

Brother Daniel and the Jewish Fraternity

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I

"WHO IS A JEW?" TWICE WITHIN RECENT YEARS this troublesome question has been a matter of public Jewish concern. Hardly had the reverberations from its initial appearance four years ago died down, when it made a dramatic recurrence several months back with the case of Brother Daniel. On the earlier occasion, the issue was the status of born Gentiles who wanted the State of Israel to recognize them as Jews without their converting; the later debate revolved around a born Jew who apostatized to Christianity but demanded that the State of Israel continue to recognize him as a Jew. For reasons probably more emotional than philosophic, the second controversy was aired in a markedly different climate. Four years ago, discussion of the explosive issue was marked by bitterness and dissension which rocked secular and religious Jewry throughout the world. With regard to the Israel court's rejection of Brother Daniel's petition, however, the consensus of opinion, both within and without the State of Israel, was striking in its near-unanimity. The fundamental problem remains the same, however; their common vortex is a continuing attempt—of which these instances are only two aspects—to define the Jew in terms of race, nation, and religion.

The recurrence of the problem is hardly surprising. While it had always had a general relevance—increased somewhat by the growing secularization of European Jewry in the wake of the Haskalah—the emergence of the State of Israel as an independent socio-political entity, defined by fixed geographic bounds, has lent its treatment a rather different and generally sharper character. The problem has acquired, first, immediacy. What before was often a theoretical academic question, has become a pragmatic political and especially legal issue. Furthermore, it has become a pragmatic issue on a national scale. Whereas whatever practical application the question, "Who is a Jew?" had earlier was generally local—whether to admit such and such into the *Kehillah* or not—it now became the subject of national policy decisions. Second, the problem has acquired a centrality which derives in part from the issue's scope proper. The very fact that decisions defining a Jew have become national in character has inevitably embroiled them

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in intramural conflict. As long as divergent elements were not necessarily bound within a common polity, they could—theoretically, at least, and sometimes, practically as well—each decide the matter for themselves. Within the context of a state, however, a single decision affecting all would obviously be rendered; hence, the increased interest in its formulation.¹ And in part, the increased prominence of "Who is a Jew?" is perhaps the result of another factor. Paradoxical as it may seem, it is probably attributable to the social and political emancipation deriving from the development of a homeland and the establishment of a state. As long as the Jew was in the *Galut*, continually bludgeoned and harassed, he generally had neither the leisure nor the inclination to define himself. Within the confines or the shadow of the ghetto and the concentration camp, simply being a Jew was difficult enough. In the face of the Crusader, the Cossack, and the Nazi it was all the Jew could do merely to maintain his identity. As for the rest, there existed a complex of elements which somehow defined and constituted Jewishness; one felt them, accepted them, strove against terrible odds to implement them—and did not speculate excessively. With the advent of the state, however, the situation has changed somewhat. With Innocent III, Chmielnicki, and Hitler no longer at one's back, it suddenly became easier to forget both one's Jewishness and what it meant. On the one hand, the maintenance of Jewish consciousness became a problem. And on the other hand, the task of determining "Who is a Jew?" has become a much more pressing need.²

Finally, the existence of the state has radically changed the character of the problem itself. Its establishment opened up the possibility that political and geographic elements might supplement or supplant racial and religious criteria in determining membership in the community of Israel. The possibility was of course two-edged. On the one hand, it might be contended that Jews living in Israel were somehow "more Jewish" than their co-religionists elsewhere—a contention which is not merely the source of political in-fighting between Ben-Gurion and the Zionist Organization, but which has important philosophic implications as well. On the other hand, arguing for inclusion rather than exclusion, one might hold that non-Jewish residents of the state are also, in a sense, within "the community of Israel." This disturbing tendency—not necessarily pursued ruthlessly to either logical conclusion—to distinguish between Israelis and Jews has indeed been noted by a number of observers. Its existence, potential and actual, is another factor rendering more urgent and more difficult the quest for the definition of the Jew.

In assessing the Brother Daniel case, it is important to keep this broader background in mind. For the case can and should be seen from two perspectives. It constitutes, first, a self-contained *Sh'elah*, a technical Halachic problem to be judged in the light of specific Halachic prin-

principles governing the relation of a *meshumad*³ to *Knesset Israel*. At the same time, however, it is part of a broader philosophic attempt—timeless and yet attenuated in our own day—to define the matrix and the essence of Jewishness. The two approaches do not conflict; indeed, the second can only be based upon the first. They are, however, different, and we should keep both in mind. In discussing the issues raised by the case, I should like therefore, first, to determine the bare Halachic facts; and second, to analyze the broader implications and premises of the relevant *halachot*.⁴ I do not presume to pass judgment on the specific case: one could hardly do this without a full mastery of all the evidence. It is to be hoped, however, that the basic principles involved will be clarified somewhat.

II

THE MOMENT WE ASK WHETHER, Halachically, a *meshumad*⁵ is considered a Jew, we realize that the question—and the larger one of “Who is a Jew?” as well—admits of no single answer. A *meshumad*—of what type? A Jew—for what purpose? On the one hand, the Halachah has distinguished between different types of apostates, the distinction depending on either the mode or the motivation of apostasy. On the other hand, it has varied the *meshumad*'s treatment. The problem of the *meshumad*'s status is equally relevant to all areas with respect to which Jew and non-Jew have been differentiated. However, he has not been equally treated in all areas. Furthermore, these two distinctions often intertwine, so that one type of apostate may be considered a Jew with regard to one sphere but not with respect to another, while for a second type the situation may be reversed. Some classification is therefore in order.

Basically, Halachah has operated with five categories of apostates. The first, and least culpable, is a *meshumad ochel nevelot l'te'avon*, an individual who, in order to satisfy some appetite, habitually transgresses one of the Torah's injunctions. A second type, *meshumad ochel nevelot l'hach'is*, is identical with the first except that, in this far graver case, the motivation is not the gratification of desire but sheer rebellious spite. The next two types are distinguished from these not by the subjective motive but by the gravity of the objective sin. One is the *mechalel shabbatot b'farhesia*, an individual who brazenly, publicly, and wilfully desecrates the Sabbath.⁶ The other is the *meshumad l'avodah zarah*, the polytheistic believer and worshipper. Finally, there is the *meshumad l'chol ha-Torah kulah*, “the apostate with regard to the whole Torah,” one who simply abandons everything and rejects Judaism entirely; or, as the Rambam would have it: “One of those who turn to Gentile ways when they are pressed and who adheres to them [i.e., Gentiles] and says, ‘What profits it me to adhere to Jews who are lowly and oppressed; it is better for me to adhere to these whose might is superior.’”⁷

A converted monk comes very close to personifying all five types,⁸ and a full assessment of his status demands at least some basic knowledge of the Halachic categories of apostasy and their respective consequences. For our specific purpose, however, it is only the last two classes which are relevant. With respect to the first three groups, the possibility of their exclusion from *Knesset Israel* does not even arise. It does arise, however, with respect to a convert to another religion.⁹ An examination of the apostate's status with respect to various areas of Halachah may indicate whether and to what extent that possibility is realized.

