


bringing to the Jewish people by accepting converts like these? For it is obviously not good for either God or the Jewish people that converts like these should be mixed into the Jewish people.” (*Iggerot Moshe, Yoreh De’ah* 157)

Feinstein’s certainty about what is good for God and the Jewish people evades most of us. Ours is an era of unprecedented complexity in the formation of identity. What we need now is

a conversation with each other — about what Jewishness is at its very essence and about how the changing face of world Jewry should and should not be reflected in conversion policy. We may not necessarily agree, but we will, one hopes, protect the unity, and therefore the survival, of the very people to which committed prospective converts still seek to dedicate their lives. 

Making Jews: Conversion and Mitzvot

YEHIEL E. POUPKO

I write to pick up where Daniel Gordis leaves off. His description of the dilemma we face and of the various halakhic sources is accurate. He calls for “a conversation with each other — about what Jewishness is at its very essence and about how the changing face of world Jewry should and should not be reflected in conversion policy.” So let’s begin to talk. In the modern world, identity is self-constructed. Conversion is surely an expression of identity construction. According to a recent Pew Center report, Americans switch and adopt new forms of religion with a fair degree of frequency.

My grandfather had no Jewish identity; he was just Jewish. In traditional society, one is as one is born. In the matter of conversion, how can the contemporary reality of identity construction interact with the classic concept of *kedushat Yisrael*? This is our dilemma. *Kedushat Yisrael*, the metaphysical distinctiveness of the children of the patriarchs and matriarchs, is a consequence of ancient Israel standing at Sinai, and after hearing the word of God and experiencing revelation, agreeing to accept the responsibilities of being God’s chosen people. This *kedusha* is given concrete expression in a lifestyle characterized by observing the mitzvot. *Kedusha* is ever and always defined in proximity to the Holy One. *Kedushat Yisrael* is transmitted by mother to child because each mother is a child of someone who is of the sacred family of Abraham and Sarah, and thus possesses *kedusha*. *Yisrael* is a family that became a faith while remaining a family.

What, then, is *gerut*, or conversion? Maimonides’ careful and precise formulation reads as follows: “When a non-Jew seeks to enter the covenant and to gain shelter ‘neath the wings of the *Shekhina* and accept upon themselves the yoke of Torah, they require circumcision, immersion, and animal offering” (in Temple times). We see that the individual has

already accepted the belief in the One God and the yoke of Torah. Having accepted the yoke of Torah, the non-Jew must perform certain covenant-making acts in order to become a member of the Jewish nation. In the middle ages, especially among Ashkenazim, differences emerged about the extent of knowledge and what commitments of practice would be required of the convert. However, it is indisputable that conversion means that the candidate has already arrived at a belief in One God and accepted the yoke of the Torah, the mitzvot that God commanded the people *Yisrael*.


Judaism is constituted of the acceptance and practice of the mitzvot. Thus, it is inconceivable that a non-Jew could enter the nation of Israel and acquire *kedushat Yisrael* without acceptance of the yoke of mitzvot. There is no Judaism without mitzvot. However, there have been different halakhic positions over the centuries as to whether or not the acceptance of mitzvot requires the complete and perfect knowledge and practice of the mitzvot *at the time of conversion*, like circumcision and immersion in the mikvah.

The conversation that Daniel Gordis calls for has begun and, in the past, reached a good and useful resolution. I am sad to say that the religious-political temper and activity of our time have muted the conversation. Long ago, the Talmud Bavli took an essentially negative posture toward conversion, whereas the Talmud Yerushalmi’s attitude was essentially positive. Responses from the 1950s and 1960s, by Israel’s late chief rabbi, Yitzhak Halevi Herzog, Isser Yehuda Unterman, and Shlomo Goren, provide insight: If a non-Jew made *aliyah* and thus plighted his or her fate with the fate of the Jewish people, then circumcision and immersion in the mikvah, along with a general acceptance of the yoke of mitzvot, were sufficient to effect a halakhically valid conversion. Goren writes:

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There is, in principle, no halakhic dispute or difference between the Talmud Bavli and the Talmud Yerushalmi... If one is speaking about Bavel or any other place outside the Land of Israel in which a majority of the population are non-Jews and in which the convert remains in the bosom of his non-Jewish family, there exists a real concern that the convert will not be able to utterly separate himself/herself from them. Rather, he/she will continue to live as an intimate member of his/her family... But, in Eretz Yisrael, the majority of whose residents are Jewish, even after the destruction of the Beit Ha Mikdash... those who convert in Eretz Yisrael will become assimilated in the midst of the Jewish population and will separate themselves completely from their non-Jewish family. There (Eretz Yisrael), it is much more reliable that

the conversion will be trustworthy and secure... (Mishnat Hamdina; Jerusalem 5759; translated by Y. Poupko.)

The general practice of the Orthodox (during the past 100 or so years) requires complete knowledge of and perfect commitment to practice all the mitzvot. This is surely a response to one of the most monumental changes in Jewish life: By the time World War I arrived, a majority of Jewish people were no longer *shomrei mitzvot*, or commandment observant, as understood for centuries. In addition, 80 percent of the Jewish citizens of Israel do not practice the mitzvot. From an Orthodox perspective, this halakhic response to the change in Jewish social reality is the correct one for the Diaspora communities. However, great halakhic masters, such as those mentioned above, have held otherwise when it comes to non-Jews who want to convert and live in the present-day State of Israel. 

Conversion and Conversation

MARK WASHOFSKY

“We cannot remain silent. We must protest against those who, by facilitating conversions not conducted in accordance with halakhah, allow goyim to enter the vineyard of the house of Israel.”

(Rabbi Yosef Shalom Elyashiv and Rabbi Shmuel Halevi Wosner, quoted in “Rabbi Elyashiv Opposes Army Conversions,” *Yediot Achronot*, January 11, 2011)

Daniel Gordis calls for a “conversation” on conversion policy in Israel. Yehiel E. Poupko endorses that call, tells us that such a conversation once took place, and bemoans the intracommunal political realities that have “muted” the conversation today. “Muted” would be putting it mildly. The recent news report cited above indicates the total opposition of two of the *gedolei hador*, the preeminent Orthodox halakhic authorities, to the latest effort to resolve the conversion crisis and the plight of soldiers like Lev Paschov, *z”l*. While a conversion initiative supervised by the rabinate of the Israel Defense Forces has received approval from leading authorities, including Chief Separdic Rabbi Shlomo Amar and his mentor Rabbi Ovadia Yosef, other rabbis — including Rabbis Elyashiv and Wosner, along with other leading Ashkenazic halakhists — reject such conversions as a sham. Their opposition threatens the future of the conversion initiative.

The problem, at its core, is that conversion

to Judaism has always been understood as a religious phenomenon. One who becomes a Jew does more than simply join the Jewish people; he or she “takes refuge under the wings of the *Shekhinah*” and accepts the responsibilities of a member of the covenant community of Israel. Traditionally, as Rabbi Poupko reminds us, these responsibilities correspond to the mitzvot; therefore, “it is inconceivable” that a non-Jew could become a Jew without accepting the “yoke of mitzvot.” And *that*, in the view of Rabbis Elyashiv and Wosner and their allies, means that the convert to Judaism must become an Orthodox Jew. One who converts but does not live a life of mitzvot — as that life is defined by Orthodox Judaism — did not truly “accept” the mitzvot, and his or her conversion is thus regarded as invalid.

Does the stance of these Haredi (ultra-Orthodox) rabbis doom any hope for a “conversation”? Not at all. As Rabbis Gordis and Poupko note, debates over the precise standards for conversion stretch back to talmudic

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