YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**Before Sinai: Jewish Values and Jewish Law**

**By Rav Dr. Judah Goldberg**

For easy printing, see

<http://vbm-torah.org/archive/sinai/08sinai.htm>

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

This shiur is sponsored by Aaron and Tzipora Ross and family in memory of our grandparents Shmuel Nachamu ben Shlomo Moshe HaKohen, Chaya bat Yitzchak Dovid, Shimon ben Moshe, and Rivka bat Aharon, whose yahrzeits fall out this month.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**Shiur #08: Jewish Peoplehood (1): Conversion and Community – Part 1**

 Often in the study of law, certain phenomena are best understood not by evaluating mainstream cases but by purposely focusing upon the fringes. Outliers, exceptions and borderline cases can help delineate boundaries and isolate particular features. In that spirit, we begin our analysis of Jewish peoplehood by considering the individual who does not naturally belong but seeks to join through the mechanism of conversion. While Jewish identification may be taken for granted, both halakhically and socially, by those who are born into the faith, it is an issue of critical importance to the convert, whose journey can shed light on its very nature.

**Faith and Citizenship in Conversion**

 For R. Soloveitchik, conversion is a dual experience that directly reflects the twin covenants of *berit Avot* and *berit Sinai*. On the one hand, through conversion the individual accepts upon himself the yoke of Heaven, as well as the privileges of spiritual elevation and intimacy with the Divine. On the other hand, the convert is simultaneously joining a distinct sociopolitical entity, with its own attendant responsibilities and privileges. Ruth, whose journey serves as a template for the conversion process (*Yevamot* 47b), pithily captures this striking duality in the closing words to her own declaration of commitment: “Your people is my people; your God my God” (*Rut* 1:16; *Kol Dodi Dofek: Listen—My Beloved Knocks*, 75).

According to R. Soloveitchik, these two aspects of conversion correspond to the dual covenants in which each and every Jew participates:

A gentile who wishes to join the nation must take upon himself both covenants. He places himself in the ambit of Jewish fate and sanctifies himself for the acceptance of the Jewish destiny. The act of conversion involves associating oneself as a member of the people of the Covenants of Egypt[[1]](#footnote-1) and of Sinai. Keep this important principle in mind: there is no such thing as partial conversion. One cannot omit one iota of either of these two Covenants. Total devotion to the Jewish people—as a nation that God took to Himself in Egypt, with all its tribulations, suffering, responsibilities, and actions; and as a holy people that is itself consecrated, heart and soul, to the God of Israel and His halakhic and moral demands—**is the absolute foundation of Judaism and hence is also the basis of conversion**.

Through the convert’s unique undertaking, we learn about “the absolute foundation of Judaism” in its natural state—our binary commitment to both nation and religion. Furthermore, the non-negotiability of his path tells us not only about the process of conversion specifically but also about the makeup of Judaism generally—a composite of *berit Avot* and*berit Sinai* together, inextricably fused into a single vision.

**Joining the Nation**

 Expanding upon R. Soloveitchik’s themes, *mori ve-rabbi* R. Aharon Lichtenstein highlights the actual content of the conversion process, as recorded by the Rambam, which includes a peculiar conversation:

How do they accept righteous converts? When [a gentile] comes to convert and they inspect his background and do not find an ulterior motive, they say to him: “What have you seen that you have come to convert? Do you not know that the Jews in the present era are afflicted and crushed and subjugated and strained, and suffering comes upon them?” If he answers, “I know and I am not worthy,” they accept him immediately.

We inform him of the fundamentals of the faith… (*Hilkhot Issurei Bi’a* 14:1-2)

Between gauging the prospective convert’s sincerity and communicating the essentials of Judaism, the judges pause to ask him about his willingness to participate in the Jewish people’s historical experience. While the Rambam is less explicit about the convert’s active participation in the rest of the process, here the Rambam puts words in his mouth—“I know, and I am not worthy.” According to R. Lichtenstein, this conversation “is not solely an inquest into the motivation for conversion. The declaration by the *bet din* is a stage in the fulfillment of *gerut per se* and relates to the commitment implicit in it” (“Conversion: Birth and Judgment,” *Leaves of Faith: The World of Jewish Living*, 195).[[2]](#footnote-2) The convert must express a genuine willingness—more, a desire—to participate fully in Jewish destiny, its rises and its falls. When he recognizes Jewish suffering as a unique privilege that he absurdly yearns for, his transformation can proceed.

