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/09sinai.htm>

**Shiur #09: Jewish Peoplehood (2): Conversion and Community – Part 2**

The last *shiur* discussed the degree to which a convert can be absorbed into the experience of Jewish peoplehood in its fullest sense. In contrast to Rabbeinu Tam, who would not allow a convert to lead *birkat ha-mazon* (Grace After Meals) because of certain references to Jewish history to which he cannot relate, the Rambam ambitiously claims that “there is no difference between us and you for any matter” (Responsum #293).

This *shiur* will further test the Rambam’s hypothesis. There are several *halakhot* that, at first glance, seem to hold the convert apart from the mainstream Jewish community. Do these *halakhot* pose a challenge to the Rambam’s view of conversion or the inclusive view of Jewish peoplehood that emerges from it?

**“The Congregation of God”**

*Kiddushin* 72b records a dispute about a convert’s eligibility to marry a *mamzeret* (bastard). Rabbi Yehuda forbids this, equating the convert with all other Jews. Rabbi Yossi allows this marriage, for the verse only states that a *mamzer* may not enter into “the *kahal* [congregation] of God” (*Devarim* 23:3), and “the congregation of converts is not called a congregation.” Rabbi Yehuda’s position, at first glance, is consistent with his inclusive opinion cited in *Tosefta Bikkurim* (discussed at length in the last *shiur*), which encourages a convert to count himself among the progeny of Avraham. Rabbi Yossi seems to exclude the convert from the larger community, such that a *mamzer* who marries a convert is not “contaminating” the community.

The *Gemara* concludes that a convert “is permitted [to marry] a *mamzeret* like Rabbi Yossi[’s opinion]” (73a), and this ruling is cited by the Rambam (*Hilkhot* *Issurei Bi’a* 15:7; also see 16:1). Is this not a stinging retort to the Rambam’s embracing message to R. Ovadia the convert? Does it not leave converts outside “the congregation,” looking in? Indeed, relates the *Gemara*, so disturbed were the converts of Machoza by this possibility that they pelted Rabbi Zeira with fruit when he dared teach that a convert may marry a *mamzeret*!

We can gain a better understanding of this dispute, and of Rabbi Yossi’s opinion specifically, by examining its basis. The *Gemara* says that Rabbi Yossi includes various groups in the prohibition of *mamzerim* based on the Torah’s repetition of the term “*kahal*” five different times: “One is for *kohanim*, one is for *leviyim*, one is for *yisraelim*, one is to allow a *mamzer* to marry a person of uncertain lineage and one is to allow a person of uncertain lineage to marry a Jew. The congregation of converts,” however, “is not called a congregation,” as there is no additional use of the word “*kahal*” in the Torah that would include yet another group (see Rashi).

What emerges from the *Gemara* is that there is not one “congregation of God,” but several congregations of God. The term “*kahal*” does not describe a single, unified entity that excludes the solitary convert, but refers to multiple subgroups within the Jewish people—*kohanim*, *leviyim*, etc.—each of which is individually called a “*kahal*.” This point is even clearer in the *Tosefta*:

Rabbi Yehuda says, “There are four congregations [*kehillot*]: the congregation of *kohanim*, the congregation of *leviyim*, the congregation of *yisrael* [and] the congregation of converts; and everyone else may marry each other.” The Sages say, “There are three congregations: the congregation of *kohanim*, the congregation of *leviyim* [and] the congregation of *yisrael*.”[[1]](#footnote-1) (*Kiddushin* 5:1)

If so, the convert may not be excluded from the community but simply falls between the cracks of its composite parts. When conceived as a whole, the nation is all inclusive, but when it is broken down into individual “*kehillot*,” there will be some people who remain unclassifiable. Inasmuch as *mamzerim* are not prohibited to Jews as individuals but only to Jewish congregations as social units (in contrast to, say, gentiles, who are prohibited to each individual Jew), a convert’s permissibility to a *mamzer* does not reflect a deficit in his Jewishness, but simply a lack of membership in a particular subgroup.