IN ITS MOST LIMITED FORM, the question of an apostate's status relates to specific *mitzvot*—or, more precisely, to his qualification to perform certain functions. Halachically, a *meshumad* is barred from fulfilling certain tasks. Thus, an animal slaughtered by him, even in accordance with the specifications of *shechitah*, is considered non-kosher; and a *Sefer Torah* or *mezuzah*—perhaps even a bill of divorcement—written by him, has no significance whatsoever.¹⁰ He cannot and may not offer a sacrifice, either as a priest or votary; he may not partake of the Paschal sacrifice;¹¹ nor, according to some, can he serve as a *Mohel*.¹² Inasmuch as he has turned his back upon these *mitzvot*—or upon *mitzvot* generally—the *meshumad* is barred from serving as an agent with respect to them.

The apostate's rejection in these spheres does not necessarily imply, however, that, either here or elsewhere, he is considered a Gentile. It simply means that, not being a fully committed Jew, he is not considered qualified to fill various offices or fulfill certain functions. Indeed, some of the disqualifications apply even to transgressors who are very definitely recognized as full-fledged Jews. Thus, even a *meshumad ochel nevelot l'hach'is*, who is unquestionably considered a Jew,¹³ cannot write a *Sefer Torah*; and a *mechalel shabbatot b'farhesia* cannot perform a valid *shechitah*.¹⁴ Conversely, an apostate may be disqualified not because he has been rendered a non-Jew but because, even in a Jew, apostasy itself is a basis for exclusion. Thus, the *meshumad* may be disqualified beyond the Gentile. Sacrifices, for instance, may be brought either by the ordinary Jew or by any Gentile—even idolatrous—but not by the renegade and unrepentant apostate.¹⁵ Moreover, even if we should assume that the *meshumad*'s exclusion from the aforementioned functions is identical with the non-Jew's, it does not yet follow that he actually is a Gentile. It could simply mean that, in these areas, we treat him as if he were. We have yet to consider, therefore, the broader question of the status of the *meshumad* with reference to a plethora of *halachot* which may not involve any personal qualification. What, considered almost as an object, is the apostate—Jew or non-Jew? Or, at least, how is he to be treated—in all areas? Can he, like a Jew, become defiled,

or is the law inapplicable to him? Is his produce, like the Jew's, subject to tithes? Do all the *halachot* concerning property guardians apply to him? Can his marriage to a Jewess have validity? What, in short, is his universal Halachic status?

WITH RESPECT TO AT LEAST ONE AREA, the answer is clear. Wherever the Torah has formulated a *halachah* with reference to *achicha*, "thy brother," the apostate is excluded. Inasmuch as the term clearly does not signify consanguinity, it refers to spiritual kinship, *achicha b'mitzvot*, and the apostate hardly falls into this category. Most *Rishonim*, for example, held—with Rabbenu Tam and against Rashi—that one may charge interest on a loan to a *meshumad*.¹⁶ Here again, however, one might conceivably argue that the exclusion of the *meshumad* does not derive from his being outside the pale of Jewry generally. Rather, he is only excluded from the more limited community of *achim b'mitzvot*, those who share a spiritual commitment which he has renounced. That such is the case, furthermore, is evidenced, on the one hand, by the fact that the exclusion applies in some instances to a *meshumad l'hach'is* as well as to a convert to another faith;¹⁷ and on the other hand, by the fact that, with respect to some of these *halachot*, the non-idolatrous Gentile is included¹⁸ while the *meshumad* is not. It is entirely possible, therefore, that the apostate may essentially be a Jew—that, for instance, although excluded from *ach*, "brother," he may be included in the broader category of *re'a*, "fellow." To come to grips finally with this fundamental question, we must venture into another area, one in which intrinsic personal status is most crucial—*ishut*, marital status. Halachically, intermarriage between Jew and Gentile is not only forbidden but invalid. What of marriage between Jew and *meshumad*?

The *Gemara's* evidence would appear to be rather clear-cut. Commenting on the statement, "as soon as he [i.e., a proselyte] rises from immersion, he is a full-fledged Jew," it asks: "Why was it necessary to state this?" The answer given is that the statement was intended to emphasize that the conversion was irreversible; like a native Jew, the convert could not leave the fold. By way of underscoring the point, the *Gemara* refers us to what is apparently the acid test—"that if he should reverse himself and then marry a Jewess, we consider him an apostate [i.e., rather than a Gentile] and the marriage is valid."¹⁹ On the basis of this text—paralleled by a similar excerpt elsewhere²⁰—the Rambam and the great majority of *Rishonim* asserted that an apostate's marriage to a Jew was legally binding.²¹ Indeed, R. Joseph Karo was almost violently emphatic in insisting that the contrary view could not even be entertained.²² As a matter of fact, it was entertained, but only by a small minority,²³ and only by drastically reinterpreting the previously

cited text.²⁴ The prevailing view is clear: the *meshumad's* marital status is that of a Jew.

We have apparently reached the conclusion, then, that, although he may be disqualified from performing certain functions, and although he is subject to certain strictures and liabilities, the apostate remains, essentially, a Jew. The conclusion would appear to be reinforced by another text, used by some to support the validity of an apostate's marriage, and which, more than any other single source, has given rise to the popular impression that once a Jew, always a Jew. "Even though [the people] have sinned, they are still [called] Israel."²⁵ Such a conclusion cannot yet be accepted as final, however, and we may still find ourselves countenancing the view that, under certain conditions, a Jew's status may be rescinded after all.

For there is another text, also dealing with an apostate's marital status. Elsewhere, the *Gemara* cites an opinion that if a presumed Gentile married a Jewess she could not remarry without a divorce because, where the chances are considered Halachically even, we must consider the possibility that he is a member of the lost ten tribes. The opinion is subsequently rejected, however, and the primary reason given is that, even if he were a member of these tribes, it would make no difference. "They²⁶ immediately declared them to be perfect heathens, for it is written 'They have betrayed God, for they have begotten alien children.'"²⁷ Similarly, identical language is employed elsewhere with reference to the *Kuthim* (Samaritans). We are told that even if we should assume that their initial conversion was valid—there are differences of opinion regarding this²⁸—their present status is that of full-fledged Gentiles.²⁹ Presumably, then, a Samaritan-Jewish marriage would also be invalid.³⁰ We are thus confronted with an apparent contradiction. On the one hand, the marriage of a proselyte who defects is valid as he remains a Jew. On the other hand, the lost tribes or the Samaritans cannot marry Jews as they are considered Gentiles.

