of personal status are by law under the jurisdiction of the Rabbinate, the latter is so riven with internal tension and personal rivalry as to be a house totally divided on this , as well as other matters. Officials of the Ministry of Religious Affairs openly admit they are helpless to bring any semblance of uniformity into this area since every Beth Din regards itself as completely autonomous.72

The true attitude of Israeli authorities toward proselytes and proselytism, whatever it might be, has become obscured by a cumbersome administrative structure with a life of its own. On the basis of this evidence one can only

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72 Theodore Friedman, "Conversion as an Obstacle Course," *Conservative Judaism* (Summer 1979): vol. 32I, no. 3, 97f.

speculate that the experience of many Israeli proselytes must be negative. The problems of converts after conversion seem to have received no attention. The only concern expressed is whether converts will observe the commandments after conversion.[73]

Conclusions

Two basic tendencies evolved from the nineteenth century bifurcation of the community spawned by the combined effects of Haskalah, Emancipation, and the rise of Anti-semitism. On the one hand, there was a tendency among the traditional camp to retain the attitude that proselytization was a danger to the community and that Jews do not and have never proselytized. Some on the liberal side of the fence shared this attitude, interpreting universalism to imply that no religion is any better than another and that proselytism is therefore pointless. Newly emancipated communities were also leery of conversion's potential to hamper their acceptance as equal citizens.

Another segment of the liberal community interpreted its universalism differently. In the latter part of the century this approach became crystallized within American Reform under the rubric "mission of Israel." The advocates

73 See the articles listed in n. 71.

of this position saw a mandate for Jewry to share Judaism with the world.

In the twentieth century these two basic trends, albeit in various forms, continue to be manifest in the official and nonofficial statements of representatives of the three major movements. The Reform and Conservative movements are the heirs of the more welcoming stance of early Reform. The ORthodox, with few exceptions, remain theoretically opposed to *gerut*.

All of these movements have been shaped by environmental factors, particularly the rapidly escalating rate of intermarriage. Likewise, the movements have defined their positions partially in reaction to each other. It is not coincidental, for example, that two major Conservative initiatives in this area have directly followed actions by either Reform or Orthodox Jewish leaders.

Ostensibly the two liberal movements have attended more to the individual needs of converts in their communities, although there is some evidence that there is ambivalence towards gerim present in their ranks. The Orthodox wing, given the evidence of the published opinions of its leaders, seems more concerned about upholding a behavioral standard among Jews than about the situation of any particular individual. There is evidence that actual practice may reflect a more welcoming stance, particularly among some of the "modern" Orthodox in the United States.

Concerns about, and discussion of gerut in the twentieth century follow directly from the communities' alarm over intermarriage and the debate about how to meet that challenge to Jewish continuity. Given the rising rate of intermarriage, it is likely that the debate about *gerut* both within and among the various sectors of the Jewish community will continue well into the next century. While this debate rages, the attitudes of both laypeople and rabbis are likely to continue to reflect their orientation towards the intermarriage problem.

CHAPTER SIX

THE IMPACT OF THE TRADITION ON THE LIVES OF GERIM

Most of the debate about proselytes in this century has focused on gatekeeping issues. Two questions, whether to accept proselytes and later, how to accept them have preoccupied the community for decades. More recently there has been concern about the impact of the absorption of a significant number of proselytes on the community's future.

Although there has been some public discussion of the needs and experience of proselytes once they have become Jews, particularly within the liberal movements, there has not been much discussion of what impact, if any, the diversity of opinions in the tradition, and in modern Judaism, has had on the lives of individual proselytes in the contemporary period. Accordingly, in this chapter we will examine the tradition regarding prayer life and leadership, two important areas of participation in Jewish life, and how that tradition has been translated into the realities of contemporary practice.