What is Rabbi Yehuda’s position? We could potentially explain his stance in two different ways. In keeping with our initial approach, we could say that Rabbi Yehuda thinks “*kahal*” is an all-inclusive term that refers to the entire community of Jewish people, converts included. This might be suggested by the *Gemara*’s tracing of his opinion to the verse, “The ‘*kahal*,’ one statute for you and for the convert” (*Bamidbar* 15:15). The language of the *Tosefta*, however, points in a different direction. Rabbi Yehuda might give converts their own subgroup, a fourth “*kahal*” known as “the congregation of converts.” [[2]](#footnote-2)

Finally, considering these two possibilities within Rabbi Yehuda’s opinion leads us to reassess and refine our understanding of Rabbi Yossi’s position. On the one hand, Rabbi Yossi may maintain that converts are, in a limited sense, disenfranchised. For all of our welcoming them into the Jewish people as a whole, they are loners who neither fit into specified subgroups nor form one of their own. Alternatively, Rabbi Yossi may agree with Rabbi Yehuda that converts coalesce into their own, distinct congregation, but he may still maintain that this congregation is not enumerated among those that must exclude *mamzerim*.

This last point becomes evident upon examination of the Rambam. To the *Gemara*’s statement that “the congregation of converts is not called a congregation,” the Rambam adds one word. He writes that a *mamzer* may marry a convert because “the congregation of converts is not called ‘a congregation **of God**’” (15:7). A congregation it is, but not a “congregation of God” that the Torah forbade from accepting *mamzerim*. The Rambam further reinforces this point when recording the prohibition against appointing a convert (or a pure descendant of converts) as king: “We do not appoint a king from **the congregation of converts**, even after several generations, until his mother is a native Jewess (*Hilkhot Melakhim* 1:4).[[3]](#footnote-3)

According to all interpretations, though, it seems that the convert’s permissibility with *mamzerim* is a limited exception, rather than a reflection of incomplete absorption into the Jewish people. Rabbi Yossi does not leave converts outside of the nation, just outside of any of the mainstream congregations. While membership in the individual *kehillot* is indeed based on personal lineage, membership in the Jewish nation as a whole is not. Just as a *yisrael* cannot “convert” to the congregation of *leviyim* or of *kohanim* (and vice versa), so too a convert to Judaism cannot join any one of these groups. Nonetheless, his participation in the collective national experience is identical to that of anyone else.

**Converts and the Priesthood**

Although any convert may marry into the Jewish people from the moment of conversion (see Rambam *Hilkhot Issurei Bi’a* 12:17), a female convert may not marry a *kohen*. The source and nature for this prohibition is subject to a debate between the Rambam and the Ra’avad (*Hilkhot Issurei Bi’a* 18:3).

The Ra’avad follows *Kiddushin* 78a, which cites a verse from *Yechezkel* that *kohanim* should only marry “virgins from the seed of the house of Israel” (44:22). From this verse, Rabbi Shimon derives an exception for girls who were converted when they were less than three years old. The Sages, who prohibit any convert from marrying a *kohen*, presumably rely on the same verse but reject Rabbi Shimon’s interpretation. The Rambam, on the other hand, interprets *Yevamot* 61b as including a convert within the category of “*zonah*,”[[4]](#footnote-4) whom the Torah explicitly forbids a *kohen* from marrying (*Vayikra* 21:7). *Tosafot* (*Yevamot* 61a) agree with the Rambam and explain that the verse from *Yechezkel*, according to both Rabbi Shimon and the Sages, is ultimately grounded in the Torah prohibition of *zonah*.[[5]](#footnote-5)

In what sense can a convert be called a *zonah*? Rashi (*Yevamot* 61b)suggests that she is a *zonah* because “she had relations with gentile men while she was a gentile.” Several commentaries[[6]](#footnote-6) assail this explanation, first, because the presumption about her past behavior is speculative, and second, because it cannot possibly explain why the Sages argue with Rabbi Shimon regarding converted toddlers. The Rambam and *Tosafot*, in contrast, do not base her identity as a *zonah* on her behavior but upon the very fact that she was born to a gentile nation.[[7]](#footnote-7) Similar to *Chazal*’s contention that members of gentile nations are described as spiritually “uncircumcised,” regardless of whether the foreskin has been removed or not (*Nedarim* 31b), *Tosafot* claim that they are also described as “promiscuous,” regardless of actual conduct.

