YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH PROJECT (VBM)

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**Laws of Conversion and Circumcision**

**Rav David Brofsky**

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Dedicated in memory of Rabbi Jack Sable z”l and

Ambassador Yehuda Avner z”l

By Debbi and David Sable

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**Shiur #02: Is There a Mitzva to Accept Worthy Converts?**

**INTRODUCTION**

There are numerous reports of conversions to Judaism throughout Biblical and post-Biblical history. In *Sefer Bereishit* (12:5), the Torah relates that “Avram took his wife Sarai and his brother’s son Lot, and all the wealth that they had amassed, **and the persons that they had acquired in Charan**.” Both Targum Onkelos and Targum Yonatan ben Uziel explain that the verse refers to those people whom Avram had brought closer to God and converted. Rashi notes that that the simple understanding the verse is that Avram acquired slaves in Charan, but he also cites the *midrash* (*Bereishit Rabba* 29:14):

The souls that he had brought beneath the sheltering wings of the *Shechina*. Avraham converted the men and Sarah converted the women, and Scripture accounts it unto them as if they had made them.

The *midrash* explains that Avraham and Sarah converted men and women and “brought them beneath the sheltering wings of the *Shechina*.”

 Some commentators insist that Yitro converted (Targum Yonatan ben Uziel, *Shemot* 18:6), as well as the children of Midyan who were spared during the battle described at the end of *Sefer Bemidbar* (Ohr HaChaim, *Bemidbar* 31:18). Similarly, the Talmud (*Megilla* 14b) explains that Yehoshua converted Rachav and married her.

 Of course, Ruth the Moabite joined the Jewish People (*Ruth* 1:16-17), and during the time of Mordechai and Esther, “many of the people of the land became Jews, for the fear of the Jews had fallen upon them” (*Esther* 8:17). Although Ezra (chapters 9-10) admonishes the Jews returning from Babylonia and demands that they abandon their non-Jewish wives, Nechemia (10:28) mentions “all who separated themselves from the peoples of the lands to [follow] the Teaching of God.” Rashi (ad loc.) explains that this verse refers to those who abandoned their prior ways and clung to the Torah and its *mitzvot*.

 The Talmud also mentions specific cases of conversion. For example, the *gemara* (*Shabbat* 31a) relates how three non-Jews approached Hillel and Shammai asking to convert. The Talmud also mentions that there were converts in the Babylonian city of Mechoza (*Kiddushin* 73a).

Aside from a few, brief historical periods, Judaism has not supported or engaged in proselytizing with the goal of converting non-Jews. The Torah, however, does express its deep affinity towards the convert through numerous *mitzvot*, as we will describe next week, including the commandment to “love the convert” and the prohibition of oppressing the *ger*.

**Is Accepting Converts a Mitzva?**

 The complexity of accepting converts is emphasized throughout rabbinic literature. For example, on the one hand, the Talmud (*Yevamot* 109b) appears to discourage accepting converts:

As R. Yitzchak said: What is the meaning of that which is written: “He who serves as a guarantor for a stranger shall suffer evil [but he who hates those who shake hands is secure]” (*Mishlei* 11:15)? This means: Evil after evil will befall those who accept converts … [Evil will befall] those who accept converts: This is in accordance with the opinion of R. Chelbo. As R. Chelbo says: Converts are difficult for the Jewish People like a leprous sore on the skin.

Tosafot, however, notes that elsewhere, the *gemara* (*Sanhedrin* 99b) criticizes our forefathers for not accepting Timna as a convert. Timna was a concubine of Elifaz, the son of Esav, and the mother of Amalek. The *gemara* relates:

She [Timna] sought to convert. She came before Avraham, Yitzchak, and Yaakov, and they did not accept her. She went and became a concubine of Elifaz, son of Esav, and said: It is preferable that she will be a maidservant for this nation, and she will not be a noblewoman for another nation. Ultimately, Amalek [son of Elifaz] emerged from her, and that tribe afflicted the Jewish People. What is the reason [that the Jewish People were punished by suffering at the hand of Amalek]? It is due to the fact that they should not have rejected her [when she sought to convert].

According to this passage, the Jewish People suffered at the hands of Amalek in part because their forefathers did not accept Timna as a convert.

Tosafot (*Yevamot* ad loc., s.v. *ra’ah achar ra’ah*) notes this apparent contradiction regarding our willingness to accept converts and explains that while one should not seek out converts or accept them immediately, one who expends effort and demonstrates his desire to convert should be accepted.

