

Preface

Madeleine Ferraille, a young French woman of about twenty, married with a son, felt a strong attraction to Judaism—an attraction that led her on an extraordinary life's journey. Not long after she married she separated from her husband, became active in the French Resistance, and helped save Jews. Later she studied literature, history, and philosophy at the University of Toulouse and at the Sorbonne. When she was in her thirties she and her son converted to Judaism and began living as fully observant religious Jews. She made aliya and found her place in an Ultraorthodox community; her son enrolled in a yeshiva.

In the summer of 1965, when she was in her forties, Madeleine, by then going by her Hebrew name of Ruth Ben-David, was at the center of a major uproar within the Eda Haredit (the separatist non-Zionist Ultraorthodox community) in Jerusalem. This fierce debate, which triggered a countrywide media festival, erupted when she became engaged to the venerable leader of the anti-Zionist Neturei Karta sect, Rabbi Amram Blau, a 71-year-old widower. The religious court of the Eda Haredit summoned Rabbi Blau to appear before it and instructed him to call off the engagement and not to marry the convert. The court's ruling was quite exceptional and, what is more, not couched in standard halakhic language: "This court decrees that no one among the heads of the Eda Haredit and its leadership, and certainly not an exalted person like Rabbi Amram, may marry a convert, because of the dissolute ways of the generation and for a number of other reasons that we keep to ourselves."

Stringent attitudes or reservations about the acceptance of converts can be found in the halakhic literature from the Talmudic era to the present and have been amply described by scholars.¹ An interesting meta-halakhic question related to this issue, one that has been discussed at length, is whether conversion is primarily an acceptance of the obligation to observe the precepts or admission to the Jewish collective. The conversion process itself has three halakhic elements: circumcision (for males), immersion in a ritual bath, and being made acquainted with or taking on the precepts. The last of these stands at the center of a halakhic and exegetical debate that has raged for generations and that has intensified in the modern age, especially in the last three decades. The meta-halakhic question about the essence of conversion is linked to this dispute. In practice, the standards for the acceptance of converts were set by each local community for itself; some were more stringent and others more lenient. In general, though, and except for extraordinary cases, converts and their descendants have always been accepted not only in their own communities but throughout the Jewish world, even by communities that had reservations about accepting converts.

Is the approach described in the meta-halakhic literature, which sees conversion as the assumption of the obligation to observe the precepts, necessarily more stringent than that which sees conversion as joining the Jewish collective? The position taken by the rabbinical

¹ See, for example, Zvi Zohar and Avraham Sagi, *Transforming Identity: The Ritual Transition from Gentile to Jew—Structure and Meaning*, London and New York: Continuum, 2007.

court of the Eda Haredit, in view of the possibility that one of its leaders might marry a convert, removed the acceptance of a convert from the standard halakhic envelope. The court's ruling stemmed from a desire to preserve the boundaries of the collective by imposing restrictions on a leader. Rabbi Blau was perfectly aware of this, of course. He announced that he was determined to marry his fiancée and would disregard the rabbinical court's ruling. The man who had never gone outside the Jerusalem city limits since he was a child left the jurisdiction of the rabbinical court and moved to Bene Beraq, where he married the convert Ruth Ben-David.

Thus the idea that conversion is an act of joining the Jewish collective depends on the collective community interests or on what the rabbinical court deems to be the interests of the entire Jewish people. The court in one community may adopt a lenient stance toward the acceptance of a particular convert, whereas in a similar case the court in another town may reject the applicant. The differences between these two attitudes have to do primarily with the perceived role of the rabbinical court in the conversion process. If the essence of conversion is joining the Jewish collective, the court has broad discretion that goes far beyond the bounds of halakhic formulas. What is more, the rabbinical court, as a central institution that represents the entire community, must decide in accordance with the norms, limits, and interests of the community even before it tries to determine the candidate's intentions. The obligation to observe the commandments and the willingness to do so become a secondary matter or are merely instrumental to preserving and strengthening the collective. By contrast, if the essence of conversion is acceptance of the obligation to observe the precepts, the religious court has only limited discretion. As the halakhic literature states explicitly, if a candidate stubbornly insists on converting, despite repeated rejections by the rabbinical court, the court no longer has the right to turn him away and must accept him. All other considerations are irrelevant.