Thus, the Rambam and Ra’avad reach the same essential halakhic conclusion,[[8]](#footnote-8) but their respective explanations differ in significant ways. According to the Ra’avad, a convert is prohibited from marrying a *kohen* simply because she was not born Jewish. As much as she has been fully absorbed into Jewish peoplehood, not being “from the seed of the house of Israel” remains a barrier in this one limited context. According to the Rambam, however, the Torah never insists upon native Jews per se for *kohanim*. Rather, the convert carries a particular designation of “*zonah*” (an admittedly unflattering term, though not one that suggests impropriety—see *Hilkhot Issurei Bi’a* 18:5-6) from her pre-Jewish life, and, like other women with the same designation, she remains prohibited to *kohanim* for life.[[9]](#footnote-9)

**Descendants of Converts and the Priesthood**

Up to now we have discussed the case of a gentile woman who herself converted. What about a descendant of converts? The *Mishna* records a dispute on this point that also involves Rabbi Yehuda and Rabbi Yossi:

Rabbi Yehuda says, “The daughter of a male convert is equivalent to the daughter of a *challal* [defiled priest; thus she may not marry a *kohen*]… Rabbi Yossi says, “Even a male convert who married a female convert, his daughter is fit for [marrying into] *kehuna*.” (Kiddushin 77a)

According to the ensuing Talmudic discussion (78a), Rabbi Yehuda learns his rule from a comparison to others whose daughters may not marry *kohanim*. The common denominator to all of them, including a convert, is that they are not “*be-rov kahal*”—none of them is part of the mainstream “congregation,” albeit in very different ways.[[10]](#footnote-10) As a result, the convert invalidates both his wife and his daughter from ever marrying *kohanim*.

Why does Rabbi Yossi argue with Rabbi Yehuda? According to the Ramban, Rabbi Yossi accepts Rabbi Yehuda’s logic but nonetheless derives from the aforementioned verse in *Yechezkel* that anyone born Jewish may marry a *kohen*. *Tosafot* (*Yevamot* 77a), however, explain that Rabbi Yossi rejects Rabbi Yehuda’s statement that a convert is not “*be-rov kahal*,” as a convert can marry into the congregation. Therefore, he shares nothing in common with the other figures that Rabbi Yehuda invokes.[[11]](#footnote-11)

*Tosafot*’s opinion leads us to a double paradox. Whereas Rabbi Yehuda includes the congregation of converts in the prohibition against *mamzerim*, he labels converts as “not mainstream” and thus disqualifies their wives and daughters from marrying *kohanim*. Rabbi Yossi, on the other hand, claims that converts do not belong to a “congregation of God” but says that they are nonetheless part of the mainstream community and therefore can marry their daughters to *kohanim*!

We can perhaps resolve this difficulty by reconsidering Rabbi Yehuda’s position that “the congregation of converts is called a congregation.”[[12]](#footnote-12) Incorporation of a loose social group can have two opposite consequences for its members. On the one hand, it strengthens their social standing and puts them on equal footing with others, but at the same time, it can further isolate them from other, similar groups.[[13]](#footnote-13) This is exactly what Rabbi Yehuda’s opinion does to converts. Calling them “a congregation of God” both empowers them and weakens them. They, too, must exclude *mamzerim* from their midst, but they now stand apart even more distinctly as not being “*be-rov kahal*.”