 There is one source that appears to describe accepting a convert as a mitzva. The central Talmudic passage (*Yevamot* 47a–b) that describes the process of conversion states:

With regard to a potential convert who comes to a court in order to convert at the present time, [the judges of the court] say to him: What did you see that motivated you to come to convert? Don’t you know that the Jewish People at the present time are anguished, suppressed, despised, and harassed, and hardships are frequently visited upon them? If he says: I know, and although I am unworthy [of joining the Jewish People and sharing in their sorrow, I nevertheless desire to do so, then the court] accepts him **immediately** [to begin the conversion process] … If he accepts [upon himself all of these ramifications], then they circumcise him **immediately** … When he is healed [from the circumcision], they immerse him **immediately** … Once he has immersed and emerged, he is like a born Jew in every sense.

While this passage describes how the potential convert is initially discouraged, when he shows his true willingness to join the Jewish People, he is accepted “immediately” (*meyad*); he is then circumcised “immediately” and immersed “immediately.” The *gemara* further explains that the *beit din* acts with urgency due to the principle that “we do not delay [the performance of] a mitzva.”

 What is the mitzva to which the Talmud refers? Is there a mitzva to accept converts? There is very little discussion of this question among the *Rishonim*, especially among the *sifrei ha-mitzvot*. There is no explicit mention of accepting converts in the Behag, the *Sefer Ha-Mitzvot* of the Rambam, in the Ramban, Semag, Semak, or Yere’im.

 R. Shimon ben Tzemach Duran (1361–1444) known as the Tashbetz, discusses this question in his commentary to Shlomo ibn Gabirol’s “*Azharot*,” a liturgical versification of the 613 *mitzvot* written for Shavuot. The Tashbetz (20) writes:

I am curious why [the *monei ha-mitzvot*] did not include the acceptance of converts, which is incumbent upon the *beit din* to accept them and not to push them away. And as the *gemara* (*Yevamot* (47b) states, “he is circumcised immediately, as we do not delay [the performance] of a mitzva” … In my opinion, this should be counted as a separate mitzva.

The Tashbetz clearly believes that accepting converts should be counted as a separate mitzva.

 In another well-known version of the “*Azaharot*,” R. Yitzchak Albargeloni (b. 1043) appears to include accepting converts in the mitzva of “*ahavat ha-ger*” (loving the convert):

And the convert who comes to convert take shelter in you shade,

When he says, “In You, my God, I seek refuge,”

They should accept him and inform him of some of the minor and major *mitzvot*,

Lest he change his mind and say, “What have I done?

I cannot follow these, as I am not accustomed to them.”

It is interesting to note that he assumes that the mitzva of *ahavat ha-ger* applies even before the non-Jew converts; one who expresses his desire to join the Jewish People is deserving of special treatment.

 Rav Yeruscham Fishel Perlow (1846–1934), in his commentary to R. Sa’adia Gaon’s *Sefer Ha-Mitzvot* (*Mitzvat Aseh* 19), also relates to this question:

It seems obvious to me that according to the *monei ha-mitzvot* [those works that list the 613 commandments], this mitzva is included in the mitzva of *ahavat Hashem*, as it appears in the *Sifri* (32): “‘And you shall love the Lord your God’ – make Him beloved upon the creations like Avraham Avinu did, as it says, ‘and the persons they acquired in Charan,’ which teaches that Avraham Avinu would convert them and bring them under the wings of the *Shekhina*.” And it so appears in the Rambam’s *Sefer Ha-Mitzvot* (*Asin* 3): “The meaning of this *Sifri* is that Avraham, as a result of his deep understanding of God, acquired love for God, as the verse testifies, ‘Avraham, who loved Me.’ This powerful love therefore caused him to call out to all mankind to believe in God. So too, you shall love Him to the extent that you draw others to Him.”

R. Perlow asserts that the mitzva to love God by definition includes causing others to love God and to accept those who love God into the Jewish People.

 Interestingly, although the Rambam does not explicitly count accepting converts as a mitzva, in the *Mishneh* *Torah* (*Hilkhot Issurei Bi’ah* 13:14), he writes:

The proper way of performing the mitzva is when a male or a female prospective convert comes, we inspect his motives for conversion. Perhaps he is coming for the sake of financial gain, in order to receive a position of authority, or he desires to enter our faith because of fear. For a man, we check whether he focused his attention on a Jewish woman. For a woman, we check whether she focused her attention on a Jewish youth.

The Rambam appears to describe the process of accepting a convert as a “mitzva.”

