You Shall not Oppress the Proselyte: Thoughts on Parashat Mishpatim

View PDF

By
Rabbi Marc Angel

Angel for Shabbat, Parashat Mishpatim

by Rabbi Marc D. Angel

The Torah commands emphatically: you shall not oppress the stranger. Rabbinic tradition has interpreted this commandment to refer to the sin of causing pain to converts to Judaism. Indeed, one who oppresses a proselyte is guilty of transgressing 36 (and some say 46) sins.

Since proselytes have made the choice to join the Jewish people and to accept the Torah, they are to be treated with great respect and sensitivity. To be faithful to the teachings of Torah necessarily entails being solicitous of the wellbeing of converts. To trample on the feelings of proselytes is to trample on the Torah.

To our chagrin and horror, it seems that this mitzvah has been violated--and continues to be violated--by the very rabbis who are supposed to be safeguarding Torah tradtions. It seems to have become fashionable in some Orthodox rabbinic circles to follow the most narrow, stringent and xenophobic opinions relating to the acceptance of converts. Instead of following the sensible and accessible teachings of Talmud, Rambam, and Shulhan Arukh, these extremists have imposed requirements that make conversion excessively difficult, and often very unpleasant for would-be converts. (Please read my article on conversion, in the Min haMuvhar section of jewishideas.org)

The problem is exacerbated by rabbis who cast doubts on halakhic conversions, if those conversions don't meet their extreme standards. Several years ago, Israel's Chief Rabbis cast doubt on conversions performed by Orthodox rabbis in the diaspora, and indicated that they would not accept such conversions unless the proselytes went through a process approved by them. Thus, thousands of halakhic proselytes and their families have been caused terrible and unnecessary pain. Their Jewish identities are challenged or simply rejected.

A battle has arisen in Israel over the status of conversions performed by Israeli rabbis serving in the military. Thousands of converts and their families have had their Jewishness challenged and undermined by Hareidi rabbis. Recently, Israel's Chief Rabbi ruled that these conversions are all valid. No sooner had he uttered this ruling than did other Hareidi rabbis lambast him, and claim that his ruling has no validity. The very rabbis who should be worried about the sin of oppressing the proselytes are the most public and egregious violators of this cardinal Torah principle.

Is it good for the Jewish people and the State of Israel to be held hostage to the most extreme and rejectionist rabbis? Do we really want such rabbis to have the authority to decide who is and who is not Jewish?

While it would have been nice if the Chief Rabbinate in Israel had promoted a humane, compassionate and inclusive program for conversion according to halakha--they obviously have not succeeded at this. On the contrary, they have ceded their authority to an increasingly vocal and extreme right-wing Hareidi rabbinate.

The status quo is intolerable for the State of Israel and for the Jewish people worldwide. The solution is for the government of Israel to "privatize" conversions--take this area out of the legal authority of the Chief Rabbinate. Thus, each person who wishes to convert should be allowed the freedom to study with the rabbi of his/her choice. The local rabbi will have a better understanding of each convert's situation than a bureaucratic beth din structure. Once a person is halakhically converted by recognized rabbis, that person is to be considered Jewish by the State of Israel. That person's conversion is not subject to retroactive annulment. That person is a Jew forever, without ever having to worry about having his/her Jewishness called into question by the Jewish State.

If segments of the community do not wish to accept such converts, that is their own sin and their own responsibility. They can follow the most extreme views in terms of their own personal choices; but those extreme views cannot be imposed on the State of Israel and on the rest of the Jewish people.

The oppression of proselytes is a sin of the greatest magnitude. Those who foster this oppression are violating the very halakha they purport to defend. The current wave of extremism brings shame on Torah, brings shame on halakha, brings shame on the high ideals of our religious tradition.

Angel for Shabbat