The differences also relate to the community's involvement in the conversion process. The idea that conversion means joining the collective expands the rabbinical court's discretion but at the same time gives the community a standing in the proceedings, starting with the selection of judges who are committed to the collective interests, and running to the actual participation of community institutions, in various ways, in the process itself (teaching the candidates, attempting to influence the judges to accept them after the completion of their studies, and so on). The halakhic literature hardly recognizes such community participation. It describes the conversion process as a dialogue between the candidate and the rabbinical court, with no outside involvement. Today, in fact, the bulk of the conversion process takes place outside the courtroom and candidates are fully prepared for the actual act of conversion before they face the judges.

In the second half of the twentieth century, we have witnessed a drastic and rapid change in the conversion process. From the end of the Second World War through the 1970s, tens of thousands of converts, most of them women, were accepted in Israel and in Orthodox communities in Europe. The process included the court's interrogation of candidates, as described in the sources: The court told them that they would be better off not converting; one can be a righteous Gentile and observe only the seven Noahide precepts. If the candidate insisted and returned to the court a second or third time, he or she was converted. The entire process was completed in three sessions and lasted for an average of ten months. This was the

traditional route, the same as had been followed in Jewish communities from time immemorial. Many of the new converts came from secular kibbutzim or communities and returned there. No one imposed any conditions on them. All the judges on these courts, without exception, were Haredim (Ultraorthodox).

Starting in the mid-1970s, however, the conversion process became more complicated and protracted. Candidates were required to attend a lengthy conversion course—at first six months, later a year or two or even more. They had to persuade the rabbinical court that they were planning to live in a community where it would be possible to observe the Sabbath and other precepts. They were also required to have an observant foster family to help them through the process. None of this was motivated by an intention to make the candidates miserable; the reasons were bureaucratic. The rise in immigration to Israel, chiefly from the Soviet Union, placed a great burden on the limited number of rabbinical courts that served the entire population in all matters of personal status: marriage, divorce, inheritance, and so on. To cope with the problem, Rabbi Shlomo Goren, the then–Ashkenazi Chief Rabbi of Israel, established conversion academies to assist in the process. Representatives of these academies began to appear in the court to testify about their graduates' bona fides. The rabbinical courts fell into the habit of going beyond the questions of principle mandated by the *Shulhan Arukh* and quizzing candidates on the material they had studied at the conversion academy. As a result, programs that were intended to facilitate the acceptance of converts actually made things much more difficult for them and swiftly altered the standard halakhic procedure for the acceptance of converts. It bears note that these academies were institutions of National Religious Zionism, which generally favors the acceptance of converts for nationalist and ideological motives.

The mass aliyah from the former Soviet Union in the 1990s made it necessary to add a new bureaucratic element to the conversion process. The Conversion Administration was set up to carry out most conversions in special courts with panels consisting of national-religious Zionist judges, because the regular rabbinical courts collapsed under the load. The Administration coordinated between the conversion academy system and the special courts. But this system, founded with the best of intentions, turned into a depressing trap for most conversion candidates. The stipulations for the acceptance of converts, starting with their preparatory education, continuing with the topics on which they were examined by the rabbinical courts, and culminating in the added demands, created something new and totally different, a model of conversion that had never previously existed in the Jewish people.

This vast apparatus is a government agency—and not just one more government agency, but a unit in the Prime Minister's Office. Ever since David Ben-Gurion, and especially in the last two decades, Israeli prime ministers have viewed the conversion of tens (and if possible hundreds) of thousands of non-Jewish immigrants as a national challenge. In their eyes, conversion is an important tool for absorbing immigrants in Israel and for their socialization and acculturation, and makes a direct contribution to bolstering the Jewish majority in the nation-state. They could not leave such an important matter in the hands of the Religious Affairs Ministry. But the political decisions by secular prime ministers also had far-reaching halakhic implications. They did not carry out their policy through a secular conversion apparatus, in the spirit of a proposal floated by former minister Dr. Yossi Beilin; instead, they established a religious system to serve

this policy. (Note that the major secular parties in Israel have never been interested in the separation of religion and state. Quite the contrary: Religion has always been an instrument in the service of their policy and remains so today.) This system, as noted, comprises observant Jews, most of them rabbis affiliated with the National Religious stream, who as a matter of principle want to complete the immigrants' naturalization by their conversion to Judaism. In the event, however, the Conversion Administration was unable to handle the burden and became an obstacle to the conversion of thousands of persons.