Prayer

Although the Talmud states that proselytes are like other Jews "in all ways,"[1] in fact they are different because their ancestors were not Jews. The debate in the traditional literature about converts and prayer turns on the interpretation of the meaning of this difference. If Jewish identity is determined in any way by birth, affected proselytes can never be entirely equal with born Jews; if Jewishness is defined by belief and practice, proselytes can indeed be the equals of born-Jews.[2] The former opinion is found in Mishnah *Bikkurim* 1.4 which limits the participation of proselytes whose fathers were not Jews:

> These may bring but do not make the declaration: the proselyte may bring but does not make the declaration[3]

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1 Yevamot 47b.

2 Shaye J. D. Cohen, "Can Converts to Judaism Say 'God of Our Fathers'?", Judaism (Fall 1991): issue no. 160, vol. 40, no. 4, 419.

3 The Mishnah refers to the bringing of the first fruits as prescribed in Deuteronomy 26.2-11. The passage opens as follows:

> You shall take some of every first fruit of the soil, which you harvest from the land that the Lord your God is giving you, put it in a basket and go to the place where the Lord you God will choose to establish His name. You shall go to the priest in charge at that time and say to him, "I acknowledge this day before the Lord your God that I have entered the land that the Lord swore to our fathers to assign us."

> because he cannot say, 'Which the Eternal swore to our fathers to give us'. But if his mother were an Israelite, he may bring and make the declaration. And when he prays privately, he says, 'O God of the fathers of Israel'; and when he is in the Synagogue, he says, 'O God of your fathers'; and if his mother were an Israelite, he may say, 'O God of our fathers.'[4]

According to this Mishnah, some proselytes cannot fully participate in the ritual of the first fruits because they do not have Jewish "fathers". In the discussion of this Mishnah in the Jerusalem Talmud we find the following:

> It was taught in the name of R. Judah: A first-generation convert brings [first fruits to the Temple] and recites [the declaration prescribed in Deuteronomy]. What is the reason? [Because God said to Abraham] for I have make you the father of a multitude of nations (Genesis 17.5). In the past you were a father to Aram, but now, henceforth, you are a father to all the nations.
> R. Joshua ben Levi says: The law follows R. Judah.
> A case came before R. Abbahu and he rendered a decision according to R. Judah.[5]

Rabbi Judah's position in regard to proselytes with non-Jewish fathers is diametrically opposed to that of the Mishnah. He is able to rule as he does because of the way he interprets the word "fathers." According to Rabbi Judah,

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4 This is based on the Blackman translation of the Mishnah, but I have translated "*avotainu*" as our fathers, rather than our ancestors to be consistent with the JPS translation of the relevant Biblical passage.

5 Yerushalmi, Bikkurim 1.4, 64a Venice, 3a-b Vilna. This is the translation that appears in Cohen, Ibid., 421.

proselytes do have a Jewish father. Their father is Abraham, the father of all the nations. The Gemara then quotes Rabbi Joshua to let us know that the law is according to Rabbi Judah's interpretation. The case that came before Rabbi Abbahu is cited as support for this fact, since in that instance, Rabbi Abahu decided an actual case according to Rabbi Judah's opinion. Rabbi David ibn Zimra, a sixteenth century commentator, observes that since Rabbi Abbahu lived in the middle of the third century C.E. when the Temple no longer was in existence, his case must have pertained to the right of a proselyte to say "God of our fathers" when praying. Thus the ruling of Rabbi Judah was extended to apply to prayer as well.[6]

For the Yerushalmi then, the word "fathers" is to be understood as a metaphor. The Mishnah understands it literally. Although there is no Gemara on the Bavli for this Mishnah, it is cited in another context as though it were accepted Halakhah.[7] This inconsistency between the Talmuds leaves the question of the equality of proselytes in prayer unsettled. Although the Yerushalmi is emphatic the

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6 Radbaz' commentary to Mishneh Torah, *Hilchot Bikkurim* 4.3, s.v. *"hager maivee v'korei."*

7 In Makkot 19a, the Gemara cites the Mishnah as a proof for the position that failure to recite the declaration does not prevent the release of the first fruits.

