Thou Shalt Not Oppress the Ger

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A long-time Orthodox convert to Judaism, the author (who prefers anonymity) relates some of the difficulties faced by converts to Judaism. She particularly focuses on issues she herself has had to face within the Orthodox community. This article appears in Conversations, Issue Four (Spring 2009), published by our Institute for Jewish Ideas and Ideals.

Abstract

Most Jews do not appreciate the difficulties a convert faces within the broader Jewish community. Usually, the only stories that see publication are of the "happily ever after" variety. But most converts I have known, as well as myself, have a hard time of it—and nobody ever forewarns us because nobody else is sensitive to what occurs. The commandment to not oppress the ger seems to have been largely ignored, often in the name of preserving the purity of the Jewish people. For those of us who are halakhically Jewish, the situation is unjustifiable; where our situation is known, we are forever under suspicion that we are not "really" Jewish. Because of negative social experiences, many of us have chosen to go underground where at all possible; I predict that most of us will ignore the recent RCA geirus policy that the ger should make his/her status known in a community, which merely invites such experiences. I am writing to make the problem known, and to beg reconsideration on halakhic grounds of some common institutional policies.

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I am a convert. There can be no question that I am halakhically Jewish, as ruled by two Orthodox rabbinic courts. I am writing to protest the downright shameful treatment of converts by the Orthodox community, which so conveniently forgets the express command to not oppress the ger.

I was raised in the Bible Belt, as a conservative Protestant, to believe that the Bible was the Word of God. Nobody explained to me why “God’s Word” did not include the laws in the first five books, which today are observed only by Jews. Due to severe parental opposition, I could do nothing toward converting until I went away to graduate school in a small college town. This was more than 40 years ago. I took instruction from the only Orthodox rabbi in the state; he could be described as Modern Orthodox. In those days, I knew nothing of modern/black-hat distinctions among Orthodox Jews— and in fact there were no black-hat Jews in my immediate vicinity. The Beth Din consisted of this rabbi; the only Conservative rabbi in that town (he was shomer shabbat), and one other person. As I started meeting other Jews for the first time (I had had no significant social Jewish contact before conversion), I started getting questions about this conversion. I had met the Lubavitchers by this time, and they decided that while they believed this conversion was valid, they would redo it just to remove all question. They even placed a call to New York and got a ruling that I should not say God’s name in the blessing for this re-run. This took place about a year and a half after the first conversion.

I did not meet and marry my husband until nine years later. His entire family is Hareidi, and he is yeshiva-educated. We are shomer shabbat but not “yeshivish,” and live in a small college town with a bare minyan for our Orthodox community. We have one child, a son, who is also shomer shabbat.

The basic problem a convert faces in the Orthodox world stems from the Orthodox mind-set that if you observe one
mitzva more than I do you are a fanatic, and if you observe one mitzva less you are an apikores (heretic). It is hard enough for the ba’al teshuvah to navigate this mind-set and to figure out what is essential halakha and what is less essential minhag (custom). But the erring ba’al teshuvah at least is still considered Jewish. The convert has a more serious problem. If the convert is at all less stringent in observance than the person he or she is speaking to, the convert may be deemed to have not accepted all of the mitzvoth, and therefore the validity of the conversion is in question. I’ve even had an Orthodox rabbi say this to me in those very words. As I recall, on an occasion when I asked why, if there was one law for the convert and the home-born, that converts were automatically classed with prostitutes as people kohanim couldn’t marry. That’s when I learned that for converts, questioning is not permitted. That rabbi told me that any questions should have been addressed before conversion, not after it, and my present questioning indicated that I hadn’t accepted the whole Torah, so I wasn’t really Jewish.

I also encountered this response when I became friendly (no more) with a young man and this was disapproved of by people in the community, who forced him to end the friendship. I obviously hadn't accepted that the only permissible relationship between a man and a woman was marriage to that person, and therefore I wasn't Jewish. I even got into trouble when I expressed secular political views that differed from those of the person I was speaking with; I didn't elevate "what's good for the Jews" (including the State of Israel) over all other considerations. This showed that I had not really become part of the Jewish people; therefore I wasn't Jewish.

My point is that the only way for a convert to be "accepted" is to become SuperJew: to be more stringent than thou, and to totally block out the former non-Jewish self. I have known of a few such people, though I have never become close enough to them to tell if this is real or an act they put on for self-preservation. Sorry, folks, I'm not SuperJew, nor are the vast majority of converts I have known, although they and I feel pressure to be so. If you can be "accepted" only by putting on an act, you're not really accepted.