THE CONTRADICTION IS ONLY APPARENT, however. The solution to the dilemma lies in the clear realization that we are dealing with two types of apostates. The term employed in Scriptures to refer to an apostate is *ben nechar*, an alien, and the essence of apostasy is indeed estrangement and dissociation. This alienation may take two forms, however. There is, first, an apostasy of action, a *ben nechar* described by the phrase *she-nitnakru ma'asav l'aviv she-ba-shamayim*, "one whose actions have become alien to his Father in Heaven."³¹ The apostasy we have heretofore treated, whether it be manifested through public Sabbath desecration, through idolatry, or through spiteful transgression of any injunction, generally falls into this category. As far as such an apostate, "a Jew who has sinned," is concerned, he remains a Jew. There is,

however, a second *ben nechar*. There is an apostasy not of action but of person, an estrangement manifested not merely by the commission of various sins but by the complete severance of personal bonds with Jewry; by total alienation from the Jewish people and its history as a spiritual and physical community; and finally, by thorough assimilation into the mainstream of Gentile society. Such persons are not simply disqualified because of some apostate act. Nor are they merely treated as if they were foreign. They are—"They have betrayed God, for they have become strange children."

There is, then, a point beyond which the apostate cannot go and yet remain a Jew. The account can be overdrawn and the rubber band can burst. This principle was underscored and elucidated by Rav Chaim Soloveitchik, one of the greatest rabbis of recent generations, in connection with a specific incident. An eminent apostate was being honored on having reached a milestone, and some leaders of the Russo-Polish Jewish community, whom he had helped on occasion, were anxious to send greetings. Rav Chaim, an inflexible ramrod on matters of principle, refused to participate. Intimates recalled that not long previously he had personally gone to great lengths to help a young Bundist, known to be an avowed opponent of religion, and they questioned him about the apparent inconsistency. Rav Chaim's reply was immediate and to the point: "That one was a sinner, this one is a *meshumad*; his children already won't even know they are Jewish." He then referred them to the previously cited *Gemara* and proceeded to spell out its implications.³²

The Halachic principle that an apostate *can* become a Gentile and that Jewishness is not an absolutely irrevocable status, should be clear, then. Having come this far, however, I should like to make a qualifying distinction. Let us ask ourselves a simple question: Are these estranged figures truly full-fledged Gentiles with no vestige of Jewishness whatsoever? Or, to be more specific: Theoretically, ought they to be acting as Jews, or are they, like true Gentiles, wholly relieved from any responsibility for a Torah discipline, so that they are absolved—not because of duress and incapacity but as non-Jews—from any guilt for failure to maintain it? Or again, suppose one of these lost souls or a descendant should subsequently want to "convert" to Judaism. Even if he, and every one else, were totally ignorant of his Jewish origins, would he—again, theoretically—remain a full-fledged Gentile until he had undergone the regular process of conversion? Instinctively, I think, we feel these aliens are *not* simply like Russian Cossacks or Mexican *mestizos*. We feel that Halachic obligations *are* relevant to them and that should they return to the fold they would represent reformed prodigal children rather than fresh converts.³³ What of their total alienation and their loss of personal status, however? Why do we completely disregard their marriage to a Jew(ess)?

THE SOLUTION MAY BE BEST INTRODUCED via an analogy. As is generally known, *Eretz Israel*—the land proper—is Halachically sacred.³⁴ Technically, its sanctity derives from the consecration implicit in its settlement by Jews at the time of their entry into it, i.e., in the days of Joshua and Ezra. Now, in the opinion of virtually all authorities, "the first hallowing" (i.e., Joshua's) was only in effect as long as Jews continued to live in *Eretz Israel*, and it was therefore terminated by the First Exile. The question then arises: What was the status of the Land during the Babylonian Exile? Was it simply identical with Iceland's or Manchuria's? Or, to put the same question differently: What of areas settled by Joshua and during the First Commonwealth but not during the Second? Are they now simply part of *Chutz L'aretz*, their past dead and forgotten? We recoil from these possibilities instinctively, and our instincts are right. The continuity of our presence in *Eretz Israel*—devolving from the covenant with Abraham ("unto thee, and to thy seed after thee . . . for an everlasting possession"³⁵) is clearly maintained in the Scriptures; Ezra did not merely start afresh in some virgin territory. Furthermore, the Rambam states that, with regard to certain *halachot*—the requirement that classical ordination take place in *Eretz Israel*, for instance—any area settled by Joshua or during the First Commonwealth (any area, that is, which ever *was* a part of *Eretz Israel*) is included, even though it is no longer hallowed.³⁶ In order to understand this, then, we must—as I have often heard from Rav Soloveitchik—introduce a basic distinction. We must distinguish between territory which is endowed with the full status and sacredness of *Eretz Israel* and that which, descriptively, bears its name, even though it lacks its sanctity. With respect to "*mitzvot* which are dependent on the land"—the tithing of produce, for instance—the land must be sacred, and, for this, full present sanctity (resulting, of course, from past sanctification) must still be in effect. However, with regard to some other *halachot*, we need only know whether this area is part of the country of *Eretz Israel*, and, for this, the fact of previous sanctity—perhaps even the bare fact that this territory is part of the area covenanted to Abraham—is sufficient. To put it succinctly, we must distinguish between *shem Eretz Israel* and *kedushat Eretz Israel*.³⁷

I think a similar distinction should be established with reference to an apostate. If we ask, in purely descriptive terms, whether anyone born of Jewish parents is a Jew, the answer must be—yes. As an epithet, it remains applicable to any individual who was ever endowed with Jewish status—even to a *meshumad*. Hence, he is obligated to pursue a Torah life and, should he decide to return, he would perhaps require no new conversion.³⁸ However, if we ask whether a *meshumad* has anything of Jewish personality and character and whether, therefore, he continues to be endowed with the personal status of a Jew, the answer is a ringing no. He remains a Jew without Jewishness. What he retains

is simply the descriptive epithet—*shem Israel*. Of *kedushat Israel*, however, of the sacredness of the Jewish personality, that which essentially constitutes being a Jew—he is bereft. And let us remember that *kedushat Israel* is not simply a psychological condition nor even a legal status. It is also a metaphysical state. Of this the *meshumad* is divested completely. As he has renounced Jewry, so Jewishness is divorced from him.