Bavli is usually considered authoritative. [8]

In the twelfth century, Maimonides preserved the Talmud's inconsistency in his code, the Mishneh Torah. In his chapter on the laws of first fruits,[9] he follows the opinion of Rabbi Judah in the Jerusalem Talmud. Elsewhere, he follows the opinion of the Mishnah,[10] probably because in that case the two Talmuds do not disagree. It seems that textual concerns governed his choices in his code.[11]

His response to a query from a proselyte about this matter is probably indicative of his real attitude. We have already discussed his reply to Ovadiah the Ger about this matter in chapter three.[12] In that responsum, Maimonides affirmed that "there is no difference between you and us," and cited the Yerushalmi passage to support his position. Thus, although Maimonides position in regard to this issue remains equivocal in his code, the evidence of his responsum seems to imply his support for the lenient position of the Jerusalem Talmud.

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8 See *Mishneh l'Melekh* on Mishneh Torah, *Hilkchot Bikkurim*, 4.3 for a discussion of this discrepancy.

9 Maimonides, Mishneh Torah, *Hilkhot Bikkurim*, 4.3.

10 Ibid., *Hilkhot Ma'aser Sheni*, 11.17.

11 See *Mishneh LeMelekh* and *Kesef Mishneh* to *Mishneh Torah*, *Hilkhot Bikkurim* 4.3 for proposed resolutions to the discrepancy between his rulings in Bikkurim and Ma'aser Sheini.

12 p. 69f.

Another report from the same period was transmitted by Rabbi Eliezer ben Joel Halevi (known as the Ravyah c.1140-c.1225) in the name of his father. The incident took place in Wurzberg. In regard to a convert named Rabbi Abraham ben Abraham he relates that:

> He told me that in Wurzburg he was prevented from praying in the place of the representative of the congregation [that is he was prevented from serving as cantor]. It seems to me that they [who prevented him] went diving in mighty waters and brought up clay in their hands, for even though we learn in the Mishnah [here R. Joel quotes the Mishnah cited above] ...nevertheless in the Yerushalmi it states [here R. Joel quotes the Yerushalmi cited above]...and the law follows the Yerushalmi ...and he [the convert] prevailed upon me to make my opinion public, and this I did...[13]

Other contemporary reports concern a dispute about this matter within the school of the Tosafists. Evidently R. Jacob of Ramerupt (known as Rabbenu Tam, 1100-c.1171) and his nephew R. Isaac of Dampierre debated the issue and the disagreement is recorded in a number of places in the literature.[14] The fullest version of the debate is as

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13 *Sefer Ravyah*, ed. V. Aptowitzer, vol. 2, pp.253-256, nr. 549. This is Cohen's translation in Ibid., 425.

14 *Tosafot, Baba Batra 81a s.v.* "limutei", and commentary of the Rosh on Bikkurim 1.4. Mordekhai, Megillah no. 786 records an incident involving a proselyte in Wurzburg who was temporarily barred from leading the services in the synagogue because of R. Tam's objections. The latter was overruled and the convert continued to lead the prayers.

follows:

> It once happened that a convert was leading the assembled diners in the grace after meals, and they began to complain against him: how could he say, "You who have given to our fathers to inherit a pleasant, good, and spacious land?" [The case came before Rabbenu Tam.] Rabbenu Tam responded (that the convert may not lead the grace after meals): we learn in tractate Bikkurim (here R. Tam quotes the Mishnah cited above)... But R. Isaac disagrees with this, and adduces proof from the Yerushalmi (here R. Isaac quotes the Yerushalmi cited above)... Converts at this time are accustomed to say "God of our fathers" in accordance with R. Judah (in the Yerushalmi)... [15]

The prestige of Maimonides assured the authority of his position in the Sephardic communities, but the issue remained open in the Askenazic community until the sixteenth century publication of the Shulkhan Aruch with Isserles' commentary.[16] That code follows the opinion of Maimonides in Bikkurim and his letter to Ovadiah, and Moses Isserles' Ashkenazic commentary does not challenge his stance.

The Halakhah then, is that proselytes may say "God of our fathers," lead congregational prayer, and say the grace after meals.[17] Proselytes are entirely equal to born Jews

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15 Efriam Kupfer,ed., Responsa and Decision of the Sages of Germany and France (Jerusalem: Mekize Nirdamim, 1973) 101-105, nr. 60, quoted in Cohen, Ibid., 425.

