

CONVERSION AND JEWISH IDENTITY

Avi Sagi

Conversion is a ritual-halakhic procedure through which a Gentile becomes a Jew. Ostensibly, the conversion discourse is exclusively halakhic because the ritual, its meaning, and its elements are part of the halakhic legacy and language. On closer scrutiny, however, the conversion ritual is revealed as bearing the basic questions of Jewish existence and, crucially, the questions of Jewish identification and identity.

Halakhic literature throughout history and the conversion discourse of contemporary halakhists show that the conversion ritual presents the meaning of Jewish identity to the Gentile seeking to become part of the Jewish collective. This ritual tableau is translated into an orderly series of norms with which the convert is required to comply, turning converts into “actors” in a drama that embodies the meaning of Jewish identity.

This drama is also the central location for a transparent expression of Jewish identity. Social and cultural history points to the border between “inside” and “outside” as the central location for an explicit discourse about the society’s identity and for determining membership in the collective. In day-to-day life, thinking and talking about the identity of the individual and the society is not reflective. Individuals and societies experience their identity in concrete ways – in the obvious customs, speech, orientation, ethos, and myth that guide their conduct – and do not tend to report to themselves in

detail about the nature, the borders, and the contents of this identity. Routine, ordinary life is regulated through a set of beliefs and norms perceived as self-evident – they are the glasses through which we see the world but do not talk much about. The inner discourse about identity is usually conducted at times of crisis, when what had been self-evident ceases to be so. The discourse then shifts to the border, to the entrance to the identity field. The border between inside and outside is thus a key location for reflective discourse.

As sociologists have noted, the border is also the place where people reconstitute their identity, examine it, and retrace its meaning, the space where identity is regimented and presented to others. The border, then, is not only the place where people think about their identity as it is and as they experience it in their lives but rather the setting of a confrontation, the place where identity is reorganized and reconsidered.

Often, what is obvious and accepted within the society is undermined and re-examined at the border separating inside from outside. This issue is particularly prominent in the conversion ritual. Non-observant Jews are part of Jewish society, and controversies between observant and non-observant Jews are not translated into a struggle about actual membership in the collective, which is viewed as obvious. Gentiles who wish to become Jews, however, cannot join the diverse and complex Jewish collective by becoming non-observant Jews. Other demands are made of them, reflecting a kind of reconsidered Jewish ideal. The convert, then, is supposed to express the Jewish ideal that has been lost in day-to-day life.

The reasons for this gap between “inside” and “outside” are many. The main one is the assumption that the border not only marks the separation between two different places but is also a space for a confrontation on the nature and meaning of identity. The border, then, is a dangerous location where perceptions thought of as obvious are reconsidered in a process that, potentially, could lead to the reorganization of the internal identity. The confrontation can lead to the lowering of barriers, to adaptation, toleration, and the development of new approaches, but it can also lead to the idealization of the identity. If an ideal identity is the result, the entrance point is the perfect moment for setting up the barrier that had been forgotten and lowered in day-to-day life.

Both these aspects are prominently present in the halakhic discourse on conversion. As Zvi Zohar and I showed at length in our book, *Transforming Identity: The Ritual Transformation from Gentile to Jew – Structure to Meaning*, halakhic tradition contains two contradictory tendencies. On the one hand are many halakhists who support lowering barriers and view non-observant converts as assuming a full Jewish identity. They perceive conversion as, fundamentally, a physical ritual through which the convert is “reborn” into the Jewish people. Converts become Jews through a process analogous to birth—their bodies undergo a ritual procedure resembling birth, after which they become part of the “inside.” In this view, conversion recaptures the essence of Jewish identity: to be a Jew means to be born a Jew in a real or metaphorical-ritual sense. Actual Jewish identity is real: a Jew is someone

who is identified as a Jew by birth and Jewish identity is, above all, physical rather than constituted by a cognitive set of beliefs and a normative construct. Although it does assume that observing Halakhah is binding on Jews, this approach does not view this obligation as conditioning their very membership in the Jewish collective but rather the opposite – their obligation follows from their membership. The convert is required to observe the commandments precisely in the way all Jews are – by virtue of being born Jews.

By contrast, the opposite approach thinks of conversion as conveying the Jewish ideal. Converts join the Jewish collective that is constituted by the Torah and the commandments and are therefore required to make a full religious commitment. Conversion is the manifestation of Jewish identity. Since the Jewish nation is constituted only by the Torah and the commandments, and since we have no way of creating such a consciousness regarding someone who is already born a Jew, conversion is the correct moment for the full realization of Jewish identity. Converts, then, play a vital role in the establishment of Jewish inner consciousness. It is through them that the proper Jewish identity, which is often forgotten and excluded in the day-to-day discourse, will be realized.