As for Rabbi Yossi, he can dispute any one of Rabbi Yehuda’s assumptions to varying degrees. He may simply reject the concept of “*be-rov kahal*” as a halakhically significant designation. Alternatively, he may be willing to consider that possibility but nonetheless argues with its application to converts because he rejects their full incorporation. Either he sees converts as unclassified individuals who live among the congregations without belonging to any one of them, or, according to the Rambam, he acknowledges that converts possess some degree of collective identity, but not one that competes with the congregations of God and thereby isolates converts from them.[[14]](#footnote-14) For Rabbi Yossi, the converts’ weakness is their strength, in that their lack of incorporation allows them to participate fully in the mainstream community, including marrying their daughters to *kohanim*.

**Summary**

This *shiur* considered three possible challenges to a convert’s ability to participate fully in *berit Avot* and be completely absorbed into the Jewish people. Restrictions for converts, and possibly their descendants, from marrying *kohanim* and the lack of a prohibition regarding *mamzerim* seem to suggest that the convert is not as fully integrated as we would like to think.

Careful, halakhic analysis, however, can parry these challenges. Rabbi Yehuda, who, at first glance, seems to offer more respect for converts’ standing by forbidding them from marrying *mamzerim*, actually distances them further from the mainstream population by asserting that they are not “*be-rov kahal*.” Rabbi Yossi, on the other hand, whom the *halakha* follows on both points, denies the full status of a “congregation of God” to the community of converts, but in doing so he more easily allows them to live in the midst of the mainstream community.

Separately, whereas the Ra’avad claims an independent rule that *kohanim* may marry only women who were born Jewish, the Rambam subsumes converts’ impermissibility to *kohanim* under the known prohibition against marrying a *zonah*. While both approaches lead to the same exclusion, the Rambam puts less emphasis on lineage per se. According to the Rambam, genetics on its own poses no barrier to the convert’s full integration into the community, even as the designation of *zonah* (admittedly a byproduct of the convert’s birth identity) and the lack of membership in one of the main congregations may each have particular consequences for a convert. The Rambam’s claim to R. Ovadia the convert that “there is no difference between us and you,” then, rings true, at least at the level of national identity (Responsum #293).

**Conclusion: The Uniqueness of Jewish Conversion**

Finally, in reflecting upon the dual nature of the convert’s transformation, it is important to note how unique this proposition is, both in the modern world as well as the ancient one. On the one hand, many contemporary faiths see religion as universal, thus denying the possibility of a people with a unique destiny. *Mori ve-rabbi* R. Aharon Lichtenstein observes how the concept of integration into peoplehood is noticeably absent from Christian discussions of conversion, which mostly associate the phenomenon with personal repentance (“Conversion: Birth and Judgment,” in *Leaves of Faith: The World of Jewish Living*, 204-205). In other words, they broadly identify with the spiritual awakening encapsulated by entry into *berit Sinai*—acceptance of *mitzvot*—but they have no parallel for the experience of joining *berit Avot*. To the extent that community exists in many religions, it usually describes the community of believers, rather than a people whose sense of historical destiny transcends the dicta of religious faith.

On the other hand, to the extent that Judaism embraces a strong concept of peoplehood defined as “the progeny of Avraham,” it is just as surprising that foreigners can so easily gain access to this identity. *Mori ve-rabbi* R. Hershel Schachter notes that this, too, is a unique feature of Jewish peoplehood. *Halakha* views the gentile nations as extended clans or tribes and thus relies upon a purely genetic definition of identity. We do not know of any way to become a Moabite or an Ammonite, for instance, other than to be born into a Moabite or Ammonite family. Thus *Nazir* 61b comments that a gentile “does not have a congregation [*kahal*],” and as the Rosh explains, “a congregation of gentiles is not called a congregation.” In contrast, *halakha* treats the Jewish people as an incorporated “nation” whose identity transcends the individual familial networks that connect its members (*Eretz Ha-tzvi*, *siman* 17).[[15]](#footnote-15)