The principle established by the *Gemara* in *Yebamot* is thus clear. Wherever there is complete personal alienation resulting in total lack of identification with Jewry, *kedushat Israel* expires. There is room for argument, however, over how far the principle can be pushed, depending on what we understand by "lack of identification." It might be argued that it only applies to a mass secession, so that not only an individual but his whole social context becomes uprooted. Or one might contend that only the children, to be born in complete ignorance of their origins, will be affected; the apostate himself, paradoxically, might remain a Jew.³⁹ And even if we assume that the Halachah applies to the *meshumad* himself⁴⁰—even though he is aware of his Jewish descent—we might disagree on the criterion to be employed. What is primarily important, however, is that the principle be recognized.

IN ASSESSING WHETHER TO APPLY the principle to the specific case of Brother Daniel, there is, finally, one important factor to be considered. The idolatrous *meshumad* of which the *Gemara* speaks would ordinarily have been a devotee of one of the numerous pagan deities whose worship flourished in the Near East during the early centuries of the Christian era. As such, he might have participated in certain rites, become attached to some cult, perhaps even initiated into some mysteries. However, he would not have considered his attachment exclusive—nor would he have been expected to. The various cults were, on the whole, treated pretty much as local affairs which could enjoy peaceful coexistence without being mutually exclusive. Hence, participation in Mithraic or Olympian worship, while unquestionably a mortal sin, did not necessarily call for a complete personal break with the Jewish people. With Christianity, however, the case is radically different. From the outset, it has been, like its parent, sharply exclusive. Membership in Christian communion was presented as calling for a radical break with one's past (dying to the old man) and with all other religious bodies. Indeed, the late A. D. Nock⁴¹ saw the very intensity of this call to exclusive devotion as the major cause of Christianity's triumph over other rivals for the spiritual hegemony of the Roman Empire. It demanded transformation where they only required adaptations. Christians therefore constituted a distinct social group in a sense in which other religious societies did not. "They were not," as Christopher Dawson put it, "like the other religious bodies at any time a group of individuals united by common beliefs and a

common worship, they were a true people. All the "wealth of historical associations and social emotion which were contained in the Old Testament had been separated from its national and racial limitations and transferred to the new international spiritual community."⁴² For the Jewish convert to Christianity, therefore, the personal alienation from *Knesset Israel* is incomparably greater than it would have been for the idolators of which the *Gemara* spoke. Consequently, the possibility that such a convert should lose his *kedushat Israel* is correspondingly greater. A Jewish Christian, the church contends, is a contradiction in terms. We would do well to consider the point seriously.

Of course, we should not make the mistake of equating all apostates. There are converts and there are converts. The Russian student who adopted Christianity in order to gain admission to a university but who remained, as far as he could, socially and emotionally a Jew, is one thing; the social climber who kicks over the traces to enter Christian society with a vengeance is something else entirely. And a monk—fully absorbed in the mainstream of a monastic order—represents a still further departure. Between a Heine and a Disraeli there lies an immense gap; and between Disraeli and Pablo Christiani still another gap. Everything considered, just where Brother Daniel stands must be judged on the evidence. The important thing for us is to recognize the fatal fallacy of the notion that, *ad aeternitatem*, the crown of Jewry can never fall off, no matter how ill it is worn.

III

SO MUCH FOR THE PURE HALACHAH. What, in more general terms, are its implications and premises?

The crux of our problem derives from a single phenomenon—the dual nature of *Knesset Israel*, the Jewish people. Jewry is, so to speak, both spiritual and material. It is a community as well as a communion, not only an *ecclesia* but a *polis*. As a religious body, it includes believers sharing a common faith and a joint commitment. As a social unit, it consists of individuals bound by national and/or racial ties and sharing a common history. What is more, these two aspects are closely interwoven. For the individual, the material element defines the spiritual. Halachically, the purely biological factor of birth from a Jewish mother⁴³ determines one's Jewishness. Its presence inexorably confers all attendant privileges and responsibilities; its absence renders their attainment extremely difficult. A proper understanding of this twofold nature of Jewry is therefore essential to an appraisal of the position of the apostate, as well as to an answer to the larger question: "Who is a Jew?"

We are immediately confronted by two related but independent problems. One, of a more general nature, simply concerns the concept of a formal and exclusive religious community. The second—whose im-

plications bear more immediately upon the Brother Daniel case—calls for a fine appreciation of the interrelation of the spiritual and material components of Jewry. Through the telescoping of both questions, finally, we might be able to see our more specific issue in sharper focus.

As critics, classical and modern, have often charged, Judaism is strongly exclusive. It thinks in terms of a limited group.⁴⁴ As Haman, Paul, and a host of successors realized, this sense is largely engendered by the strict Halachic regimen in which it is implicit. Most obviously, of course, this spirit finds manifest expression in the concept of "chosenness," the idea of a charismatic community endowed with a specific character and special responsibilities. The concept of separation requires some elucidation, however. Ideally speaking, after all, the advocates of universalism are right. Religion is, in its essence, catholic. It knows bounds of neither time nor place. Its obligations are universal, deriving from the bare fact of humanity. Moreover—as the traditional argument from *consensus gentium* insisted, and as modern anthropologists have come to recognize increasingly—its power is universal, too. It neither can nor should be confined to any race or nation. Its appeal is to mankind. Most strikingly, the idea of universality lies at the heart of the religious conception of the historical terminus. To the millennial vision, unity is indispensable. It looks to the unity of mankind in the worship of one God, under conditions in which, *salve reverentia*, God Himself—not, of course, His essence or existence (their initial fragmentation is inconceivable) but His immanent presence—is to be, as it were, integrated. With the universal recognition of the one God, the revelation of nature, scripture, and history—distorted by evil and error—is to be rendered whole. The broken image is to be repaired, the fractured picture is to be restored. The divine "Name," the symbol through which mundane man grasps and experiences a transcendent God become his interlocutor, will once again be one: "And the Lord shall be King over all the earth; in that day shall the Lord be One and His name One."⁴⁵ The vision of universality, moreover, is thoroughly Jewish. It is a central theme of the *Alenu*, the hymn with which prayer is always concluded, and of our Rosh Hashanah prayers—especially the *Malchuyot*—from which *Alenu* is indeed excerpted:

May all the inhabitants of the world realize and know that to Thee every knee must bend, every tongue must vow allegiance. May they bend the knee and prostrate themselves before Thee, Lord our God, and give honor to Thy glorious name; may they all accept the yoke of Thy kingdom, and do Thou reign over them speedily forever and ever. . . . Let Thy works reverere Thee, let all Thy creatures worship Thee; may they all blend into one brotherhood to do Thy will with a perfect heart. . . . Reign over the whole universe in Thy glory; be exalted over all the earth in Thy grandeur; shine forth in Thy splendid majesty over all the inhabitants

From the ideal perspective, certainly, catholicity is the keynote of a religious *Weltanschauung*.