But in the culture in which I grew up, the cardinal sin is forgetting where you came from. I've often had Jews tell me that they assume I wouldn't want my children to know my parents, and that since my parents are not halakhically my parents I owe them no obligation. I'm afraid that I've never bought that, and it has been the source of many problems. Does this mean I'm not really Jewish?

And I wish I had a dollar for every remark I've heard made by Jews about "the goyim." I can't stand such remarks about me (I'm still the same person I was before) and my family and my former co-religionists (whom I do NOT consider to be idolaters!), and it's no excuse that the speaker didn't know my background. The Talmud (Sanhedrin 94a) recognizes that this is painful for the convert, and explicitly forbids such comments lest the convert regret the conversion. Me'Am Loez states, in his commentary on Exodus 18:11, that even if a family has a convert as an ancestor ten generations back, it is forbidden to speak badly about non-Jews in front of them, because it hurts a person's feelings to hear his/her nationality derided and can cause the person to give up Judaism. (This prescription, if taken seriously, would ban virtually all such derogatory comments since there is no way a person can know the ancestry of all those within earshot.) Believe me, I've heard much worse about non-Jews from Jews than I've ever heard about Jews from non-Jews. I'm afraid that this does not exactly solidify my identification with the Jewish people, whom I encountered only after my conversion to the faith.

The effect of all this on me (and I've only related a few examples) was very nearly to drive me away from Judaism. When people do things to you in the name of religion, it becomes hard to separate the people from the religion. In this case, it is also very hard to separate halakha from minhag. When a demand is made on you that you simply can't fulfill, and you are told that this is an essential part of the package, how do you not then reject the whole package? I very nearly did. If there had been a way to undo my conversion, I might well have done it. But when I give my word, I keep it. I believed I was now obligated to observance and couldn't get out of it. What really saved me Jewishly was that I was now living in my present small college town, where all Jews are accepted without question (because, for one thing, we can't afford to be very particular). This tolerance allowed me the space to recover after my experiences with larger and more rigid Orthodox communities.

Most of my problems of the sort I've described occurred before I got married. Since then, my husband's yichus has largely protected me—coupled with the decision made to hide my ancestry where at all possible. This started with my mother-in-law, a Polish immigrant who probably subscribed to the "can the leopard change its spots" view of non-Jews, which I have also heard (primarily from her generation). She was deeply embarrassed about having non-Jewish in-laws, but she wanted her son to be happy. She solved the problem by pretending to everyone (and herself) that my parents were Jewish, and ordering us to say nothing to the contrary. She has been dead many years now, but my husband with his greater knowledge of Orthodoxy convinced me that it would be better for our son if my background still was not known. We have all become very good at giving the misleading impression that I was born Jewish, while at the same time not saying anything that isn't true. I do not have sufficient Hebrew language skills to pass as a Frum-From-Birth, but we allow the impression to exist that I am a ba'alat teshuvah. Although our son knew my parents (now long-deceased), to outsiders we emphasize my husband's family and de-emphasize mine. I am not comfortable having to deny who I am, and I hope that someday my son will decide that denying half his heritage is not good, but I've acquiesced because it's best for him. I feared, with reason, that if my status became known, he would be forever under the same cloud that I am. I wouldn't wish my experience on anyone, especially my own child, who did not choose his situation. (The worst problem for him was shiddukhim, but since he married a Jew-by-birth we believe that now there is little serious adverse consequence that he could face even if identified with me.)

What reawakened all of these memories, of course, was when my son started looking for a shiddukh, a wife, in the Orthodox world. We had a very bad experience. The girl signaled interest on a computer site, knowing of my background. Her mother took over and forbade her to agree to a contact until I was investigated. The result was very unpleasant for me: The matchmaker, in the course of her Inquisition, persisted in thinking that it was for the sake of marriage, that the re-conversion was at my husband's insistence (never mind that both occurred long before I met him), and even asked whether our son had conversion papers! Their rabbi then called us to explain that it was shul policy to have copies of conversion papers on file, and asked us to send them. (All of this was before my son could even talk with the girl to see if the match was worth pursuing.) I was going to refuse unless the same demand was made of the other parents; before it came to this point, my son refused the shiddukh. He agreed with me that proof of my Jewishness should not be halakhically necessary (especially at this stage) since it was not in question that I had long been observant, and further, it sounded like a bad in-law situation. It still left me very upset. I don't mind the asking itself as much as I do the unwillingness to accept my answers. (My son decided after that to omit my status from his shiddukh profile, as it proved to be a "date-killer." However, the wife he finally found turned out to be also "second-generation" in that her father is a convert. Her family raised no questions about my status!)