Moreover, R. Schachter traces this conception of Jewish peoplehood back to God’s original covenant with the *Avot*. Regarding the blessing to our forefathers that “‘*ve-nivrekhu*’ in you all the families of the earth” (*Bereishit* 12:3, 28:14), the Rashbam explains that “*ve-nivrekhu*” is derived from the verbs “*mavrikh u-markiv*,” which mean to replant and to graft. According to the Rashbam, God is telling the *Avot* that “all the families of the earth will blend into your family,” a reference to conversion.[[16]](#footnote-16)

In other words, conversion is not just anticipated as a possibility by *berit Avot* but is actually a direct consequence of the vision for peoplehood that *berit Avot* introduces. Had Avraham been promised merely a future spiritual revelation (at Sinai) for his progeny, foreigners might not have had any access to membership in this community. Even if they could have embraced the Jewish faith and religion, they could not have joined the Jewish nation any more than they could become Amalekites or Canaanites. Forging a formal covenant around peoplehood, even as it is anchored in the direct progeny of Avraham, raises it above a natural, familial definition and allows for a communal experience that transcends time, space, and even genetics.[[17]](#footnote-17)

In the words of *Chazal*, “it came to teach and instead it has learned.” While *berit Avot* initially gave us the tools and language to describe the complex experience of Jewish conversion, conversion has ultimately deepened our understanding of what *berit Avot* envisions in the first place.

**For Further Thought:**

1. In evaluating the extent of the convert’s integration into the Jewish people, this *shiur* focused on marriage. A full treatment of the topic would also need to address a convert’s limitations from assuming positions of authority. In brief:

* With regard to appointing a king, the Torah states that “you may not place upon yourself a foreigner who is not your brother” (*Devarim* 17:15), which the Sages interpret as excluding a convert (see Rabbeinu Bechaye and Rambam *Sefer Ha-mitzvot* negative commandment #362). This prohibition extends to all positions of authority within the community (*Yevamot* 45b). We can perhaps lessen the “sting” of this exclusion, however, by noting that the term in the verse that the Sages focus upon is “your brother” (see *Yevamot* 45b and *Bava Kama* 88a). This suggests that the problem with a convert’s leadership is not his personal identity, but his connection to his peers.[[18]](#footnote-18) The Torah requires that a leader emerge “from among your brothers” (*Devarim* 17:15) in order to be able to lead his constituency.[[19]](#footnote-19) Thus, Rava explains that a convert cannot exert power over native Jews, but he can over fellow converts (*Yevamot* 102a).[[20]](#footnote-20) He is not denied authority per se, but simply limited in his ability to effectively wield it.[[21]](#footnote-21)
* Rashi and *Tosafot* argue about the scope of a convert’s limitations in serving as a judge. Rashi (*Yevamot* 102a) maintains that a convert is only limited by the concerns for authority above and therefore can judge a fellow convert even in capital cases. *Tosafot* believe that a convert is barred from ever serving on a court of twenty-three judges, based on the *Gemara*’s derivation that such judges must be similar to Moshe Rabbeinu (*Sanhedrin* 36b). This could refer to exclusion either from judicial appointment[[22]](#footnote-22) or from the ability to preside over weighty matters.[[23]](#footnote-23) What, if anything, does *Tosafot*’s position tell us about converts in general?
* Regarding a court for *chalitza* (freeing a woman from a potential levirate marriage), the *Talmud Yerushalmi* (*Yevamot* 12:1) quotes two opinions whether a convert may serve. In explaining the opinion that he may not (which the *Talmud Bavli Yevamot* 102a adopts), commentaries differ whether a convert may not serve only because of the various concerns above (see Ramban 102a and 45b) or whether there is an independent requirement for a judge in a case of *chalitza* to be born of two native Jews (see Rashi, *Tosafot* 101b and *Tosafot Yeshanim* 45b). According to the latter approach, the uniqueness of *chalitza* may be related to the particular role that levirate marriage has in maintaining continuity of lineage and inheritance (see *Devarim* 25:5-10 and *Sifrei*), which is not directly relevant to converts.

