A Special Edition Celebrating

President Richard M. Joel

WITH SHAVUOT TRIBUTES FROM
Rabbi Dr. Kenneth Brander • Rabbi Dr. Hillel Davis • Rabbi Dr. Avery Joel • Dr. Penny Joel
Rabbi Dr. Josh Joseph • Rabbi Menachem Penner • Rabbi Dr. Jacob J. Schacter • Rabbi Ezra Schwartz

Special Symposium: Perspectives on Conversion
Rabbi Eli Belizon • Joshua Blau • Mrs. Leah Nagarpowers • Rabbi Yona Reiss
Rabbi Zvi Romm • Mrs. Shoshana Schechter • Rabbi Michoel Zylberman
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The chag of Shavuos is most closely associated with its identity as zman matan Toraseinu — a day commemorating the giving of the Torah. Its ritual expression is limited, since there are no formal objects of sanctity or commandments to engage in particular acts of religious observance. The primary mitzvah we engage in over the course of the holiday is talmud Torah (Torah learning). This is distinct from every other holiday throughout the Jewish calendar, which requires us to endow a particular object or act with a unique moment of sanctity in recognizing the particular message of that chag. A lulav and esrog are not objects we use for performance of mitzvos the rest of the year, nor do we fulfill a mitzvah by eating matzah, or blowing the shofar. Yet Shavuos embraces a mitzvah that is consistent throughout the year.

The mitzvah most associated with Shavuos is essentially at the center of our religious life — the study of Torah. How does our talmud Torah experience on this holiday become an experience that is unique to Shavuos? Are we not simply engaged in a religious act that is required of us each and every day of the year?

The kerias HaTorah (Torah reading) of Shavuos appropriately features the reading of matan Torah, and included within this reading are the Aseres HaDibros. There are two potential formats for the cantillation of the Aseres HaDibros. One, the taam tachton (the lower cantillation), divides the verses based on the traditional Masoretic structure of the verses. The other, taam elyon (the upper cantillation), divides the verses without regard to their traditional structure, and instead organizes them with the goal of distinguishing each of the commandments. There is an extensive halachic discussion regarding which of these two cantillation methods should be employed when chanting the Aseres HaDibros. The Magen Avraham (494) quotes the Masas Binyamin, who distinguishes between the reading on Shavuos and the reading on an ordinary Shabbos. The Masas Binyanim argues that when reading Parshas Yisro and Va’eschanan during the regular cycle of the year, we should utilize the taam tachton, and when reading the Aseres HaDibros on Shavuos, we should employ the taam elyon.

Why should we make such a distinction? Surely we should be consistent and select one tradition as the authentic approach in reading this section of the Torah, regardless of the reason why we read it. Rav Yosef Dov Soloveitchik explained that the nature of our obligation to read the Torah on Shavuos is different from the obligation to read the Torah on an ordinary Shabbos. Throughout the year, the purpose of reading the Torah each Shabbos is to ensure consistency in our overall commitment to talmud Torah. Fundamentally, the liturgical experience is really intended to be one of study. Therefore, the cantillation used corresponds to the breakdown of verses. This is the most authentic way to engage in Torah study. The reading of the Torah on Shavuos has an entirely different purpose. The Rokeach no. 296 writes based on a midrash:

אמר הקב”ה לישראל בני הוו קורין את הפרשה הזאת בכל שנה ושנה ואני מעלה עליכם כאלו אתם לומדים לפני הר סיני ומקריבים את התורה.

The Holy One Blessed Be He said to the Jewish people: Read this section (the Aseres HaDibros) each year and I will treat it as if you are studying it at Har Sinai and accepting the Torah.

The reading of the Torah on Shavuos is not simply an act of Torah study. Rather, it is intended to recreate the experience of Sinai itself. As a result, we follow the taam elyon, which echoes G-d’s presentation of the Aseres HaDibros, rather than the technical manner in which they were recorded.

This is truly what Shavuos is about. It isn’t only about the study of Torah. It is about the experience of Torah. We are not only focused on the substance and content of Torah — we embrace the opportunity to connect to the
larger transformative impact that Torah makes on our lives. We stay up learning all night, which is certainly not a productive tactic in the pursuit of Torah study, but the experience gives expression to an inner passion and love for Torah. That is what Shavuos is all about.

We live in a generation that enjoys greater access to the substance of Torah than any other in Jewish history. And yet for so many, our youth in particular, the passion and emotion of Torah seems out of reach. Shavuos is an opportunity for us to reconnect to more than data, but to the larger experience of talmud Torah, to the intergenerational conversations that take place across our texts and traditions, and to the voice of G-d that calls out from each and every word that we study.

Our religious lives are animated by a taam tachton and a taam elyon. There are the day-to-day structured experiences of religious life, and there are the clarion calls for inspiration and revolution in how we relate to ourselves and the world. This issue of Torah to Go is dedicated to expressing our hakaras hatov (gratitude) to President Richard Joel for his 14 years of leadership at Yeshiva University. President Joel has made countless contributions to the taam tachton at YU. There are so many personalities, programs, buildings, and centers that have been dreamt, built, and grown over the course of his tenure. Yet his contribution and imprint extends beyond the structures and programs of YU. There is the taam elyon that President Joel challenged our community to engage in. A larger purpose to our Yeshiva in being a source of not just Torah and education, but nobility and leadership. He instilled within our students and his colleagues a sense of mission that extends beyond the day-to-day, and reaches for higher purpose in all that we do.