On the border or at the entrance to the Jewish collective, then, a struggle is waged between two views of Jewish identity, both with ancient roots. On the one hand is a conception that views the body and ethnic existence as the basis of identity and of the Jewish collective, and on the other, one that, in a

widespread and misleading use of Saadia Gaon's assertion, states: "The nation of Israel is not a nation except through its Torahs." A basic difference prevails between these two approaches. According to the former, ethnic physical existence is primary and commitment to the commandments derives from this membership. The convert joins the people of Israel as an ethnic physical entity and, therefore, joins this people's normative historical commitment. According to the latter, the convert joins the religion of Israel and, therefore, joins the nation of Israel that is constituted through the Torah.

The difference between these two approaches is crucial to the meaning of conversion and of Jewish identity and fundamental to the demands made from the convert. According to the former, converts join the people of Israel mainly through physical rituals – circumcision and immersion for a man and immersion for a woman – consciously and willingly performed. According to the latter, converts join the people of Israel above all through a commitment to observe the commandments. The physical rituals are acts that complement conversion's essential core – joining the religion of Israel.

The discourse on conversion and Jewish identity as outlined so far needs to address two fundamental questions. The first is *political* and deals with the control of this discourse. The second addresses the question of *value* in the discourse of identity. The political question focuses on the "who" – who controls the conduct of the identity discourse. The State of Israel and certain segments of Israeli society have entrusted Orthodox rabbis with this task. They are the only ones who are in charge of a vital point – the entrance to the

Jewish collective. The fact that one group out of the many making up the Jewish mosaic controls this location is enormously significant.

The identity discourse in day-to-day life is, by its very nature, open, dynamic, and dialogical. An identity discourse cannot be closed since identity is concerned with the shaping of people's actual lives, which differ from one another even if they all belong to the Jewish collective. The most suitable metaphor for describing Jewish identity within the collective is that of a galaxy, in which stars are connected to one another but do not rest on one dominant element. As a historical-cultural-social phenomenon, the Jewish people over the centuries have shaped various lifestyles – similar and different, close and distant. The "Judaism" that unites these modes of Jewish existence is not outside real history. Rather than an "essential," a priori datum, it is realized socially and historically according to the similarities between the different Jewish identities. In Wittgenstein's terms, Jewish identity is a kind of family resemblance rather than a primary essential element.

In the context of its hegemony over the conversion discourse, however, the Israeli Orthodox establishment negates this open, dialogical character. The hegemony assumes the power and the authority to determine the nature of Jewish identity, even though it neither reflects nor represents Jewish diversity. The rabbinic hegemony that controls conversion is not part of the struggle typical of the "internal" identity discourse in which various identities are involved in a conflict about their common life, and this hegemony can, at will,

determine there is one Jewish identity while ignoring the inner Jewish discourse. An implausible gap thus emerges between the open Jewish identity discourse *within* the Jewish collective and the monolithic, one-dimensional identity discourse on the border, at its *entrance*.

The incompatibility between the reality that prevails within and that at the border is only one of the various serious outcomes resulting from the current conversion discourse. No less serious is the implication for actual life *within* the Jewish collective, given that entrance is not actually barred and closure is only ritual and legal. Within the web of Jewish life, then, are people who are prevented from viewing themselves as Jews and cannot fully integrate in Jewish contexts even though, in other circumstances, they are part of Jewish life. This social phenomenon of “non-Jewish Jews” recurs particularly around the life cycle: birth, marriage, and death. Citizens of Israel who are not Jews according to Orthodox Halakhah will not be able to marry or be buried as Jews and their children’s identification as Jews will be vague because entrance is controlled by a rabbinic hegemon representing only one option of Jewish identity.

Another particularly serious consequence touches on the Israel-Diaspora relationship. The Orthodox rabbinic hegemony was granted control of the entrance to the Jewish collective in Israel, but not in the Diaspora. In the world, entrance provides a setting for an open identity discourse. These variations, leading to the emergence of several Jewish peoples, sharpen the Israel-Diaspora tension. The question then becomes: will all the

manifestations of the Jewish people throughout the world sustain their connection, or will a Diaspora Jew no longer be a Jew in Israel?