Only from the ideal perspective, however. When confronted on the plane of pragmatic reality, the lofty vision of universality which inspires abstract thought gives way to something else entirely. At this level, change and struggle are more evident than contemplated perfection, the strident tones of strife and conflict more audible than a universal paean. We recognize that, whatever its ideal resolution, the historical drama requires real protagonists, requires, therefore, differentiated characters. The vision of universality remains, but we realize that unity is not to be confused with uniformity and that the attainment of the universal ideal proper depends upon particular providential vehicles. *Malchuyot* leads to *Shofarot*, philosophic homogeneity to historical multiplicity. Hence the possibility of *Knesset Israel* as a special religious community.⁴⁷

BUT OF COURSE *Knesset Israel* is not merely a philosophic possibility. It is a historical reality; and here we come to our second problem—understanding the relation of spiritual and material components of Jewry. Dualists are scandalized to think that there should be any relation at all. Relation there must be, however, and the Halachah has characteristically insisted that it must be significant. Judaism has therefore adhered to a relatively vigorous separatism. Particular religious communities, let us remember, may be variously conceived. One may reject the extreme universalist position—the notion that no visible *ecclesia* exists, and that believers are only bound by a common individually developed natural faith⁴⁸—and still conceive of a world-wide religion. This has been the traditional Roman Catholic attitude. Catholicism has pursued a particular path within a specific corporate structure and yet has sought to encompass all mankind; indeed, until recently, it even insisted that no salvation was possible outside the church. Or one may adopt the widespread Anglican position that religion is universal but the church national.⁴⁹ On this view, a single faith is proclaimed for all mankind, but believers are organized in national communities.

Judaism has gone much further,⁵⁰ however. It has conceived of Jewry as a distinct socio-racial unit divinely endowed with a unique religion, and charged with a special historical function. The religion is confined to the group and the group to the religion. For members—determined by the strongest of natural ties but by a natural tie still—the religious obligations are binding. Upon outsiders—who are hardly encouraged to join—they have no claim whatsoever. Finally, the historical course of Judaism is seen as dependent upon the fortunes of Jewry. They share, at least within history, a common destiny.

The physical basis of *Knesset Israel* is only one side of the coin, however. It needs to be completed, if not indeed explained, by the ob-

verse—its spiritual character. If we are confronted, on the one hand, by a national religion, we have, on the other hand, a distinctively religious nation. With reference to *Knesset Israel*, however, "religious" is not merely an attribute. It is the essential, the definitive, characteristic. It is that and that alone which constitutes us as a nation. To use a phrase once employed by Rav Soloveitchik, we are a "community of the committed," and our commitment is not only the source of our chosenness; it is the cause of our being a people at all.

Our spiritual character is reflected in our history, out of which, indeed, it grows. The crucial period in that history was the formative, the period of national gestation beginning with Abraham and culminating at Sinai. It was this which determined all the rest, which fixed once and for all the character of Jewish existence. The lonely quest of a God-ridden soul initiated a development which led, from covenant to covenant, to the tablets and beyond. At the Giving of the Torah, that moment in and out of time at which human virtue and divine grace conspired in our election, our chosen course was sealed by a divine fiat. Halachically, the assembly at Sinai was an act of personal and national conversion;⁵¹ and it was irrevocable. Henceforth, to be a Jew was to mean to pursue an ideal, to follow a regimen, to be committed to a divine order and a divine purpose. We had been chosen because we aspired, and now we would have to aspire because we had chosen—and been chosen.

IN A SENSE, SUCH A SPIRITUAL NATURE is perhaps characteristic of any nation. "Que'est-ce qu' une nation?" asked Renan.

Une nation est une âme, un principe spirituel. Deux choses qui, à vrai dire, n'en font qu'une, constituent cette âme, ce principe spirituel. L'une est dans le passé, l'autre dans le présent. L'une est la possession en commun d'un riche legs de souvenirs; l'autre est le consentement actuel, le désir de vivre ensemble, le volonté de continuer à faire valoir l'héritage qu'on a reçu indivis.⁵²

Or, as Ernest Barker put it more recently:

Neither a physical fact of common blood, nor a political structure of common law and order, a nation is essentially a spiritual society. It is what it is in virtue of a common mental substance resident in the minds of all its members—common memories of the past, common ideas in the present, common hopes for the future, and, above all, a common and general will issuing from the common substance of memories, ideas, and hopes.⁵³

Nevertheless, the definition of the nation as a spiritual community has a special relevance for *Knesset Israel*. Our spiritual character is not simply an accretion which we have acquired in the course of our material existence. We were not first incorporated in other ways and then developed a national soul. *Kedushat Israel* is not a shoot which twined itself around a socio-political trunk. It is the very essence of our con-

stitution, our article of confederation, so to speak.⁵⁴ Chronologically and logically, *Knesset Israel* is, *ab initio*, a spiritual community. It was this character, in turn, which gave birth to its material development, along either racial or geographic lines. In a sense, it is no doubt universally true, as Acton said, that "there is a moral and political country, in the language of Burke, distinct from the geographical, which may be possibly in collision with it."⁵⁴ The base is generally geographical, however, and if the collision should last too long, the nation will dissolve. With us, however, the causal nexus is reversed. From Abraham down, neither contiguity nor consanguinity have made us a people, although the latter has provided the formal criterion for membership. What has made us such has been an ideal—*mamlechet kohanim v'goy kadosh*, "a priestly kingdom and a holy people." Abraham started us on a spiritual odyssey, and to this day, we have continued it.

The relevance of our spiritual character for the individual modern Jew derives, first, from his relation to history and, secondly, from Judaism's almost overpowering sense of organic community. The Jew is not born into a vacuum. Nor does he merely enter a contemporary sociological complex. He is born to a history, and consciousness of it is ingrained into his very fiber. "Not in utter nakedness"—but with a historical heritage and a historic destiny. The modern Jew's bond with his past is not merely psychological or sociological, however. He is related to it as a member of the organic community of *Knesset Israel*. Halachah has, of course, always thought of Jewry as an organic rather than an atomic society. We are not merely a sum-total of individual fishes contemporaneously confined in the same aquarium. We are members of a timeless and universal body which constitutes an organic whole. To be sure, Halachah has not denied the limitations of time and place entirely. For certain purposes, the Jewish people is defined as the body of Jews living in *Eretz Israel* at any given time.⁵⁵ However, this definition only pertains to the pragmatic level of joint action. At the much deeper level of joint existence, the conception of *Knesset Israel* as a timeless and universal community is paramount.