16 For an elucidation of the positions of many of the prominent Rishonim in the two communities see Cohen, Ibid., 427, n. 22,23.

17 Shulkhan Aruch, Orakh Hayyim, 53.19 and 199.4.

in regard to their participation in the prayer life of the community even though they are not completely similar to born Jews because their parents were not Jews.

The specific wording of the Shulkhan Aruch is noteworthy. The text specifies that there are some who would prevent proselytes from serving as the agent of the community's prayer (as cantor) but that their opinion is rejected. An individual can object to a particular cantor (and have him removed) unless the community has agreed on him in advance. The commentary on this passage adds other conditions to this right of objection, that the person objecting had to be a financial contributor to the congregation, that a new cantor had to be available at a similar salary, and finally, that such an individual opinion was not honored if the majority of the community was in favor of the cantor's appointment.[18] It seems that later commentators not only supported the full equality of the proselyte, but affirmed the actions of communities that silenced those who objected to their full participation.

Along with the traditional community, the modern liberal community has affirmed this equality. In the published comments of proselytes of all denominations there is no evidence that prayer life is anything other than satisfying.

18 B'er Hetiv on Ibid. n. 23.

Abraham Isaac Caramel became an Orthodox Jew in 1953 in London. He describes his experience as follows:

> Those perpetual conflicts of mind, heart, and soul which had so grievously tormented me in my former sphere had been exorcised by the undivided union with God I now experienced. The mind was happy that it had no incompatible acts of faith to accept; the heart was at peace because it was no longer split; and the soul soared aloft to Him no longer obstructed by a dissipation of prayer offered to more than The One Being.[19]

A convert from a liberal synagogue, Margaret Ruth Jaques, comments that she is "a lay-reader of daily Services, a responsibility I dearly love."[20] In many liberal congregations, the locus of the disputed boundary with regard to participation in prayer life in no longer the proselyte but the non-Jewish spouse in a mixed marriage.[21] In the United States, the liberal movements have not only sanctioned proselytes as lay service readers, they have also accepted them into their seminaries and ordained them

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19 Abraham Isaac Carmel, So Strange My Path (New York: Bloch Publishing Company 1964) quoted in Abraham Shusterman, "The Converts Speak for Themselves," in David Max Eichhorn, Conversion To Judaism: A History and Analysis (New York: Ktav Publishing House, 1966), 248.

20 Margaret Ruth Jaques, "To Thine Own Self Be True," in Shusterman, 249.

21 For discussion of this issue within the Reform Movement, see Defining the Role of the Non-Jew in the Synagogue: A Resource for Congregations (U.S.A.: Union of American Hebrew Congregations, 1990).

as rabbis. Acceptance of proselytes in such prominent leadership roles has not always been whole hearted, however. Indeed, the Halakhah in regard to proselytes in leadership roles, unlike the law in regard to prayer life, is still open to debate in this century.

Leadership in the Community

The Halakhah that defines the traditional position on proselytes and leadership of the community is based a verse in Deuteronomy:

> You shall be free to set a king over yourself, one chosen by the Lord your God. Be sure to set as king over yourself one of your own people; you must not set a foreigner over you, one who is not your kinsman.[22]

The pivotal phrase here is "one of your own people." The Midrashic tradition interpreted this as excluding proselytes and extends the prohibition to include all public office: "Hence they said: We do not appoint one as officer (*parnas*) over the congregation unless his mother was of Israel."[23] Thus a *ger gamur*, one with two gentile parents, is completely excluded from office.

This position was affirmed by Maimonides in his Book of

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22 Deuteronomy 17.15.

23 *Sifrei Deuteronomy* 157 quoted and translated in Bernard J. Bamberger, Proselytism in the Talmudic Period (New York: Ktav Publishing House, Inc., 1968) 102.