This brings me to one of my long-standing grudges. Converts are asked to show papers at every instance, from Day School enrollment (either their own or their children's) to weddings. The same is not asked of people who claim to be born Jewish. I really resent being singled out for this suspicion. I don't care how politely it is phrased or what reasons are given. ("Standard shul policy" certainly doesn't cut it.) I find it offensive and discriminatory. To constantly have to prove myself, to know that there will never be a time when I am simply accepted as a Jew without strings attached? How would you feel? Perhaps the larger community is simply unaware of the impact this practice has on a convert's feelings—but it is past time that this was realized and these policies reexamined.

These actions may actually violate an additional negative commandment, beyond oppressing the ger. Maimonides, when talking of "cheating with words," gives an example of someone who tells a convert to "remember your origins." He may have meant that someone who, while in negotiations with a convert, assumes a superior position because of his Jewish birth is cheating, by taking for himself something to which he isn't entitled (since Jewishness should be equal for all Jews). These demands for proof of conversion in return for shiddukhim and Jewish

education may qualify.

I will now refuse to provide papers for any reason unless the same is required of non-converts as well. (I can tell you that my husband has no paperwork to prove he is Jewish.) If you need to be sure I am Jewish, apply the same criteria you have for people who claim to be born Jewish. To me (and my yeshiva-bred husband agrees), this discriminatory treatment is a clear violation of the commandment not to oppress the ger. One convert I know got so fed up with this practice that she tore up her papers. I haven't dared go that far, but I'm sorely tempted. What ever happened to the halakhic presumption that if you are observant, you are Jewish? I've been shomer shabbat for 40 years. Shouldn't that suffice? (The yeshiva community actually may be better on this point than non-yeshiva people; my Hareidi sister-in-law and her husband immediately and totally accepted me with no questions asked, let alone papers demanded.)

I have been told that I should not feel offended by these procedures because, especially in these days, people need to make sure that both parties to a Jewish marriage are Jewish. First, I don't think you should tell me how to feel. The commandment not to oppress the ger only makes sense in light of the ger's own feelings. Second, why are the same requirements not made of the parties who claim to be born Jewish? Ba'alei teshuvah aren't asked for papers; but even for them, isn't it forbidden to shame a ba'al teshuvah by reminding him or her of past non-observance? Third, I don't think you should downgrade the explicit commandment not to oppress the ger.

So what if an occasional mistake is made? I'm afraid that with my background I can't consider this the worst thing that could happen. I can hardly take the position that any non-Jewish ancestry is a blot on the Jewish people. Actually, I believe there is an opinion that if it should transpire that a maternal ancestor wasn't Jewish, it would not negate the Jewish status of observant mikvah-going descendants. But if that doesn't suffice, do a conversion to make sure— and I DON'T mean making an already observant person start from scratch. This problem is fixable. Elijah the Prophet is going to have quite a job sorting us all out anyway; what's a few more, especially when weighed against the commandment not to oppress the ger? Personally, I'd go with this Torah commandment as against concerns with the purity of the Jewish people. Unfortunately, however, the Orthodox community seems to have taken the other position. I think a number of so-called religious Jews will have a few things to answer for on the Day of Judgment.

The situation today is even worse than it was 40 years ago. With the move rightward of Orthodoxy, standards for converts have been raised. It is forbidden to refuse a sincere convert. In the effort to weed out the insincere, has the bar been raised so high as to also exclude many sincere converts? In my day, the Big Three mitzvoth were Shabbat, kashruth, and taharat haMishpaha (family purity); anything more was desirable but not a deal-breaker. It is not required that the convert know all of the halakha. And at least where I did it, anyone who did not have a Jewish fiance(e) was almost automatically accepted. In addition, if a problem was later discovered with the procedure, redoing it was no big deal. Now, to judge by the experience of newer converts in our community, you have to commit to a higher level of observance, you have to live in a large Orthodox community (which as a resident of a small community I strongly disagree with—it is quite possible to learn about Judaism and live halakhically without a lot of large local Jewish institutions), and there is a reluctance to simply redo questionable conversions. Rather, such cases are treated as if the person is definitively non-Jewish.