It is this membership in an organic spiritual community—determined, to be sure, by a physical bond—which binds the Jew to our historical destiny and to his personal responsibility. The covenant at Sinai was not accepted solely by those who were physically present. It was accepted by *Knesset Israel* as an organic entity—"with him that standeth here with us this day before the Lord our God, and also with him that is not here with us this day."⁵⁶ We need not resort to this, as some have, in order to "justify" the obligation of posterity to honor commitments made by its forefathers at Sinai. No justification is required. It is rather difficult to grasp in what sense volition in the ordinary sense applies to obedience to God. Is one free—morally, that is, not practically—to re-



ject a divine fiat? Regardless of its application, however, the concept of the collective nature of the Jewish experience is significant in itself. In its essence, religious experience is of course intensely personal, but this does not preclude the relevance of its communal roots or the importance of its collective context.

The relation of personal obligation to membership in an organic community is underscored by a striking fact. The religious experience of the Patriarchs, Abraham, Isaac, and Jacob, lacked a communal context. Being purely individual in character,⁵⁷ it was therefore a matter of choice, and the possibility of defection—as in the cases of Ishmael and Esau—was open. With the migration to Egypt, however, Jewry as a community came into existence, and this possibility was henceforth eliminated. Within an organic *Knesset Israel*, spiritual obligation became inexorable.

The interrelation of the spiritual and the material as constituent elements of Jewry is thus thrown into bolder relief. *Knesset Israel* is, on the one hand, a material corpus. The formal criterion for membership is ordinarily biological; it is Jewish parentage which confers the Halachic status of Jewry. This is only the formal side, however; an important side, no doubt, and one to which Halachah, as a legal system concerned with form (Halachah is far more than this, but surely it is this, too), must pay attention. The substance-essence, though, is spiritual. Membership in the nation confers a religious status, but only because the nation itself is, in its definitive essence, a spiritual community. Conversely, participation in the religion is limited to members of the nation. For form and substance, matter and spirit, cannot—much as our Platonic inclinations may desire it—be wholly divorced. That is the metaphysical condition of human life, and that is the condition of our national existence. They can be separated logically, and the distinction is of paramount importance. In practice, however, they are intertwined, as they exert a mutual influence upon each other. Collectively, therefore, we are both religion and nation.

THE DUAL NATURE OF *Knesset Israel* pertains to its collective character. It leaves us, however, with one obvious problem. How are we to deal with an individual in whom one element is present and the other wholly lacking? There are, of course, two possibilities: the native Jew who renounces his heritage and the born Gentile who wants to embrace Judaism; or, to put it simply—the apostate and the proselyte. Superficially, we might assume that the acknowledgment of one or the other as a Jew would destroy the dual conception of Jewishness I have heretofore suggested. A more careful scrutiny, especially of some relevant *halachot*, quickly dispels this impression, however. Indeed, the conception is reinforced.

If at the present time a man desires to become a proselyte, he is to be addressed as follows: "What reason have you for desiring to become a proselyte; do you not know that Israel at the present time are persecuted and oppressed, despised, harassed, and overcome by afflictions?" If he replies, "I know and yet am unworthy," he is accepted forthwith, and is given instruction in some of the minor and some of the major commandments.⁵⁸

Thus the *Gemara*. The instruction in religious law and, the Rambam adds, philosophic principles, seems apt enough, but why, we wonder, the account of Jewry's present fortunes—and as the significant opening thrust, at that? Partly, no doubt, to test the prospect's mettle. Judaism has always been wary of easy conversion; it would agree with Shaw that, under all too many conditions, "the conversion of a savage to Christianity is the conversion of Christianity to savagery."⁵⁹ But only partly. There are deeper implications here, and I think they are clear. The *Gemara* cannot embrace Judaism as a religion without simultaneously becoming a member of the Jewish people. He cannot, that is, accept the spiritual aspect of Jewry without the material. And we must go a step further. Rabbi Yehuda laid down the view—later generally accepted—that a proselyte's prayers may refer to the Patriarchs as "our fathers" even though he is not their descendant. The reason given is that the Torah describes Abraham as *av hamon goyim*, "the father of a multitude of nations," and the epithet justifies including proselytes (not, of course, all Gentiles) as his "children."⁶⁰ To put it in more general terms, the proselyte embraces not only Jewry's present fortunes but its history as well. Even though born outside *Knesset Israel*, he becomes, through strenuous spiritual and psychological effort, a member of its organic community; hence, the *Gemara's* comment that all future proselytes were implicit participants at Sinai.⁶¹ He does so, however, precisely because through conversion he identifies with both a concrete reality and an abstract ideal, not only with a future but with a past, with a historical consciousness as well as with a historic destiny. The Rambam put the matter most vigorously, in a letter to a proselyte in which he cited and explained Rabbi Yehuda's opinion:

Therefore, until the end of time, whoever converts and whoever hallows the name of God as it is written in the Torah is a student of our father, Abraham, and they are all members of his household and it is he who restored them to the right path. Just as he restored his contemporaries through his speech and instruction, so he restored all future converts through the guidance which he gave his children and household successors; that our father, Abraham, is a father to all his righteous descendants who pursue his ways and a father to all his disciples and to all proselytes who will ever convert. . . . Since you have entered God's fold and become a member of it, there is no distinction between us and you, and all the miracles that occurred, it is as if they happened to us and to you. . . . There is no distinction whatsoever between us and you. Certainly you should say [in blessings] "Who Chose us," "Who gave to us," "Who endowed us," and "Who elected us." For God has indeed chosen you and

elected you from among the Gentiles and given you the Torah, for the Torah is for us and converts alike.⁶²

IN COMING, FINALLY, TO DEAL WITH the converse situation, that of the apostate, we find the same basic principles at work. We find them operative, moreover, at every level of apostasy and its consequences. First, where an apostate—be he only a *meshumad l'hach'is* or a *mechalel shabbatot b'farhesia*—is disqualified with respect to a given function, he is not rejected simply *qua* sinner. "If Thou, God, shouldst mark iniquities, O Lord, who could stand?" He is rejected because as a result of his sin, he has, as regards that area, withdrawn from the spiritual community of *Knesset Israel*. He is not, for instance, a *bar k'shira* or *bar z'vicha*. Or he is barred from presenting a votive offering because he is not, for this purpose, one of the *B'nei Israel*, "the children of Israel" designated by the Torah: "*B'nei Israel*—just as [we include] *B'nei Israel* who receive the covenant so we include proselytes who receive the covenant, to the exclusion of apostates who do not receive the covenant."⁶³ Secondly, where the *meshumad* is rejected as *achicha*, "thy brother," it is, of course, because he is not *achicha b'mitzvot*, a brother of the spirit. There may be consanguinity, but there is hardly confraternity.

