The Conversion Crisis and Challenge

View PDF



Rabbi Dr. Marc D. Angel is Founder and Director of the Institute for Jewish Ideas and Ideals, and editor of the Institute's journal, Conversations. Rabbi Emeritus of Congregation Shearith Israel in New York City, he is the author and editor of 26 books, and numerous articles. He is co-founder and co-chairman, together with Rabbi Avi Weiss, of the International Rabbinic Fellowship, an association of Orthodox rabbis dedicated to an intellectually vibrant, compassionate, inclusive and open Orthodox Judaism.

(This article is reprinted from Hadassah Magazine, November 2008.)

Great news.
Many thousands of people in Israel want to convert to Judaism. Most are from the former Soviet Union and have Jewish ancestry or spouses. Many others, of various national and religious backgrounds, have come to Israel to study Judaism and to become Jewish.

Thousands of people throughout the diaspora want to become Jews. They are attracted to the teachings of Torah; or they've discovered Jewish roots; or they want to marry a Jewish spouse. Judaism has a profound message for people of all backgrounds. The Jewish people, with all its problems, is attractive. The fact that so many wish to become Jewish should be a source of tremendous pride and happiness to Jews.

Troubling news.

Not everyone is eager to help these would-be converts enter the Jewish fold. Instead of offering a compassionate and inclusive approach, the Israeli Chief Rabbinate has erected ever higher barriers to discourage conversion to Judaism. Diaspora rabbinic groups have essentially fallen into line behind the Chief

Rabbinate's stringent positions, fearing that their own rabbinic status will be undermined if they do not conform to the Chief Rabbinate's dictates.

In May 2008, the Israeli Rabbinic High Court under the leadership of Rabbi Abraham Sherman issued a horrifying decision that actually rescinds the conversion of a woman who had converted (under Orthodox auspices) fifteen years ago. Since the Court felt the woman was not religiously observant enough, it declared her and her children—born after her conversion-- to be non-Jewish. The Chief Rabbinate and the Rabbinic High Court have equated conversion with total acceptance to observe all the mitzvoth; those who are deficient in religious observance are either not accepted in the first place, or now run the risk of having their conversions invalidated retroactively. Thousands of individuals have been thrown into spiritual turmoil, wondering about their Jewish identities and the Jewish identities of their children.

This is precisely the time for a visionary Orthodox rabbinic leadership to win the respect and admiration of the Jewish public by providing inspired, meaningful leadership. Yet, the Orthodox rabbinic establishment in Israel and the diaspora has chosen the path of retreat, restriction, and exclusion. Their policies have alienated thousands of potential converts, as well as thousands of born Jews who find these rabbinic attitudes reprehensible, narrow-minded and xenophobic.

Great news.

The classic sources in halakha—the Talmud, Maimonides, the Shulhan Aruh—are actually far more "liberal" than the contemporary Orthodox rabbinic bureaucracy. The Talmud (Yevamot 47a-b) records the procedure to be followed in accepting converts: we tell them of the dangers inherent in being a member of a persecuted community. If they are willing to accept these risks, we offer instruction "in some of the minor and some of the major commandments". We are not to persuade or dissuade too much. The Shulhan Arukh (Yoreh Deah 268:2), drawing on Maimonides' formulation in the Mishneh Torah (Issurei Biah 14:2), rules that we must also explain to the would-be convert the basic beliefs of Judaism. The procedure for conversion is sensible and straightforward.

The classic codes of Jewish law leave considerable latitude when it comes to informing converts of the mitzvoth. Converts are expected to give a general acceptance to observe mitzvoth—but there is no indication that they first must study Judaism for years nor that they must answer very specific questions relating to the observance of all mitzvoth--requirements that now have become standard within the Orthodox rabbinic establishment. Some of my Orthodox colleagues

have retorted: we don’t need to rely on those texts, since we follow the opinions of the great sages (invariably of the hareidi ilk) of our generation. Or, they have disingenuously argued that the Talmud, Rambam and Shulhan Arukh didn’t need to specify the requirement for converts to accept all mitzvoth in detail, since they took it for granted that converts would be required to observe every law of Shabbat, kashruth, mikvah etc. In other words, these rabbis ignore, or read their own views into, the classic sources of halakha, seriously changing the meaning of what conversion has meant historically.