 The Rambam gives further expression to Jewish destiny and the convert’s integration into it at a later point in the conversion process. In the context of teaching the prospective convert the nuts and bolts of halakhic Judaism, the *Gemara* specifies:

Just as they inform him of the punishments for the *mitzvot*, so do they inform him of their reward. They say to him, “You should know that the World to Come is made only for the righteous, and *Yisrael* in the current time [*bi-zman ha-zeh]* cannot receive abundant good nor excessive calamities.” (*Yevamot* 47a-b)

From just the text of the *Gemara*, “*Yisrael*” could mean either the nation of *Benei Yisrael* as a whole or the collection of individual Israelites. Furthermore, one could interpret the *Gemara* as focusing upon reward and punishment for the *mitzvot*, which requires the explanatory note that the primary benefits of fulfillment are realized only in the afterlife.[[3]](#footnote-3)

The Rambam, though, emphasizes the national element:

They tell him: “Know that the World to Come is hidden away only for the righteous, and they are *Yisrael*. That which you see *Yisrael* suffering in This World [*Ba-olam Ha-zeh*], good is hidden away for them, for they cannot receive an abundance of good in This World as the gentiles do, lest their heart become inflated and they lose the reward of the World to Come, similar to what it states, ‘Yeshurun grew fat and kicked’ (*Devarim* 32:15); but the Holy One, blessed be He, does not bring upon them an abundance of calamities so they will not be lost. Rather, all the nations cease and they persist.” (14:4-5)

The Rambam’s version diverges from the *Gemara* in significant ways. It replaces “*bi-zman ha-zeh*” with “*Ba-olam Ha-zeh*” (the material world) and consistently contrasts our lot with that of the other nations. The convert, then, is not hearing about our current standing in the world, but about the essential, distinct nature of the Jewish people. Being a Jew means subjugating this-worldly pleasures to eternal destiny—which is promised only to “the righteous, **and they are *Yisrael***”—at both the personal and the collective levels. According to the Rambam, the convert must hear that our position as “the smallest of all the nations” (*Devarim* 7:7) is not a product of unfortunate historical circumstance but a defining characteristic of a people whose aspirations transcend material bounty.

 At the same time, the convert also hears about the Jewish people’s meta-historical existence, which defies the natural forces of geopolitics—“all the nations cease and they persist.” In a phrase, we teach the prospective convert about *berit bein ha-betarim*, which the *Haggada* declares “has stood for our forefathers and for us, for not only one rose up against us to destroy us, but in every generation they rise up against us to destroy us; and the Holy One, blessed be He, saves us from their hands.” The eternal survival of the Jewish people, which God promised Avraham, strikes the final note in the judges’ conversation with the potential convert. And here the Rambam adds (without precedent in the aforementioned *gemara*), “And they elaborate about this[[4]](#footnote-4) in order to endear him.”[[5]](#footnote-5)

 In summary, regarding both the opening to the proceedings and the body of the presentation, the Rambam emphasizes national experience and destiny. These complement the convert’s exposure to “a sampling of light and weighty *mitzvot*,” and together they cover the full breadth of what the convert accepts upon himself.[[6]](#footnote-6)

**Can a Convert Truly Join *Berit Avot*?**

 As the Rambam writes, through conversion an outsider not only assumes the responsibilities of Jewish belonging but also reaps the privileges, such as membership in a nation whose eternal survival is guaranteed. To what extent the convert truly transforms into a full-fledged participant in Jewish history, however, is a matter of debate. Certainly, with regard to the future, he is indistinguishable from the natives and will suffer and rejoice with them and among them; but what is his connection to their past?