One shomer-shabbat person in our community was in halakhic limbo for years with his questionable prior conversion, which nobody was willing to redo while he lived here—so he finally had to move. Even then, it took two more years, despite his unquestioned sincerity and existing observance, and despite the clause in the RCA's Geirus Policies, which says that in such cases it could be done more expeditiously. Although he was told that the prior conversion could have been valid, so he should continue to be observant, it seems that no rabbi would simply regularize his status. Meanwhile, he was not counted in minyanim, and was generally made to feel like a non-Jew. He had remarked that his observance during this time would have been somewhat more meticulous had his original conversion been ruled definitely valid. Why did this process have to take so long?

The point about questionable conversions, which appears to be overlooked, is that while the conversion may be invalid, it also may be valid. The current focus seems to be on the possible invalidity, with the result that these converts are treated as if the conversion never happened. What about the possibility that it may be valid? If it is, aren't you committing several serious sins, from oppressing the ger to discouraging further observance?

The State of Israel adds to the problem by only accepting certain rabbis' conversions. Where would that leave me? I doubt such a list even existed 40 years ago, much less whether my rabbi would have been on it. Put it this way—my son knows it would be probably too complicated for him to even

consider making aliya.

Even outside the State of Israel, there is a problem with local autonomy: A conversion that is accepted in one community may not be accepted in another. One person in our community converted 50 years ago. No problems arose until now, when her daughter was refused membership in one European synagogue, and her grandchildren were refused a Jewish education in that community because of her conversion; since the (Orthodox) converting rabbi has long been dead, he could not be asked for information. The daughter is accepted as Jewish in some Orthodox communities but not in others. What is a convert to do, especially when it is long enough after the fact that all witnesses have died?
I have read the RCA's new geirus policies, which are intended to address at least the uniformity problem. Aside from the fact that they are necessarily only prospective, I am afraid that in implementation they will be used to institutionalize a very high bar for converts and justify retroactive rejection of converts such as myself. I fear that the prescription that converts should tell their local rabbi of their status merely invites the sort of social problems I've described above, unless said rabbi is both trustworthy and sensitive (which, unfortunately, not all are). We do, after all, know the halakhic implications of our own conversions! I for one (and I suspect others as well) prefer not to emerge from the closet.

It appears that no convert can ever be secure in his or her status as Jewish, no matter how much time has elapsed. Ignorance of the halakha involved, coupled with prejudice against non-Jews, makes it all too easy for a Jew to consider a convert to be insufficiently observant, hence non-Jewish, and to feel no qualms about expressing this. It should be absolutely forbidden for a Jew to raise this issue about a conversion once validly performed, and it also should be forbidden to reexamine decades-old conversions which were done by Orthodox rabbis. Otherwise, there will be literally no end to the suspicion surrounding a convert.

It may not be too far-fetched to draw an analogy with the "purity of blood" concerns of Spanish Christians at the time of the Inquisition. "Old Christians" constantly suspected "New Christians" of being secret Jews, even if generations of the New Christian family had been devout Christians. This entailed serious social and political repercussions against the New Christians, who became a permanent and inferior social class. Only if one could prove "purity of blood"—i.e., unadulterated Old Christian descent—could one rest easy. I am afraid that the present-day Orthodox Jewish social structure may be developing into a similar caste system, with ba'alei teshuvah and converts at the bottom of the yichus

ladder and with decreasing possibilities of social integration. (Note that my son's eventual shiddukh is of the same family condition as his, which is probably best for them but not so good for social integration.) The tales I hear from kiruv organizations about the problems ba'alei teshuvah face in Orthodox communities also indicate this—and, of course, converts have even lower yichus than ba'alei teshuvah. Rambam would be appalled.

When people ask to convert, they are warned about persecution from non-Jews. Nobody ever warns them about persecution from Jews. Perhaps this is simply not on the radar screen of conversion rabbis, very few of whom have ever experienced it themselves. But this has been the experience of nearly every convert I have known. Frankly, if I had known 45 years ago everything I know now, I doubt I would have found becoming Jewish to be worth the struggle, despite my theological convictions. Is this the message we want to give converts—that they will never be fully accepted by the Jewish community? I can never fully belong, and I worry for my son. At least my child is a male (and my daughter-in-law's convert parent is her father), so my problem should die with him. For myself, there is nothing more that I need from the Jewish community. If they reject me, I can do without them. But it is past time for someone to remind Jews that the commandment not to oppress the ger is still part of the Torah.