Commandments in negative commandment number 362 regarding not appointing a king not born an Israelite:

> By this prohibition we are forbidden to appoint a king over us who is not an Israelite by birth, even though he be a Righteous Proselyte... Similarly, as regards all other appointments, whether religious or governmental, we are not permitted to appoint over ourselves a man from the body of proselytes, unless his mother be an Israelite.[24]

There is also extensive discussion is the classical literature regarding the fitness of proselytes to act as judges.[25] The Halakhah, as codified by Maimonides and the Shulchan Aruch,[26] restricts proselytes to judging only fellow proselytes. On the basis of these rulings, traditional communities do not allow proselytes to serve in any responsible community office.[27] There are those who make a distinction between offices which carry the authority

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24 Maimonides, The Commandments: Sefer Ha-Mitzvoth, trans., Charles B. Chavel (London: Soncino Press, 1967) neg. 362, 328.

25 See for example Yevamot 101b-102a and Rashi and Tosafot ad loc.

26 See Maimonides, Mishnah Torah, *Hilchot Sanhedrin* 11.11 and Shulchan Aruch, *Hoshen Mishpat* 7.1.

27 See for example the responsum that addresses this issue in Tzvi Felder, Nahalat Tzvi (New York 1978) 134-136.

to compel obedience and those that confer moral authority,[28] although this does not seem to be the prevalent attitude.

In this domain the tradition is contrary to that in regard to the relationship between the proselyte and God. In matters pertaining to prayer the proselyte is in all respects the equal of the born Jew. In regards to some relationships among Jews this is not the case. The proselyte is a second class citizen in that he or she is not allowed to wield any authority in the community.

In contrast with the traditional position, the liberal movements do condone the acceptance of proselytes as leaders as we have already noted in regard to the ordination of proselytes as rabbis. Indeed, in one Reform responsum conversion is proposed as the remedy to enable an active non-Jewish spouse to serve in a leadership position in her congregation.[29] In the published statements of converts about their experience in the community there are many who report that they have served their communities as teachers in congregational religious schools and as officers of

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28 See the responsum of Rabbi Mordecai Fogleman on whether it is permissible for a proselyte to be a rabbi or a judge 336-341 in *Mazkeret: Kivutz Torani* (*Yerushalayim: Haichal Shlomo* 5722).

29 Walter Jacob, Contemporary American Reform Responsa (New York: Central Conference of American Rabbis, 1987) *Orah Hayim* 163, 245f.

synagogue auxiliaries such as Sisterhood.[30]

On the other hand, the experience of some converts reflects the penetration of the traditional attitude among the laity in the liberal movements and the membership of secular Jewish organizations. For example, Rabbi Samuel Teitelbaum relates the following:

> Prior to the Second World War, he was a rabbi in a Southern community. He invited a woman, who had converted to Judaism and married a Jew many years before, to teach in his religious school. She was active in the congregation and had held important offices in the Sisterhood. Her Jewish education and zeal surpassed those of most of the women in the congregation. Yet overt congregational resistance to the appointment of this convert to the school faculty developed quickly. A loud clamor was raised against the proposed action and it actually became a *cause celebre*. The resentment of the convert and her husband to the community attitude caused her to withdraw her earlier happy acceptance of the post on the Sunday School teaching staff.[31]

A contemporary proselyte relates a similar experience:

> One of my most devastating experiences as a convert was my encounter with rejection at a Conservative synagogue near Rye, New York... Despite my obvious commitment, the consensus in my family was that it would be better that my "past" not be make public knowledge... With my past presumably tucked safely behind me, I plunged into active Jewish communal life... For two years, members of the sisterhood called

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30 See, for example, the accounts in Shusterman, Ibid., 233, 257, 261.