2. Over the last two *shiurim*, we have seen three positions of Rabbi Yehuda: 1) A convert can say “the God of our forefathers;” 2) “the congregation of converts is called a congregation;” and 3) the daughter of a convert may not marry a *kohen*. Can we reconcile all three positions? On the other hand, can we explain the Rambam’s rulings and the accepted *halakha*, which accept the first position but reject the latter two?

3. Regarding footnote #14: Does the Rambam’s definition of the “congregation of converts” hold for Rabbi Yehuda as well, or only for Rabbi Yossi? In other words, regarding Rabbi Yehuda, would the Rambam agree to the position of *Tosafot* and the Ran?

4. If, according to the Rambam, the congregation of converts is a congregation, in what sense is it not a “congregation of God?” Is this related to the Rambam’s negative definition in footnote #14, or is the congregation of converts inferior in other ways? Also see *Kiddushin* 70b.

5. At what point did *berit Avot* become capable of absorbing converts? On the one hand, the *Sifrei* (*Devarim* 32 [Finkelstein ed.]) tells us that the people that accompanied Avraham on his journey to Canaan (*Bereishit* 12:5) were his converts, but we never hear about them again. The next converts appear at the time of the Exodus (see *Shemot* 12:38 and *Tosefta Pesachim* 8:7). Is it possible that Avraham’s students embraced his theological teachings, but only the mature Jewish people that emerged from Egypt could absorb outsiders into their destiny? However, see Rambam *Hilkhot Avoda Zara* 1:3.

**Questions or Comments?**

Please email me directly with your feedback at [judahlgoldberg@gmail.com](mailto:judahlgoldberg@gmail.com)!