 This issue is addressed by the *Mishna*, regarding the recitation that accompanies the offering of first fruits: “The convert brings [first fruits] but does not recite [the accompanying text], as he cannot say, ‘that God swore to our forefathers to give to us’ (*Devarim* 26:3).” The *Mishna* continues, “When he prays by himself, he says ‘the God of the forefathers of Israel,’ and when he is in the synagogue he says ‘the God of your forefathers’” (*Bikkurim* 1:4). Expanding upon this *mishna*, “Rabbeinu Tam would not let converts lead *birkat ha-mazon* [grace after meals] because [they] cannot say, ‘that You bequeathed to our forefathers a good land’” (*Tosafot* *Bava Batra* 81a).

 Two points emerge from this *mishna*. First, itunequivocally excludes the convert from being counted among the progeny of Avraham. He joins them and participates with them from here forward, but he remains an outsider when speaking about their connection to the past. Second, despite his foreignness, he must reflect on their past nonetheless. The convert could have been instructed to say only “our God” (*Elokeinu*) and omit any reference to the *Avot* at all, but the *Mishna* obligates him to relate to them as well. At all times he remains acutely aware of the full weight of Jewish history, even though he himself does not share in this past. Thus, the *Mishna*, even in setting the convert apart, ironically stresses the degree to which the legacy of our forefathers forms part of his consciousness.

 The *Yerushalmi*, however, presents a conflicting opinion:

It is taught in the name of Rabbi Yehuda: A convert himself can bring [the first fruits] and recite [the accompanying text]. What is the reason? “For I have given you as a father [*av*] to a multitude of nations” (*Bereishit* 17:5). In the past you were a father for Aram, and now, from here forward, you are a father for all of the nations. (*Bikkurim* 1:4)

According to Rabbi Yehuda, whose position the *Yerushalmi* accepts, every convert can call Avraham his “*av*,” for he was designated as such, in the words of the Rambam, for anyone “who enters under the Divine canopy” (*Hilkhot Bikkurim* 4:3). Presumably, Rabbi Yehuda’s intent is that “*av*” does not exclusively refer to a biological father but can alternatively mean a leader, as in the case of Yosef, who says that God had made him “an ‘*av*’ to Pharoah and a master of his whole house” (*Bereishit* 45:8; see Rashi and Ibn Ezra). Avraham’s birth name, Avram, proclaimed him a leader for the land of Aram, but God now designates him as a beacon of sound religious faith for all humankind. The convert claims Avraham not as a biological father but as an intellectual and spiritual progenitor, and as such he can pray to “the God of our *Avot*” just as Avraham’s genetic descendants can.[[7]](#footnote-7)

 The Rambam further expands upon this theme in a famous letter to R. Ovadia, a convert, who inquired about the proper wording for himself for the entire range of prayers and blessings. The Rambam finds a specific mandate for this role for Avraham in a verse that is central to the Torah’s articulation of *berit Avot*:

The main point is that it was our father Avraham who… brought many under the Divine canopy and taught them and instructed them and commanded his children and his household after him to keep the way of God, as it says in the Torah, “For I have known him in order that he may command his children and his household after him, that they may keep the way of God, etc.” (*Bereishit* 18:19). Therefore, anyone who converts until the end of time… is a student of our father Avraham, peace be upon him, and **they are all members of his household**…. As a result, our father Avraham, peace be upon him, is an ‘*av*’ to his legitimate progeny who follow in his ways and an ‘*av*’ to his students and anyone who converts. (Responsa #293)

From the very inception of *berit Avot*, God anticipated that Avraham would pass on his legacy not only to “his children” but also to “his household,”[[8]](#footnote-8) paving the way for future converts who can thus trace themselves back to Avraham. It is noteworthy that this verse appears immediately after the announcement of Yitzchak’s future birth (*Bereishit* 18:14), as if to head off any misconception that Avraham’s genetic descendants will be his exclusive heirs.