31 Samuel Teitelbaum, "Conversion to Judaism: Sociologically Speaking," in Eichhorn, 217f.

> on me for anything and everything... Then in the third year, the other members decided it would be nice to elect someone like me, young and full of energy,as sisterhood president. Nice,that is, until my secret was revealed.
>
> It happened rather innocently: a friend in whom I had confided and who didn't realize that my conversion wasn't public knowledge unwittingly passed the word on to others, including at least on member of sisterhood who apparently did not approve. This woman... made it her business to annul the election and unseat me as president. It was the synagogues's non-Jewish secretary who delivered the crushing news. "You are no longer sisterhood president because one of the members does not think that a convert is a real Jew," she told me quite matter-of-factly.[32]

Whereas in the first situation cited above it was alright for a convert to be a sisterhood officer, but not a religious school teacher, here sisterhood office was beyond the pale. Thus it seems that in spite of the official policy that converts are equals in liberal congregations there is a floating boundary around certain leadership positions that may not become manifest until the convert approaches it.

The experience of Abraham Isaac Carmel, whom we cited earlier, seems to confirm this phenomena. Although Carmel found his prayer life as a Jew extremely satisfying, his experience later in life with the Jewish community and some of its secular organizations was extremely frustrating:

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32 Lena Romanoff with Lisa Hostein, Your People, My People: Finding Acceptance and Fulfillment as a Jew By Choice (Philadelphia: Jewish Publication Society, 1990), 128f.

> A proselyte, if he tries to live up to his calling, will re-live within his brief span the discrimination, hostility and callous cynicism experienced down the ages by those whom he has chosen as his people. Most cruel of all, he will find much of his suffering within that very family from which he had hoped to draw strength and consolation. Students of Jewish history know very well that Jews are often embarrassed in the company of those who have presumed to claim as a privilege the "burdens" from which they themselves would gladly flee... It would be sad enough if this complex were limited to the rank and file among the Jewish people, but it is strongest in the Jewish lay-leadership, or should I say, the great mis-leadership that is only just beginning to disappear. The most unfortunate example of discrimination on the part of the Jewish establishment has been the persistent refusal of the United Jewish Appeal to use me on behalf of Israel. I am particularly grateful for the opportunity of teaching... Perhaps the lay-leaders unintentionally did me a favor by excluding me from communal affairs![33]

This zealous proselyte, who converted into the Orthodox community, was relegated to the role of teaching humanities in an Orthodox day school. He also encountered an unexpected boundary in the secular domain of Zionist activity. His bitter experience, and that of the other proselytes whose accounts we have cited, cannot be explained solely on the basis of the status of the proselyte in the Halakhah or the official pronouncements of the liberal movements in regard to proselytes.

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33 Abraham Isaac Carmel, "My Chosen People," in The Conversion Crisis: Essays From the Pages of Tradition, Emanuel Feldman and Joel Wolowelsky, eds. (New York: Ktav/Rabbinical Council of America, 1990) 46f.

Conclusions

The message of the Jewish community to contemporary proselytes is definitely a mixed one. This may be related to what the sociologist W. I. Thomas calls " the definition of the situation,"[34] that is, the Jewish perception of the environmental circumstances in which Jews find themselves in the contemporary world. Proselytes are caught in the confusion of a Jewry living in unprecedented conditions, both in Israel and in the Diaspora. Since the community itself is unsure of its boundaries, it cannot speak with a clear and unified voice to those outside the community about the location of the boundaries.

34. Cited in Feitelbaum, 212.

CONCLUSIONS

The attitudes of the Jewish community towards proselytes have always been shaped by the interaction of three forces, self-perception, oral and written traditions, and environment. Until the modern period, the tradition has explicitly recorded and acknowledged only the first two.

The earliest Biblical accounts indicate that at first the Israelites identified themselves primarily in terms of their occupancy of a specific land. Accordingly, they defined their boundaries in geographical terms. Outsiders entered the community of Israel by dwelling in the land, or by marriage to one who dwelled in the land. The Bible also tells us that to become full Israelites newcomers were required to live in the land for a certain number of generations.

By the early Talmudic Period, this land based identity had been challenged many times by experiences of conquest and exile. In that era another environmental challenge, the proliferation of competing sectarianisms, prompted a relocation and clarification of boundaries. The rabbis of the era redefined the identity of their people accordingly. It was no longer a fact of geography, but allegiance to the Covenant of Sinai as they defined it that determined Jewishness. It is in the Talmuds that we find the first

direct and explicit statements about how proselytes are to enter the community. They also contain the first recorded positive and negative comments about proselytes.

