The Conversion Crisis: Thoughts for Parashat Ki Tetsei, September 6, 2014

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This week's Torah portion commands us emphatically: "You shall not pervert the justice due to the stranger" (Devarim 24:17). Rabbinic tradition has understood the word "stranger" (ger) to refer to proselytes…those who convert to Judaism. Indeed, the Talmud teaches that anyone who oppresses the proselyte thereby transgresses 36 (some say 46) commandments. There is no other commandment repeated so often in the Torah.

Yet, this commandment is egregiously transgressed regularly within the Orthodox Jewish world, and especially within the Orthodox rabbinic establishment. Rabbi Chaim Amsalem, a remarkable and outspoken critic of current rabbinic policies, has demonstrated in his many writings that the mitzvah to love the proselyte refers not only to those who have already converted, but to those who seek to convert. Such individuals must be treated with utmost sensitivity and respect.

The Forward newspaper, January 8, 2010, included an article I wrote on this topic. The following is an extract of that article.

For centuries, rabbis steeped in Torah and Halakha have served as the gatekeepers of the Jewish people. They have determined which non-Jews may join the Jewish people as converts.

Halakhic literature provides a wide array of opinions and attitudes relating to conversion. In recent years, however, the more extreme views espoused by the Hareidi rabbinic establishment have gained predominance — and those Orthodox rabbis who do not share these views have been increasingly marginalized.

In 2006, Israel's chief rabbinate announced that it would no longer accept conversions performed by Orthodox rabbis in the Diaspora, unless these rabbis were on a pre-approved list (i.e., they were deemed sufficiently Hareidi in their approach). The mainstream Orthodox rabbinic group in the United States, the Rabbinical Council of America, essentially went along with the dictates of the chief rabbinate. The RCA set up regional rabbinic courts to oversee conversions.

The individual Orthodox rabbi — even if a member in good standing of the RCA — generally will not have his conversions accepted by the rabbinate in Israel, unless the convert has gone through the RCA's conversion bureaucracy.

The result of this shift in authority has been profound. Good, talented and well-intentioned Orthodox rabbis in the Diaspora have been eliminated as recognized gatekeepers to the Jewish people. Power has been concentrated in fewer hands. The more restrictive views on conversion have become universalized, leaving rabbis with little leeway in dealing with candidates for conversion who are not ready to become fully Orthodox Jews. Rabbi Ben-Zion Uziel, who was the first chief Sephardic rabbi of the State of Israel, sought halakhically valid ways to bring such individuals into Judaism and the Jewish people. The current rabbinic hierarchy shuts the door on them.

At a time when many thousands of people in Israel and the Diaspora want to become Jewish, the Orthodox rabbinic gatekeepers are becoming ever more restrictive. They adopt new stringencies not required by the Talmud, the Rambam or the Shulhan Arukh. There are women whose conversions have been denied because they wear pants — loose-fitting, modest pants. I know a woman whose conversion was rejected because the rabbinic court did not think her boyfriend was sufficiently Orthodox. A number of would-be converts have been told that they will not be accepted for conversion unless they first move to more religious neighborhoods — even though they currently attend an Orthodox synagogue in the neighborhood where they presently reside. Meanwhile, rabbinic courts in Israel have annulled conversions when converts lapse from a stringent observance of mitzvot.

These restrictive policies are not mandated by Halakha. They reflect a deep xenophobia and a narrow view of Jewish peoplehood. These policies prevent and deter many people from converting to Judaism according to Halakha. They cause unspeakable pain and frustration to numerous individuals who want to cast their destiny with the Jewish people — but who are rejected, humiliated or threatened by the rabbinic bureaucracy.

The Orthodox rabbinate has become narrower and more extreme, exactly at a time when world Jewry is very much in need of responsible, creative, sensitive and inclusive religious leadership. Can the State of Israel afford to have a bureaucracy of rabbinic gatekeepers who seem more interested in keeping people out than in letting them in? Can world Jewry afford to leave halakhic conversion in the hands of a rabbinic hierarchy that refuses to draw on the inclusive opinions within Halakha, that insists on creating higher and higher

barriers, that values restrictiveness as a sign of religiosity? Can we really trust a Hareidi-dominated rabbinic establishment that does not inspire our respect as a model of morality, idealism and intellectual vitality?

The Jewish people needs and deserves an effective and inclusive halakhic framework for accepting converts. The current gatekeepers have not served us well, and there is no sign that they will change their ways if left to their own devices. We would do much better by dismantling the current rabbinic bureaucracy and leaving conversion in the hands of local Orthodox rabbis — as had been the practice for centuries. Let each rabbi draw on the halakhic sources that best apply to each situation and not have his hands tied by an inflexible and restrictive hierarchy. Let each halakhic convert be fully accepted as a Jew in the State of Israel and throughout the Diaspora.

If some in the Hareidi world will not accept the Jewishness of such converts, then that is a problem for the Hareidim. The Jewish people as a whole should not be held hostage to the extreme views of the rejectionists.

Halakhic conversions performed by local Orthodox rabbis will draw many more converts into the Jewish people more efficiently, more compassionately and with more halakhic integrity. Every bona fide member of a reputable national or international Orthodox rabbinic body should be empowered to perform conversions. Each rabbinic organization must ensure that its members conduct conversions according to Halakha, with the highest ethical standards, and without financial remuneration.

The Torah describes the people of Israel as a wise people; let us, then, act wisely.

Angel for Shabbat