 However, the ruling of the *Yerushalmi* and the Rambam’s aforementioned formulations offer only a limited answer to our original question. As R. Lichtenstein notes, “the opinion of R. Yehuda does not identify the *ger* with a specific history, for it is possible to view the attachment to Avraham as direct, exclusive of mediation through *Knesset Yisrael* [the Assembly of Israel]” (“Conversion: Birth and Judgment,” 196). Rabbi Yehuda narrowly approves the common formulation in prayer for the convert as well, but he has not addressed the full extent of the convert’s integration into the historical community.

 Furthermore, Rabbi Yehuda’s opinion, as interpreted by the Rambam and others, invites an obvious question, as formulated by the Ritva:

Even according to Rabbi Yehuda, how can they say “the God of our forefathers?” Granted that Avraham was an ‘*av*’ to converts; [but regarding] Yitzchak and Ya’akov, what can be said? And so too with regard to first fruits, how can he recite “*Arami oved avi”*[[9]](#footnote-9) (*Devarim* 26:5)? (Commentary on *Makkot* 19a)

We can identify two possible answers to this question. The first, given by the Ritva, simply extends Rabbi Yehuda’s logic: “All the forefathers are like one, as they are linked in many sources, and [Yitzchak and Ya’akov], too, became an ‘*av*’ to converts, just like our father Avraham.”[[10]](#footnote-10) Again, the convert connects to the *Avot* directly as his spiritual progenitors, thus resolving the specific semantic problem.

 However, this answer is only partial, as is evident from considering the full scope of Rabbeinu Tam’s essential problem with the *Yerushalmi*:

Rabbeinu Tam says that this [textual passage] of the *Yerushalmi* is corrupt, for how could a convert recite… “*Arami oved avi*” (Devarim 26:5), which refers to Yaakov; “He went down to Egypt” (26:5); “They acted badly towards us” (26:6); “He took us out” (26:8)? (*Tosafot* *Bava Batra* 81a)

The reference to Ya’akov is only the tip of the iceberg. The real problem with the text that accompanies the offering of first fruits, Rabbeinu Tam maintains, is that the convert pretends to participate in a historical experience that is completely alien to him! He speaks of the enslavement in Egypt and the Exodus in first-person terms, as if he or his ancestors walked out into the desert, even though he is a total newcomer to this people and their story.

 In the continuation of the previously cited letter, the Rambam strikes a different tone, which responds to Rabbeinu Tam’s deeper challenge:

But [regarding the phrases] “that You took us out of Egypt” or “that You performed miracles for our forefathers,” if you want to change [the wording] and say “that You took Israel out of Egypt” and “that You performed miracles for Israel,” you should. But if you do not change [the wording], there is no loss, inasmuch as you have come under the Divine canopy and joined Him, **there is no difference between us and you.** And all the miracles that were done, it is as if they were done for us and for you.[[11]](#footnote-11)

After a moment of hesitation, the Rambam shifts gears and suggests a more sweeping, radical approach to the entire question of a convert’s recitations. The convert is fully absorbed into the totality of Jewish experience so that no further consideration of the veracity of any particular statement is necessary. Incredibly, the convert shares not only our ongoing religious experience but our historical consciousness as well. From the moment he emerges from the waters of the *mikveh*, he is indistinguishable from one whose ancestors followed Moshe out of Egypt or whose grandparents were liberated from Auschwitz.

**“You and the Convert Alike” (*Bamidbar* 15:15)**

On the one hand, the Rambam offers a radical interpretation of the convert’s newfound identity and ability to relate to the past, which has no explicit source in *Chazal*. However, one could argue that the logical basis for his assertion lies in a basic truth that is viscerally felt by anyone who has ever participated in a Pesach *seder*. As Rava states so succinctly: “[At the *seder*] one must say, ‘**And it is us** whom He took out from there’ (*Devarim* 6:23)” (*Pesachim* 116b). Following the *Mishna*’s directive that “in every generation one must see himself as if he left Egypt,” Rava underscores that this is not an act of imagination or impersonation but a genuine obligation to transcend the linearity of time and experience the entirety of Jewish history as a single, organic complex. If Rava can ask this of a modern Jew three thousand years removed from the Exodus, is the mental jump that the Rambam assigns to a convert really so different?