The recorded tradition of the period after the closure of the Talmuds has survived in two forms. First, there are responsa that record rabbinic replies to specific questions from members of the community. In these, the effects of environmental conditions are clearly discernable. The evidence of this literature suggests that in the early Medieval Period proselytes were accepted and esteemed even though proselytization was prohibited by the gentiles in most places. By the end of the period, some community leaders found it necessary to prohibit proselytization altogether because of the harsh responses it elicited from host communities.

Second, there are theoretical statements that exist in the form of commentaries or codes that were prompted not by environmental challenges, but by apparent inconsistencies in the Talmudic text. Since the Oral Law was believed to be the word of God it could not contain contradictory statements. Hence Medieval commentators and codifiers expended a great deal of energy in attempts to harmonize contradictions. Naturally, the positive and negative comments about proselytes attracted their attention. Ironically, the result of their attempts to harmonize the text was a proliferation of explanations for the positive

and negative statements in the Talmud. In spite of their efforts, the voice of the tradition is not univocal on the subject of proselytes.

It is hard to discern attitude from these statements since they are ostensibly prompted by textual, rather than environmental concerns, although a few of them do seem polemical. Although ultimately only one thread of Medieval interpretation was encoded in the Shulkhan Aruch, all of these statements have remained available to later decisors as legal sources. Thus, the tradition itself cannot be called ambivalent. The opinions it records are not polarized at two extremes, but rather represent a range of opinion on which later generations have drawn selectively according to their circumstances and inclinations.

In the Early Modern Period a new challenge faced the Jewish community. The Enlightenment and Emancipation brought the end of a way of life that had sustained the Jews through centuries of diaspora life. Within a relatively short period of time, all the exterior boundaries that had defined the limits of Jewish existence were stripped away. The ensuing struggle to arrive at a new definition of Jewish identity and boundaries has yet to reach any conclusion. Heated debate about proselytes and proselytism has been a concomitant of the debate about boundaries. All sides in the discussion have drawn selectively on the traditional literature to buttress their positions. The evidence of the

recorded statements of the various participants in the debate suggests, however, that it is not the content of the tradition that gives the discussion its form, but rather the self-perceptions of the participants and the way they interpret environmental challenges to the spiritual and physical continuity of the Jewish people.

Traditionalists who want to maintain the boundaries of the Jewish people as they were before the encroachment of modernism, for example, are more likely to cite negative statements from the traditional literature. They are also more likely to affirm the closed boundaries and the prohibitions on proselytization of the late Medieval Period as characteristic of the tradition.

The Reform Movement, on the other hand, has accentuated the positive, citing prophetic texts that affirm the role of proselytes in bringing Israel to a messianic future. In its eagerness to join the modern world this movement has advocated a wide open boundary since its early years. The Conservative Movement has been more selective, but far more open than the Orthodox wing.

Thus, proselytes have been caught up in the struggle of the Jews, both in the diaspora and in the State of Israel, to define themselves and their boundaries in a way that will foster the survival and vitality of the Jewish people. The opinions and actions that appear to reflect ambivalence towards proselytes then, are in actuality manifestations of

an interior struggle that in some instances has reduced the status of proselytes to a political issue.

There is some evidence, however, that some progress is being made in terms of consensus about proselytes, if not about Jewish identity. The liberal movements have begun to open themselves to a more open discussion of the possible negative impact of an unreservedly open door policy. The more conservative among the liberals, and the more moderate among the orthodox have begun to affirm that there may be some positive gain from proselytization for the sake of marriage. All parties to the discussion seem to be giving more attention to awareness of their own self-perceptions as Jews, and to acknowledgement of the impact of environmental factors.

Thus, the range of opinions available to us in the traditional legal literature continue to shape the debate about proselytes, but it seems likely that whatever new definition of Jewish identity emerges from our encounter with the challenge of freedom will be the decisive factor in its final resolution.

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