As regards the complete loss of personal Jewish status, finally, nothing short of total personal alienation will bring it off. Sinfulness, no matter how intense, degradation, no matter how extreme, will not accomplish it. If the apostate is to be expelled, he must first reject not only Judaism—as a religion—but *Knesset Israel*—Jewry as a people. And he must reject not only its future but its past. As the proselyte enters *Knesset Israel* by embracing not only its destiny but its history, so the *meshumad* departs when and because he is alienated from both, when, by whatever criteria we employ, the lack of identification is complete. Even then, his physical roots in the community are sufficient to make him liable for all obligations and to keep the door open for his return. However, total loss of spiritual contact, through alienation from our people and its history, means that, for the present, he must be considered as a non-Jew. As long as there is an identification with *Knesset Israel*—not merely with a political state—the gravest of sinners remains a Jew. As a member of a spiritual community (even though he may not acknowledge and appreciate its true nature), he retains its quintessential character. Willy-nilly, he retains what is at once a spiritual quality and a legal status—*kedushat Israel*, the personal sanctity of the Jew. With the loss of identification, however, there is a loss of identity. Personal status as a Jew—be it for marriage or any other purpose—is lost. The distinctive mark of Jewry, what being a Jew essentially means, is effaced. *Kedushat Israel* is destroyed.

Halachic discourse and philosophic analysis thus arrive at the same conclusion—as they had departed from the same terminal. *Kedushat Israel* may be a native endowment but it is not an irrevocable patrimony. It is received but it must also be taken; and it can be thrown away. It courses through the veins but it must be lodged in the heart. For above all, *kedushat Israel* carries with it a spiritual challenge. As "choseness" is, collectively, as much a responsibility as a privilege, so *kedushat Israel* calls upon the individual Jew to live up to his status. It is a position to be attained as much as a gift to be enjoyed. Hence, if it is to be retained at all, there must be a minimum of spiritual identification. The ideal is of course beyond fulfillment. The heights to which *kedushat Israel* calls the Jew are immeasurable; the mountain of the Lord is infinitely high. But if there is no ceiling, there is a floor—and beneath it the abyss. Willy-nilly, the Jew has been called. It is for him to frame the nature and the direction of the response. Jewish consciousness is the first stage of the Jews transmutation of inexorable fate into glorious destiny.

NOTES

1. Of course, in many Eastern European communities, the *Kehillah* was an organized polity, in a sense, and would have been faced with the same problem. However, the polity did not cover all areas of life as comprehensively as the state; its decisions were not as final (potentially, at least, as happened in some parts of Germany, it could break up into several factional groups); and, in any event, it dealt with the issue on a much smaller scale.

2. The relative security of Jews in the United States has had the same effect upon some American-Jewish intellectuals. Of course, I do not mean to suggest that the problem was previously ignored completely. It was not and some 19th-century *Mashilim*, for instance, were very much concerned with it. Relatively speaking, however, it was less prominent than at present.

3. In our published Halachic texts, the term employed for an apostate is generally *mumar* rather than *meshumad*. This was due to censorship, however, and all uncensored texts have *meshumad* regularly. I have therefore used the latter term, partly because of its genuineness, and partly because, in popular parlance, it has much more powerful connotations.

4. Of course, from the polemical point of view, to approach the problem from the

point of view of Halachah is largely to beg the question. For much of the controversy surrounding the case has turned precisely on this point: how much weight shall be assigned to the authority of Halachah? The polemical point of view is not necessarily the best, however; and in any event, for anyone committed to traditional Judaism, any other approach is unthinkable.

5. A full discussion of the Halachic position of an apostate would require an analysis of his status not only as a *meshumad* but as a *min* and an *apikoros* as well. However, while the latter two carry certain liabilities and disqualifications, they do not raise the possibility of total exclusion from Jewry. I have therefore omitted mention of them and have concentrated on discussing the apostate's status as *meshumad*, which does raise that possibility.

6. Desecration of the Sabbath is accorded special status because it implies denial of Creation and Providence, and perhaps, therefore, of the existence of God as well. (Rashii, *Hullin* 5a, and cf. Rambam, *Shabbath*, 30:15). It has been argued, therefore, that where these implications are lacking—as is now often the case—the law does not apply.

7. *Tshuva*, 3:9.

8. He could conceivably avoid the third

group if he converted for lucrative or appetitive reasons. If he had become a Unitarian rather than a Catholic, he would also have avoided the fourth. However, a Jewish convert to trinitarian Christianity certainly is included in the fourth group. Even those authorities who have held—against the Rambam—that trinitarianism is not considered *avodah zarah*, spoke only with reference to Gentiles, for whom, they felt, the injunction against polytheism had been less vigorously formulated. With reference to Jews, however, the Athanasian Creed certainly is considered *avodah zarah*; see *Sanhedrin* 63a. Even a convert to Unitarianism—or Mohammedanism, for that matter—would come under the fifth category, however.

9. Unless otherwise qualified, the term *meshumad* henceforth simply designates a convert to another religion.

10. *Hullin* 5a; *Gittin* 45b; and Rambam, *Gerushin*, 3:15, respectively.

11. *Zevachim* 22b; *Hullin* 5a; and *Mekhilata*, 15 (on *Exodus* 12:43), respectively.

12. *Or Zarua*, *Milah*, 97; *Tosafot Rabbenu Elchanan*, *Avodah Zarah*, 27a. See also *Yoreh Deah*, 264:1, and commentaries.

13. See *Sanhedrin* 27a.

14. *Beth Yoseph*, *Orach Hayyim*, 39; and *Hullin* 5a, respectively.

15. *Hullin* 5a. Similarly, Rabbenu Elchanan (*Avodah Zarah*, 27a) holds that even if we should assume that a Gentile can perform a valid circumcision, an apostate cannot.

16. *Tosafot*, *Avodah Zarah*, 26b; *Rosh* and *Shiltei Hagibborim*, *ibid*; *Mordechai*, 814; and especially Ramban, *Baba Mezia*, 71a. See also *Yoreh Deah*, 159:3, and commentaries.

17. See *Gittin* 47a.

18. See *Pesachim* 21b.

19. *Yebamoth* 47b.

20. *Bekoroth* 30b.

21. Rambam, *Issurei Bi'ah*, 13:17, and *Ishuth*, 4:15; *B'hag*, *Kiddushin* (p. 84 in Traub's edition); *Ittur*, *Kiddushin*, ii; *Or Zarua*, 604; and others.

22. *Beth Yoseph*, *Eben Ha'ezer*, 157.