Ultimately, in addressing the rare cases of R. Ovadia and similar converts, the Rambam is telling us just as much about ourselves. The covenant of peoplehood that the convert taps into is exactly what allows for the mystery of Jewish historical consciousness in general. Without *berit Avot,* peoplehood amounts to a quaint cultural identity that bridges a current generation only to its immediate predecessor and that is subject to all the common forces of sociological change. A covenant, in contrast, establishes a meta-historical community in which Jews across time participate, members of a joint enterprise whose cosmic significance is unfettered by the minutiae of local realities. The covenant transforms Jewish history from a string of sequential events into a single, unfolding journey that is embraced by all. Time and place only demarcate the arena in which the individual may act but in no way restrict his or her ability to connect with the full arc of the story, from Avraham and *berit bein ha-betarim* to the End of Days.

“You and the convert alike” (*Bamidbar* 15:15)—what is true for the native is true for the newcomer. If, as R. Lichtenstein writes, “The character of full-fledged *tzibbur* [community] is such that it transcends the confines of time and space” (“Conversion: Birth and Judgment,” 204), genetics, too, will not stand in the way.

**For Further Thought:**

1. On a Friday evening during Operation Pillar of Defense (November 16, 2012), my neighbors and I were sent into our bomb shelters by rocket fire from Gaza. Later that night, we had the privilege of hosting my friend Olaf Sakkers, a convert and recent *oleh*, who shared his unique perspective on the situation. His comments contained the most powerful expression of the themes presented in this *shiur* that I have ever heard, and those who were present encouraged him to publish his thoughts. His essay, available at blogs.timesofisrael.com/building-in-a-state-of-hope/, concretizes everything that I have meagerly tried to capture in this *shiur* and is well worth reading. Note his reference to “our forefathers!”

2. A fundamental principle of conversion is that it requires unconditional commitment to the totality of *berit Sinai*: “A gentile who came to accept all of Torah except for one item, we do not accept him” (*Bekhorot* 30b). What if a potential convert accepts all *mitzvot* and wants to identify as a Jew, but he specifically rejects some other aspect of *berit Avot*, such as the centrality of the Land of Israel? (Parenthetically, see Maharsha, *Chiddushei Aggadot*, *Yevamot* 47a, who finds reference to the Land of Israel in the conversion protocol.) Is he similarly excluded?

3. Regarding the two approaches in the Rambam’s responsum to R. Ovadia the convert: What is the relationship between them? When the Rambam declares that “there is no difference between us and you,” is that also based on Rabbi Yehuda’s opinion in the *Yerushalmi*? In considering this question, note footnote #10 above.

4. In this *shiur* we suggested that when a convert joins the Jewish people, he also embraces their forebears as his own. Could the same be true of one who moves between Jewish communities? Regarding customs, the *Gemara* (*Pesachim* 50b; also see *Chulin* 93b and *Beitza* 4b) states that one must adhere to the practices of one’s “*Avot*,” citing the verse, “Listen, my son, to the discipline of your father, and do not forsake the teaching of your mother” (*Mishlei* 1:8; however, see Rashi). However, the *Mishna* implies that customs are organized geographically (*Pesachim* 50a; also see Rashi *Chulin* 93b s.v. *al*). Are these two separate sources of customs, or are “*Avot*” in this context possibly defined by communal affiliation rather than by biology, similar to the convert? See Ran (*Pesachim* 17b in Alfasi), who writes that if a community has refrained from something, “it is as if they accepted upon themselves to observe this forbidden practice, ‘upon themselves’ and ‘upon all who attach to them’ (*Esther* 9:27),” a reference to converts (see Rashi and Ibn Ezra; compare, for instance, to *Yeshayahu* 56:3, 6). Does a comparison between a convert to Judaism and one who merely switches communities undermine the uniqueness of conversion and its relevance to *berit Avot*?