About 10 years ago, the government shut down the original Conversion Administration and replaced it with a new version. The second avatar, headed by Rabbi Haim Druckman, was staffed by National Religious rabbis who were graduates of the same yeshivas as the rabbis of the first Conversion Administration. This Conversion Administration Mark II endeavored to speed up the conversion process and simplify the requirements, but with no great success. The reaction was not long in coming, in the form of a challenge to the authority of the rabbis of the second Conversion Administration and the rejection of their converts by a panel of the Supreme Rabbinical Court. The general media in Israel presented the conversion controversy as an ideological clash between the Ultraorthodox and the religious Zionists. The sad truth, however, is much simpler. This is not an ideological debate at all, but a battle for power and money and rabbinic authority, mainly within the National Religious rabbinic camp. However, Ultraorthodox rabbis, too, see themselves as the defenders of the ramparts and take part in the public debate, expressing views that totally ignore the past rulings of their own predecessors.

Conflict provides an inexhaustible source of creative inspiration. The short-term processes described here have generated a halakhic and pseudo-halakhic literature that endeavors to buttress the many different positions and reinforce them against their rivals. Several volumes on the nullification of conversions have been published in the last three years, some supporting the concept and some totally opposed to it. It is not important whether the dominant position in the new halakhic literature tends to leniency or stringency. What matters is that the relatively simple halakhic and community domain of the acceptance of converts, which prevailed for generations and especially the last two hundred years, as part of the atomic and autonomous community framework, has morphed into a complicated process carried out exclusively by the State authorities. It is possible that the State will streamline the process and make things easier for candidates. There is no doubt that in Israel in 2013, converts have to satisfy demands that are quite different from those made of converts in the 1950s, 1960s and 1970s, and that they represent a significant change in converts' identity.

We are delighted to offer our readers this third issue of *Identities: Journal of Jewish Culture and Identity*. A photo of a sculptural representation of the Tower of Babel, part of the exhibit "Inspired—Manel Álvarez on the Bible" (courtesy of the artist and the Bible Lands Museum in Jerusalem) graces our cover. The exhibit, which ran at the Bible Lands Museum for six months, starting in January 2011, consisted of 16 monumental sculptures based on biblical stories and characters.

In the lead essay, **Eliezer Schweid** considers fundamental questions of cultural evolution and creation: the differences in the language act and meanings for the poet and author on the

one hand and for readers on the other. The revival of the national culture made these issues more salient, because artists no longer presented their works as cultural activity for its own sake, standing in its own right, but as works that dialogue with their readers and aspire to expand and deepen their cultural world. For these processes to be fruitful they must be based on a relationship of trust between artist and reader. The reliability of language, as regards the poet's intentions and the reader's comprehension, is essential to such an elucidation, which Schweid carries out through an analysis of Chaim Nachman Bialik's essay, "Revelment and Concealment in Language."

Literature has an immense power to provide readers with a multi-dimensional experience, based on the transitions among different plots and between the narrator's perspective and that of the readers. Two pieces in this issue, by Michal Peled Ginsburg and Dvir Tzur, provide us with such an experience. In "Madame Bovary in Jerusalem", **Michal Peled Ginsburg** reads two works by Amos Oz, *My Michael* and "The Hill of Evil Council," as reworkings of Flaubert's *Madame Bovary*. Until the 1960s, the project to revive the Hebrew language and renew the Jewish collective stood at the focus of cultural activity. Oz's choices and decisions, as presented in the article, reveal him as having been responsible for a change of direction in modern Hebrew literature, one strongly influenced by Europe. Ginsburg offers readers a special experience of presence in three plots and uncovers how Oz interwove them. In this way she provides us with a three-dimensional experience in prose.