23. An "early responsum" cited by the *Ittur*, *Kiddushin*, ii; R. Samson, quoted in *Hagahoth Mordechai*, *Yebamoth*, 107; mentioned as one opinion in *Tur Eben Ha'ezer*, 44. A much larger number of authorities held that the bond of *yibum* to an apostate, i.e., if a

man died childless and the surviving brother is an apostate, the wife does not require *chalitza*. However, this may be accounted for by reasons which are, for our purposes, irrelevant; e.g., we can assume (on the basis of *Baba Kamma* (110b) that, had she foreseen this development, the woman would never have consented to the marriage, which is therefore invalid (R. Meir (of Rothenburg, quoted in *Tshuvoth Maimuniyoth*, *Ishuth*, 29); or that since the *halacha* applies to brothers, an apostate is excluded (*Or Zarua* 605; *Bei'urei Ha'gra*, *Eben Ha'ezer*, 157. But see *Trumat Ha'deshen*, 123, who argues very effectively that the brotherhood mentioned here means only literal consanguinity).

24. See *Hagahoth Mordechai*, *Yebamoth*, 107. But cf. *Ittur*, *Kiddushin*, ii.

25. *Sanhedrin*, 44a.

26. It is unclear whether this refers to the present disputants or to some earlier group.

27. *Yebamoth*, 17a. The verse is from *Hosea*, 5:7.

28. *Kiddushin* 75b.

29. *Hullin* 6a. Some authorities hold that this change was only made *mi'd'rabbanan* and *l'chumra*, i.e., where its application has the effect of superimposing, by rabbinic authority, a fresh injunction, but with no violation of Torah law. On this view, wherever the change in status would operate *l'kula*, i.e., would relieve us of a Torah injunction, we do not apply it and we continue to consider the Samaritans as Jews. However, the Rambam (*Perush Hamishnayoth*, *Niddah* 7:4) explicitly applies the principle in the latter case as well. See also *Shach* and *Chavoth Da'ath*, *Yoreh Deah*, 159.

30. Some of the Geonim held differently—see *Tur Eben Ha'ezer*, 44, and *B'hag*, *Kiddushin* (p. 84)—but there is no doubt that this would be the case according to the Rambam.

31. *Zevachim* 22b.

32. The story comes to me on the authority of Rav Chaim's grandson and my *Rebbi*, Rav Joseph B. Soloveitchik.

In all candor, I should point out, first, that the *B'hag* drastically reinterpreted the *Gemara* in such a way that it would have no bearing on our problem, and secondly, that the *Bach* (*Eben Ha'ezer*, 44) holds that the declaration mentioned in the *Gemara* is not a mere judgment but

a promulgation made in that specific case and inapplicable to apostates generally. See also *Keren Orah*, *Yebamoth*, 17b.

33. Of course, according to the Geonim who required reconversion even for apostates who did not become completely cut off from Jewry, a new *geyrut* (ritual conversion) would be required in our case as well. This is only *mi'd'rabbanan*, however, for psychological and symbolic reasons. I speak of the basic law, from a purely formal point of view.

34. [For a fuller Halachic discussion of *Eretz Yisrael*, see J. K. Miklitzanski, "The Question of *Aliyah* in Jewish Law," *JUDAISM*, Vol. 12, No. 2—ED.]

35. *Gen.* 17:8.

36. *Sanhedrin* 4:6.

37. For a lengthy and more general discussion of this point along similar lines, see *Kaftor Vopherach*, ch. 10.

38. The first point, that the obligation remains, is certain. The second, that a re-entry would necessitate no *geyrut* is open to question. One might argue that, even for one who is endowed with *shem Israel*, the recovery of *kedushat Israel* requires full *geyrut*. It may also be contended that no *geyrut* would be required but only because the return to the fold would retroactively cancel the earlier renunciation.

39. Of course, from a moral point of view, the father is far more liable as he is the culpable one. He would be the more severely judged while the son would have full sympathy (see Rambam, *Mamrin*, 3:3). However, the loss of *kedushat Israel* here is not so much a penalty. It is simply the reflection of an objective situation—that one has cut personal and emotional ties with *Knesset Israel*. This situation obtains in the child's case more than in the father's. For the same reason, even if—say, in Brother Daniel's case—environmental influences were the cause of conversion, it would make no difference in determining his status. The fact remains the same, although, of course, our judgment of the worth of the agent would be changed considerably.

40. The *Gemara's* citation of the text concerning begetting alien children may be variously understood. The *Gemara* may be saying that the begetting of alien children—i.e., uprooting oneself from Jewry so completely that one's children don't even know they are Jewish—is itself an apostasy which causes the loss of Jewish

status. In this case, the *Gemara's* principle would apply to the father. However, the *Gemara* may only be inferring from the use of the epithet "alien" that the children in this situation really are alien and not Jews. In this case, it is possible to assume that the father remains a Jew.

41. See his *Conversion: The Old and the New in Religion from Alexander the Great to Augustine of Hippo* (Oxford, 1933), *passim*.

42. "St. Augustine and His Age," in *Saint Augustine* (New York: Meridian, 1957), p. 47.

43. This is the generally accepted view, largely on the basis of the text cited in *Yebamoth*, 17a, 23a, and elsewhere. Some, however, require that both parents be Jewish; see Rashi, *Yebamoth* 23a, and *Tosafot*, *Kiddushin* 76b.

44. The contention sometimes advanced—e.g., by Leslie Fiedler—that "the essential nature of Jewishness is to be alienated, to be an exile, to be outsiders" (*N.Y. Times*, June 19, 1963, p. 5 [See footnote, p. 370 of this issue.—ED.]) is completely untenable. It presents a wholly negative conception of *Knesset Israel*, and it rests, first, on a total misunderstanding of the nature of Jewry, and secondly, on an acceptance of Diaspora existence as the norm of Jewish life. Our critics understood us much better.

45. *Zecharia* 14:9. Cf. Rashi, *Exodus* 17:16.

46. Of course, the ideal of ultimate universality does not preclude the possibility, that the special historical role of *Knesset Israel* will have meta-historical implications, so that it will also occupy a unique eschatological position. Universality, again, does not mean uniformity.

47. A full analysis of the concept of "chosenness" would require discussion of three elements: 1) the very notion of a limited group; 2) the special character of that group; and 3) the implications and consequences of being chosen. I have of course discussed only the first.

48. Theoretically, such an extreme universalism could perhaps be reconciled with the concept of prophetic revelation, if one assumed the revelation was sufficiently widespread and open to all. Only with difficulty, however, and practically, the concept of special revelation has gone hand in hand with the idea of a special religious corpus.

49. Classical formulations of this position