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Today marks the fourth and final opportunity I have to address a Chag HaSemikhah as Yeshiva's president. It has been a sacred privilege.

Today, we celebrate over 130 young men of extraordinary quality and character who I have seen grow in learning and in middos and in professionalism.

And today, I know that you join me in celebrating the extraordinary Roshei Yeshiva and Hanhala of Yeshivat Rabbeinu Yitzchak Elchanan whom I have had the pleasure to partner with.

In today’s celebrants, Yeshiva embraces the continuity of our profound mission of advancing Torah values, so as to guide, teach and lead our people and the world to a better place. Almost 40 years ago, President Norman Lamm stood at this podium and shared the following message:

Scholarship and piety are necessary, but they are not sufficient. A spiritual person is one whose ideals and practice transcend his self-interest, whose deportment and, indeed, very presence symbolizes the values of Torah.

Years before that, at an earlier Chag HaSemikhah, his predecessor, Dr. Samuel Belkin zt’l, shared the message that:

There is one thing we must remember always. Just as we have faith in God, and just as we have faith in the Torah of Moses, so let us have faith in the Jewish people, in the continuous miracle of its rebirth. Let us have faith in the miracle of spiritual unity between God, His Torah and His people, which is summed up in the sayings of our Sages, “Israel, the Torah and the Holy One Blessed Be, are one.”

And almost 85 years ago, our first president, Dr. Bernard Revel z’t’l, stood at this podium and said the following:

Out of the portals of this sanctuary of the spirit shall come a Jewish leadership—lay and spiritual—conscientious of its unique heritage, striving to develop in this land a Jewish life, culturally creative and spiritually satisfying, based upon the eternal foundations of the Torah, helping our communities to fuller self-expression, and richer contribution to the cultural and spiritual values of our society.

So I stand here today on the shoulders of those who came before me, and I contemplate, what can I possibly add to this discussion? To this continuing conversation?

To me, parashat Ki Tisa offers a precious perspective on how we, klei kodesh, and lay kodesh, are to lead our lives, a message that has been a defining insight for my life and I think for that of my wife and children.

Perek lamed gimmel details an amazing discussion between Moshe and the Ribono Shel Olam, culminating with Moshe beseeching God to let Moshe see God’s face, “Hareini na es kevodecha.”

And He said: “You will not be able to see My face, for man shall not see Me and live.”

Rav Sampson Raphael Hirsh explains:

And the Lord said: “Behold, there is a place next to me, and you shall stand on the rock.”

Such a dramatic moment—Moshe wants to see God’s face. As close as Moshe was to the Ribono Shel Olam, he was hungry for more. He wanted to see God’s face, and God says no. But then God says “stand beside me.”

Rav Sampson Raphael Hirsh explains:

—there is a place next to Me. One and only one point of view exists as the highest goal to be attained by the highest human mind, even for Moses, only one legitimate point of view, and that is not to try and get a sight of God, but, elevated by God, and godliness, to look at men and the human condition from a height, next to God, near to God, from God’s point of view, to understand and appreciate all men and all conditions of human life.

This master insight—the human being is not supposed to see God—it’s not our realm. Our goal is to stand beside God. Our role is not to see God, but to see as God sees, and strive to do as God does.

Beloved musmakhim: Hear the message from four presidents of this Yeshiva, and consider that:

Be a caring role model;
Believe in the Jewish People;
Dare to make a difference in the world;
And strive to see as God sees and do...
as God does — ve’halachta b’drachav.

As musmakhim of Yeshivat Rabbeinu Yitzchak Elchanan, you have been trained in leadership, you have been prepared to serve as our ambassadors of nobility, spreading the warmth of Torah by constantly fanning its flames. Your actions matter — your commitment to Torah inspires people and elevates the world.

Esther and I are entrusting our children and our grandchildren to you. Partner with them and with all our children to advance the Torah and advance the world.

V’cheyn yehi ratzon.

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Moshe received the Torah from Sinai and transmitted it to Yehoshua and Yehoshua to the elders and the elders to the prophets and the prophets transmitted it to the Men of the Great Assembly.

**Avot 1:1**

The Mishnah focuses on the first stages of the transmission of the Torah. The Maharal (R. Judah Loew ben Bezalel), in his *Derech haChayim* commentary to this Mishnah (s.v. Amnam), asks: Why doesn’t the Mishnah begin with the statement that Moshe received the Torah from Hashem? Isn’t Divine transmission a critical component of our mesorah? Why is Har Sinai, the location, stressed instead of the role of the Divine?