The answer to these serious questions is usually the claim that only observance of Orthodox Halakhah can preserve the existence of the historical Jewish people, and renouncing control of the entrance will lead to their assimilation and disappearance. This claim, however, is problematic for a number of reasons. First, even if we assume that the assumption of the Orthodox hegemony is correct, it does not follow that control of the entrance should be entrusted exclusively to the rabbinic hegemony. If Orthodoxy is one part of the Jewish people rather than its very essence, its members must assume that deciding on the entrance to it is a task incumbent on the entire Jewish people rather than on them alone. Acknowledging the partnership of the entire people, including all their identities and their legitimacy, would compel Orthodoxy to find in the trove of halakhic tradition approaches and norms enabling a smoother and kinder entry into the Jewish collective. No one is allowed to demand that Orthodoxy renounce its values and beliefs. Yet, likewise, no one, including the Orthodox hegemony, is allowed to require this from non-Orthodox Jews. The joint recognition of a complex Jewish lifestyle and of various Jewish identities as legitimate removes the one-dimensional decision making mechanism and leads to open thinking, which enables all the parties to realize their identity in appropriate ways.

Second, the rabbinic hegemony cannot decide on questions bearing on the existence and the identity of the Jewish collective simply because no one

either possesses or could grant them the authority to do so. The existence of the Jewish people and the character of its existence is a matter for the entire Jewish collective, and Jewish identity cannot be determined by a power that someone takes or receives from a government authority. The Jewish people must decide whether and how it wishes to exist, and what its ties are to Jewish tradition. It is impossible to skip over concrete Jewish existence to assume authority in the name of an imagined Jewish people created by the rabbinic hegemony.

A no less serious problem is the *value* question. To clarify this problem, I return to the distinction between identification and identity. Identification is an act performed by one agent about another. The identification act is, by nature, hierarchical – there is an identifying subject and an identified object. Furthermore, it is always one-dimensional – the object is either identified or it is not – and performed mainly on pragmatic grounds. Its supreme interest is that of the identifying agent, not that of the identified object.

A person's identification as a Jew is an act performed by the political, legal, or rabbinic authority for various pragmatic needs and for the purpose of determining whether the identified object belongs to the Jewish collective. In order to be identified as Jews, individuals must pass one of two tests: birth to a Jewish mother or entry into the collective by means of a conversion ritual. Be that as it may, the identified objects are not supposed to create and shape themselves as free creatures – they must simply meet these criteria. Their

freedom comes down to one question: do they or do they not accept these rules.

By contrast, identity is a lifetime project in whose course the society and the individuals shape their lives through an ongoing dialogue that has two structural contexts: a synchronic one – the present – and a diachronic one – the relationship between the present and the past. The synchronic context includes the gamut of the connections between the individual and the society in the present: family, friends, a set of values and norms. The diachronic context deals with the ties to the past, tradition, history.

Individuals and societies do constitute their lives through a connection to the past – we come from somewhere. But we do not shape our lives solely out of the past, since humans are free creatures who build their lives vis-à-vis the future. The identity of individuals and of societies is woven in a complex movement between the diachronic and synchronic axes in each one's life, and no one can shape the identity of the other. Jewish history is indeed the story of how various cultures and identities were built. Some have been lost and some have survived, and all have shaped different lifestyles. The vibrant discourse of Jewish identity or identities in Israel and in the world attests to the creativity of this process.

The conversion discourse, however, pushes the dynamism and variety of the identity discourse into the one-dimensional space of identification. Hegemonic control dismisses the diversity of Jewish identities and all is now reduced to the question of entrance requirements. The identity discourse in

Israel has clearly been impoverished, replaced by an identification discourse concerned with classifying and organizing “inside” and “outside” rather than with the content of our actual lives as Jews. One clear rule emerges: as the identification discourse becomes more dominant, so is the identity discourse excluded and marginalized.

The focus is mainly on the identification question – who is outside and who is inside. But what is the nature of this inside? The above description compels a renewed discourse about identity and conversion that should not be confined to the rabbinic hegemony and requires public Jewish involvement in Israel and in the Diaspora. The implications of the conversion discourse for the future of the Jewish people are too serious to be entrusted to one or another rabbinic body that, ultimately, seeks to promote its own views on the identity of the Jewish people. The power unwittingly granted to this establishment turns one position into the essence of Jewish existence and identity, a move that could lead to a split and to the creation of various Jewish peoples, preventing the fostering of Jewish identity as a life voyage of individuals and of the people. The rabbinic hegemony seeks to change the freedom immanent to Jews as human beings – they are not destined to absolute freedom and are not responsible for their existence and their identity. Their freedom is manifest in their movement towards the Jewish “truth” that only they control. And what will those wishing to live as Jews do, those living as Jews out of freedom but refusing to be led toward the “truth of Orthodoxy?

Should they renounce their Judaism, their actual identity, in the name of an ideal identity that is alien to them?