The notion that conversion entails 100% commitment to observe all mitzvoth seems to have first emerged in the late 19th century among Eastern European rabbis. According to Dr. Zvi Zohar and Dr. Avi Sagi, Israeli scholars who have thoroughly researched the conversion issue in halakhic literature, Rabbi Yitzchak Shmelkes (Beit Yitzchak 2:100) introduced this idea in 1876. (See their book, “Transforming Identity”, Continuum, New York, 2007.) This was a reaction to the growing number of Jews who were defecting from mitzvah observance. Rabbi Shmelkes and others apparently believed that by equating Judaism with mitzvah observance, they were defending the Torah from its spiritual enemies. This equation, though an understandable strategy, was of course not literally true. Even the most extreme right-wing rabbis admitted that a born Jew is Jewish, even if he/she repudiates Judaism and violates every law in the Torah. But when it came to accepting converts, they upheld the most rigorous policy—a policy not dictated by classical halakha, but by their own reading of the circumstances of their times.

We are living in different times. We are not in 19th century Eastern Europe. We have the right to revisit the classic halakhic sources, and apply them honestly, compassionately and intelligently to our new circumstances. The rabbinate in Israel exists within a vibrant, modern Jewish sovereign State. If rabbis in the shtetls dealt with conversions stringently in light of their historical circumstances, the Rabbinate in Israel must recognize a broader responsibility; it must have the vision to create national policies that will serve the needs and interests of the Jewish State and the Jewish people at large. Instead of locking itself into the most extreme and narrow positions of halakha, it needs to draw on the broad wellsprings of Jewish legal and ethical traditions, demonstrating the halakha’s ability to address contemporary issues in a spiritually, morally and intellectually sound manner. The rabbis of the diaspora must not fall into the trap of creating their own rabbinic bureaucracies; rather they must also have the vision and sense of responsibility to help converts enter the Jewish fold in a proper, non-intimidating manner.

As an Orthodox rabbi myself, I believe that those who wish to enter the Jewish fold should do so in a halakhically valid manner. The halakha provides a meaningful and accessible way for non-Jews to become Jewish. Instead of erecting higher barriers to discourage conversion, the Orthodox rabbinate should be expanding opportunities for those who sincerely wish to become full members of the Jewish people.

The great Sephardic Chief Rabbi of Israel, Rabbi Benzion Uziel (1880-1953) argued for an inclusive approach to conversion. In one of his responsa, he urged rabbis to perform conversions, even under less than ideal circumstances, in order to maintain Jewish families and keep children in the Jewish fold. Those rabbis who adopted restrictive policies were doing a tremendous disservice to the would-be converts, to their families, and to the Jewish people. Rabbi Uziel wrote: “And I fear that if we push them [the children] away completely by not accepting their parents for conversion, we shall be brought to judgment, and they shall say to us: ‘You did not bring back those who were driven away, and those who were lost you did not seek’ (Ezekiel 34:4).” Rabbi Uziel was not alone among modern sages who allowed conversions even in non-ideal situations. (See Professor Shmuel Shilo’s article in the Israel Law Review, 22:3, 1988, where he discusses the lenient views of various halakhic authorities including Rabbis Benzion Uziel, Shlomo Kluger, David Zvi Hoffman, Haim Ozer Grodzinski, Yehiel Weinberg and Ovadia Yosef.)

Important news.

Rabbi Avi Weiss of the Hebrew Institute of Riverdale and President of Yeshivat Chovevei Torah has joined me in founding the International Rabbinic Fellowship to bring together like-minded Orthodox rabbis who will promote an intellectually vibrant, compassionate and inclusive Orthodoxy—an Orthodoxy that will address the issues of our time in an open, non-authoritarian, and halakhically proper manner. We have been working with Rabbi Shlomo Riskin, Chief Rabbi of Efrat, and other rabbis here and in Israel to establish a beth din for the International Rabbinic Fellowship—with offices in New York and Jerusalem-- that will deal with conversion, agunah questions and other serious problems. We are heartened by the many Orthodox rabbis (the IRF already has about 150 members and is growing day by day) who have joined with us in this historic effort to create an engaged and engaging Orthodoxy that can provide leadership for the entire Jewish people. We are grateful to lay leadership for their financial and moral support.

Every one of us, Orthodox or not, can play a role in creating a better future for converts and for the entire Jewish people. We can support those individuals and

groups within Orthodoxy that are working to change the rabbinic status quo. We can voice our opinion to policy makers here and in Israel. We can work in our own communities to foster a positive, inclusive approach to converts and their children. We can remind ourselves that we will one day be standing before the Almighty and will have to explain what we did—or did not do—to address one of the most dramatic challenges of our time. Let us be very sure that we can honestly say that we did seek to bring back those who were driven away, and that we did seek those who might otherwise have been lost.