 This discussion also arises regarding the blessings said upon circumcising a convert and immersing a minor. Regarding the circumcision of a convert, the Talmud states:

One who circumcises converts says: “Blessed are You, Lord, our God, King of the universe, Who made us holy with His commandments and commanded us concerning circumcision.” And the one who recites the additional blessing recites: “Who has made us holy with His commandments and commanded us to circumcise (*la-mul*) converts and to drip from them covenantal blood, as were it not for the blood of the covenant, the heaven and earth would not be sustained, as it is stated: ‘If My covenant would not be with day and night, the ordinances of heaven and earth I would not have placed’ (*Yirmiyahu* 33:25). Blessed are You, Lord, Who establishes the covenant.” (Shabbat 137b)

Upon circumcising a convert, two blessings are recited. The first blessing is said for the circumcision, and the second relates to the conversion. Although some *Rishonim* cite the Behag, who maintains that in practice only the second blessing is recited, it is customary to say both blessings (*Shulchan Arukh*, YD 268:5).

 Regarding the text of the *berakha*, Tosafot (ad loc., s.v. *lo sagi*) explains that just as a father says “to circumcise” (*la-mul*), and not “upon the circumcision” (*al ha-mila*), because he himself is obligated to perform the circumcision, so too one who circumcises a convert says “to circumcise.” This implies that the mitzva of circumcising the convert is incumbent upon the *mohel*—or in a broader sense, the community or the *beit din*. The *Kesef Mishna* (*Hilkhot Mila* 3:4) explains that the blessing is not recited over a mitzva to circumcise a convert, but is rather a *birkat ha-shevach* recited upon participating in the affirmation of the covenant between God and the Jewish People.

 Whether or not the blessings recited upon circumcising a convert reflect the performance of a mitzva appears to be raised by other *Rishonim* regarding the second blessing. For example, the Ra’avad (*Ba’alei Ha-Nefesh*, *Sha’ar Ha-Tevila*) writes that we say “who has commanded us,” as we are commanded from the Torah’s description of Avraham Avinu, who converted and returned people under the wings of the *Shekhina*.” Similarly, the Tosafot Ha-Rosh (*Shabbat* 137b, s.v. *ha-mal*) explains that it is clear that we are commanded to circumcise converts, since we are commanded to love converts, and in order to convert a male, the convert must be circumcised. This understanding is cited by numerous *Acharonim* (*Be’er Ha-Gola*, YD 268:5; *Gilyon Maharsha*, *Shabbat* 137b; see also *Minchat Yitzchak* 1:129).

 Alternatively, the Ramban (Shabbat 137b), similar to the *Kesef* *Mishna* cited above, explains that the second blessing is not a *birkat ha-mitzva*, but rather a *birkat ha-shevach*, which we recite on the conversion itself. While the Ramban follows the Behag and maintains that only the second blessing is recited, it is our custom to say the first blessing as well, which appears to be a *birkat ha-mitzva*.

 Regarding immersion, the Ra’avad (*Ba’alei* *Ha-Nefesh*, *Sha’ar Ha-Tevila* 3) writes regarding a *ger katan*: “The *beit din* immerses him… and recites the blessing ‘*al tevilat gerim*’ before the *tevila*, as is done when performing other *mitzvot*.” The Ra’avad clearly maintains that the *beit din*, entrusted with the conversion of the minor (*al da’at beit din*), recites a *birkat ha-mitzva* upon converting the minor. This too implies that accepting converts is a fulfillment of a mitzva.

In a responsum dedicated to whether accepting converts is considered to be a mitzva, R. Menashe Klein (*Mishneh Halakhot* 16:92) writes:

In my humble opinion … I would suggest that this mitzva “that we do not delay” is the mitzva incumbent upon the convert who wishes to convert and does not wish to delay the conversion. In this case, it is a mitzva upon us (i.e., the *beit din*) not to delay him and to cause him to delay his mitzva. And although we can say that it is not a mitzva that is incumbent upon us, we must assist him in his conversion, which requires [a *beit din* of] three … and we are commanded to help him not to delay his mitzva, but this is not a commandment incumbent upon the *beit din*.

This interesting approach, which appears to run counter to the sources cited above, moves the fulfillment of the mitzva from the *beit din*, which accepts the convert, to the convert himself, who joins the Jewish People and accepts upon himself the yoke of Heaven.

 Next week, we will discuss Biblical and Rabbinic attitudes towards conversion in general and the convert in particular.