**Questions or Comments?**

Please email me directly with your feedback at judahlgoldberg@gmail.com!

1. Synonymous with *berit Avot*; see [*shiur* #6](http://www.vbm-torah.org/archive/sinai/06sinai.htm), footnote #7. [↑](#footnote-ref-1)
2. R. Lichtenstein notes the distinction between the *Gemara* (*Yevamot* 47a) and the Rambam in this regard. While in the *Gemara* these questions can be construed as part of the convert’s “background check,” in the Rambam they clearly follow and are distinct from an examination of his motivations (194). This point is further evident in the Me’iri. However, see *Hilkhot Issurei Bi’a* 13:14, 17, where the Rambam mentions investigating the convert’s motivations and informing him of the burden of *mitzvot* but omits reference to these particular questions. [↑](#footnote-ref-2)
3. See Me’iri, in contrast to Rashi. [↑](#footnote-ref-3)
4. It is not clear if “this” refers just to Jewish survival or to the entire preceding section about the Jewish condition in both This World and the Next. See the Frenkel edition, in which 14:3-5 are grouped together. [↑](#footnote-ref-4)
5. Presumably, this fulfills the Rambam’s earlier dictum that as the process proceeds, we pull the convert close “with chains of love” (14:2). [↑](#footnote-ref-5)
6. In explaining why the conversion of one who commits to *mitzvot* but rejects membership in the nation is not valid, R. Lichtenstein references the Rambam’s ruling regarding one who separates from the community (*Hilkhot Teshuva* 3:11), concluding that “there has not been a total, comprehensive acceptance of *ol mitzvot* [the yoke of *mitzvot*]” (“Conversion: Birth and Judgment,” 194-195). Alternatively, we might suggest that though his acceptance of *mitzvot*—*berit Sinai*—is technically complete, conversion cannot proceed without parallel integration into *berit Avot*. See R. Shlomo Goren, “*Kefira Be-Am Yisrael Le-inyanei Giyur*” (*Shana Be-shana*, 5743 [1983]), 149-156 in this regard. [↑](#footnote-ref-6)
7. Similarly, the term “*banim*” can refer to either literal children or to students. See *Sifrei Devarim* 34 and Rambam *Hilkhot Talmud Torah* 1:2. Also see Sanhedrin 19b. [↑](#footnote-ref-7)
8. Also see *Hilkhot Avoda Zara* 1:3. [↑](#footnote-ref-8)
9. Most commentators, based on the *Sifrei*, identify “*avi*” as Ya’akov, though they argue about who the “*Arami*” is. Rashbam, however, claims that the entire phrase refers to Avraham. [↑](#footnote-ref-9)
10. Also see Ramban *Bava Batra* 81a. The Rambam, however, seems to argue with this premise, as noted in *Sha’agat Aryeh* 49. In explaining why a convert may say “that God swore to our forefathers to give to us,” the Rambam adds, “and to Avraham was the promise first given that his children will inherit the Land,” meaning that the convert’s inability to relate to Yitzchak and Ya’akov does not hinder him (*Bikkurim* 4:3; however, see *Kesef Mishneh*). Also see his formulation in the aforementioned responsum: “Therefore you can say ‘our God and the God of our fathers,’ for Avraham, peace be upon him, is your father, and you can say ‘that He bequeathed to our forefathers,’ for to Avraham was the Land given.” [↑](#footnote-ref-10)
11. The Rambam continues, “Certainly, you should recite, ‘Who chose us’ and ‘Who gave us [the true Torah]’ and ‘Who bequeathed us’ and ‘Who separated us’… as it says, ‘The congregation, one statute for you and the convert’ (*Bamidbar* 15:15).” Regarding phrases that reference our sanctification, the Rambam has no hesitation, as this is precisely what conversion most obviously accomplishes–inducting a foreigner into *berit Sinai*. [↑](#footnote-ref-11)