Memory of the Holocaust occupies a central place in contemporary Jewish identity and culture. **Dvir Tzur** looks at testimonies and witnesses and considers the role and status of those who, having seen the atrocities with their own eyes and experienced them on their own flesh, became the transmitters of awareness of the Shoah and its lessons to the public at large and especially to the younger generation. Tzur analyzes the witness and testimony through the lens of Yoram Kaniuk's *The Last Jew*: through the character of the author himself and through the character of his protagonist, as well as the extent to which his testimony in particular, and testimony in general, have been received. *The Last Jew* is a classic study of the question of Jewish identity; in this sense the testimony no longer looks back at the past but endeavors to sketch out a path for the consolidation of Jewish identity in the future.

The article by **Yaniv Feller** is to be read against the background of the thought of Martin Buber and the major attention it received in the religious discourse of the second half of the twentieth century. Feller sees Buber as an anti-theological thinker and offers a re-evaluation of his critique of Pauline Christianity. Buber viewed the attempts to consolidate a systematic doctrine about God as dangerous and proposed instead a faith that permits daily revelations, hearing the voice of the Lord and listening to it, and the challenge of withstanding trials. On the same grounds as he rejects theology, Buber also criticizes halakhah, which for him is another systematic doctrine about God and cannot serve as the guarantor of ethical behavior.

Some fall into despair because of the blurring of the definitions and concepts characteristic of Postmodernism. But **Avinoam Rosenak** sees it as an opportunity for developing a dialogue among the different streams in the Jewish world. He combines his years of work on Jewish thought and Postmodernism with his profound involvement in most of the studies on the different currents in Judaism that have been conducted in the last decade. As part of the Postmodern discourse, a new link is forged between the religious cognitive minority and the

cognitive majority outside religion. This link depends not only on the altered status of religion, but also on the fact that the so-called majority is neither solid nor well defined. For Rosenak, it will be difficult for the diverse cultural communities that endeavor to promote and pass on their heritage to do so unless they make the other present as well.

Iris Brown (Hoisman) looks at the changes in the forms of discussion about Torah study by Ultraorthodox women, through a comparison of the conservative wing of Ultraorthodox society (the Eda Haredit) and the more moderate mainstream. Brown's decision to focus on Torah study programs for Ultraorthodox women is profound and meaningful. Two major changes in the status of Ultraorthodox women took place in Israel in the twentieth century. The first was the inauguration of formal education for girls in an institutionalized school system, accompanied by permission to teach Torah to girls; the second was that of Ultraorthodox women going out to work in order to support their families. Refuting the common view that the latter was the more important change, Brown shows that it was rather the authorization of Torah study for girls that constituted social dynamite. It plays a decisive role in the structuring of Haredi society and the preservation of the patriarchal social order. The restrictions on Torah study by women, on the one hand, and the expansion of the authorization for this, on the other, actually play the same role and serve the same objective—realizing the objectives of acculturation, especially those of the Ultraorthodox “society of scholars.”

“A Jewish Commitment to Minorities in the Nation-State” is the title of the symposium held at the Van Leer Jerusalem Institute, whose proceedings are published in this issue of *Identities*. In a nation-state, majority-minority relations are first and foremost a matter of identity. The title expresses the clear judgment that the majority is under an obligation toward the minority. The situation of minorities in the nation-state is the litmus test of the extent to which it is democratic. A minority that enjoys equality, and meticulous respect for the rights of minorities and individuals, are evidence of a country's democratic nature and of its vigor as a nation-state. What is more, they attest to the internal identity and resilience of the majority society. **Dr. Aviad Hacohen** moderated and edited the symposium, whose other participants were **Prof. Hedva Ben-Israel**, Supreme Court Justice **Elyakim Rubinstein**, **Prof. Arye Naor**, and yours truly.

The book review section has two pieces: **Yoram Bilu** writes on *The Rebbe: The Life and Afterlife of Menachem Mendel Schneerson*, by Samuel Heilman and Menachem Friedman; **Ron Margolin** looks at Nicham Ross's *A Beloved-Despised Tradition: Modern Jewish Identity and Neo-Hasidic Writing at the Beginning of the Twentieth Century*.

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I would like to thank all of the authors who contributed the best fruits of their research and thought and to all those involved in the editorial and production aspects of *Identities*. You, dear readers, are invited to continue the discussions begun here and to respond to them orally or in writing. The editors will be delighted to publish your responses in future issues. We hope that you find the studies and essays published here to be profitable sources of learning, enrichment, and inspiration.

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