1. Also see parallel texts in *Sifrei Devarim* 247 (Finkelstein ed.) and *Yerushalmi Kiddushin* 4:1. [↑](#footnote-ref-1)
2. Indeed, the *Gemara* itself might just be finding another use of the term “*kahal*” that would allow us to count converts as a fourth group. [↑](#footnote-ref-2)
3. The Rambam repeats the phrase “congregation of converts” every time he mentions this prohibition. See *Sefer Ha-mitzvot* negative commandment #362, as well as the abbreviated list of *mitzvot* in the introduction to *Mishneh Torah* and the listing of *mitzvot* preceding *Hilkhot Melakhim*. [↑](#footnote-ref-3)
4. Though “*zonah*” typically refers to a promiscuous or adulterous woman, the term is more difficult to define in the context of *kehuna* (see *Yevamot* 61b). See the Rambam’s sprawling definition: “According to tradition, we have learned that the ‘*zonah’* mentioned in the Torah is anyone who was not born Jewish, or a Jewess who had intercourse with a man whom she is prohibited from marrying by a universal prohibition, or one who had intercourse with a *challal* [defiled *kohen*], even though she may marry him” (*Hilkhot Issurei Bi’a* 18:1). [↑](#footnote-ref-4)
5. Also see Ritva and Meiri 60b. [↑](#footnote-ref-5)
6. See, for instance, Rashba and Ritva 60b. [↑](#footnote-ref-6)
7. Also see Ritva Kiddushin 78a. [↑](#footnote-ref-7)
8. The *nafka minah* (practical distinction) between their positions is the punishment for a *kohen* who marries a convert. According to the Rambam, he has violated a negative prohibition and is liable for lashes, but according to the Ra’avad, he has not. [↑](#footnote-ref-8)
9. The convert’s inability to completely remake herself through conversion and shed any prior labels may depend on a dispute between Rav Yochanan and Reish Lakish in *Yevamot* 62a. According to Rav Yochanan, a convert has fulfilled the commandment to procreate through children born to him prior to his conversion; likewise, the first child born to him after conversion will not be designated as a *bekhor* [firstborn] and will receive the standard inheritance. According to Reish Lakish, a convert must bear more children, and the first will be considered a *bekhor*, for “one who has converted is like a newborn babe.” Reish Lakish apparently takes this concept literally, in which case we can ask whether a convert could similarly escape a prior designation as a “*zonah*.” Rav Yochanan presumably does not reject this well-known dictum but limits its scope. Identity is renewed, but personal history remains a part of the convert. [↑](#footnote-ref-9)
10. See Rashi s.v. *she-einan*: “This one [a *challal*] was born from sin, and this one [an Egyptian] may not marry into the congregation [see *Devarim* 23:8-9], and a convert is not “*be-rov kahal*” because he comes from unfit seed.” [↑](#footnote-ref-10)
11. Also see *Tosafot Ha-Rosh* *Kiddushin* 78a. [↑](#footnote-ref-11)
12. Part of the impetus to resolve this paradox is *Yevamot* 57a, which juxtaposes these two disputes between Rabbi Yehuda and Rabbi Yossi without ever acknowledging the logical problem that they pose. [↑](#footnote-ref-12)
13. Consider, for instance, the complex consequences of an underprivileged or discriminated population’s decision to form a political party around its specific interests. [↑](#footnote-ref-13)
14. The Rambam’s position is ameliorated somewhat by his negative definition of the “congregation of converts,” which is composed only of individuals with no native Jewish ancestors. Anyone who has a native Jewish parent, however, whether father or mother, belongs to the congregation of God and is forbidden to marry a *mamzer* (*Hilkhot Issurei Bi’a* 15:9). Thus, even according to the Rambam, the congregation of converts is merely a collection of disenfranchised individuals but not an independent congregation that passes on its own familial heritage. *Tosafot* (*Kiddushin* 74b and *Yevamot* 84b [see *Tosafot Ha-Rosh*]) and the Ran (*Kiddushin* 30b in Alfasi) disagree, contending that the usual principle that lineage follows the father (see *Kiddushin* 66b) applies to the child of a male convert as well. [↑](#footnote-ref-14)
15. While the term “*goy*” is non-specific, “*kahal”* seems to be used in *Chumash* exclusively for the Jewish nation, beginning with blessings given to Ya’akov (*Bereishit* 28:3, 35:11, 48:4). [↑](#footnote-ref-15)
16. Rashbam’s commentary to *Bereishit* 12:3 is lost, but in his commentary on 28:14, he notes, “I have already explained this in *Parashat Lekh Lekha*.” Also see edition by David Razin (New York, 1949), 12, n. 5. [↑](#footnote-ref-16)
17. Similarly, see the Rambam’s description of the “house of Avraham” in *Hilkhot Avoda Zara* 1:3 and Responsum #293, discussed in the previous *shiur*. [↑](#footnote-ref-17)
18. Similarly, see Rambam *Hilkhot Melakhim* 1:6. [↑](#footnote-ref-18)
19. Even today, many countries require that a candidate for the presidency be born a citizen, most notably the United States. [↑](#footnote-ref-19)
20. *Tosafot* present two opinions about whether a convert may judge a pure descendant of converts (*Yevamot* 101b-102a, *Ketubot* 44b). [↑](#footnote-ref-20)
21. *Tosafot* (*Sota* 41b) and Ramban (*Yevamot* 45b) raise the requirements for king above those for other officials. The Rambam, however, does not differentiate (*Hilkhot Melakhim* 1:4-5). [↑](#footnote-ref-21)
22. See a similar idea in *mori ve-rabbi* R. Hershel Schachter’s *Ginat Egoz* 35:1 in the name of R. Soloveitchik. [↑](#footnote-ref-22)
23. See Ramban *Yevamot* 45b, who explains that a convert may not serve on a court of three judges for *chalitza* (freeing a woman from a potential levirate marriage) “for the Torah was stringent with this as with capital cases.” [↑](#footnote-ref-23)