The Maharal explains that the environment in which Torah study takes place is integral to the experience. Moshe receiving the Torah on Mount Sinai was not happenstance; the location was carefully chosen. The mountain’s modest demeanor was a fitting place to share the word of God. The environment was choreographed to remind us that the study of Torah is not just about collecting data and knowledge; it is not an exercise in Googling information. Critical to the experience of *talmud Torah* is the environment in which the engagement with God occurs. The environment either enhances our *kabbalat haTorah* or detracts from its function and purpose.

Furthermore, authentic Torah study should also create an environment that is modest and promotes the ideal of mutual respect. The experience of revelation on Mount Sinai is elaborated on in Shemot, Chap. 19–20, and continues in Chapter 24. Placed in the center of the description of the Sinai experience are chapters 21–24 of Misphatim. These are the laws that instruct us on how to create a just and civil society. They are sandwiched in the midst of the story of Divine revelation to remind us that the Torah demands of us that we create a society that values kindness, justice and caring.

President Richard Joel has always subscribed to this vision, together with his partner, Dr. Esther Joel. The Joel’s home has always been warm and welcoming, filled with a love for Torah and its values. This is seen in the way they engage with family and in the steady stream of representatives from various organizations or people in need requesting tzedakah because the Joel home is known “on the street” as a home of chesed. All are welcomed with a smile and financial support. One would think that after a grueling schedule, day in and day out helming such an important institution, that Shabbat would be a well-deserved day of rest. Yet they have welcomed thousands of students for Shabbat over their tenure as leaders at Yeshiva University.

President Joel has also worked to communicate that if YU is a place of Torah it must also be a place that is welcoming, engaging, and respectful to all. How many university presidents stand in line to help

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students move into their rooms in the residence halls? How many personally serve employees food at a day of recognition? How many make time to meet not just with current undergraduates, but with prospective students — in high school and studying in Israel — throughout the year? It is President Joel who is constantly reminding us to engage “the other” on campus, those who may appear different than ourselves, to greet them with warmth and without judgment. President Joel would remind students not to limit their friendships to those in their classes or shiur, those from the same high school, or from the same yeshiva or seminary in Israel.

For the past fourteen years, President Joel has been involved in all the challenges that university presidents deal with, but he has also worked to make Yeshiva University a friendlier and a more engaging place. In the process, he has made our campuses our Mount Sinai, where we can find and engage in meaningful spiritual experiences, helping us to improve our individual and collective kabbalat haTorah.

My colleagues, Rabbi Dr. Hillel Davis, Rabbi Dr. Josh Joseph, Rabbi Menachem Penner, Rabbi Dr. Jacob J. Schacter, Rabbi Ezra Schwartz, and members of the family, Rabbi Dr. Avery Joel and Dr. Penny Joel have contributed additional thoughtful pieces related to Shavuot honoring the leadership of President Richard M. Joel.
If you look carefully at the Jewish calendar for the month of Sivan, you may be surprised to find that the second day of the month is referred to as Yom Hameyuchas. Generally, we understand “meyuchas” or “yichus” as “being of distinguished lineage,” so the second of Sivan is apparently the day of distinguished lineage. What does that mean and why is such an attribution attached to that particular day?

The most popular explanation is based on the Gemara, Shabbat 86b-87a. The second of Sivan was the day when the Jewish people were charged by God to be a mamlechet kohanim v’goy kadosh — a priestly nation and a holy people. The Aruch Hashulchan, Orach Chaim 494:7, notes that this is the reason why it is called Yom Hameyuchas — the day upon which we as a Jewish people attained our distinctive and distinguished place among the family of nations.

Others suggest that in fact the day itself has no special or unique quality, but rather since it sits squarely between Rosh Chodesh on the previous day and the shloshet yemei hagbalah, the three preparatory days leading up to matan Torah, it too is swept up in the overall simcha of the period. As such, Yom Hameyuchas achieves its prestige from its proximity to the holy days that surround it.

The Yalkut Me'am Lo'ez cites a parable, which apparently is attributed to the Roziner Rav, to explain this idea further. A king wanted his palace decorated, so he invited four famous artists, each to paint one wall of the palace. Three of the four worked assiduously to mix the paints and sketch out the drawings that would decorate their respective walls. The fourth sat by, seemingly idle, writing numbers in a note pad. As the three were finishing their work on their individual walls, the fourth finally stood up and arranged a series of mirrors on his wall. When the king arrived to judge the work, he awarded the prize to the fourth artist. He said that while the creativity and skill of each of the three artists were both evident and special, the work of the fourth artist was truly the most beautiful in that it reflected the glory and the grandeur of all that surrounded it.

Yom Hameyuchas has no intrinsic holiness, but by virtue of the fact that it sits in the midst of holiness, it reflects all that surrounds it. Ultimately, that is what yichus is: the opportunity to reflect all the grandeur of that which came before and that which will follow. When we think of ourselves as primarily a conduit to reflect the glory of the generations that preceded us and we pray (and work so) that the generations that follow us will also create their own beauty and dignity in which we can take pride and ultimately bask in that reflection, then we are truly meyuchas — we are of distinguished lineage.

This Shavuot, we are marking the end of President Joel’s 14 years at the helm of Yeshiva University. I can think of no more apt description to the individual that he is and the role that he has played than as a meyuchas. He is of distinguished lineage as one who has worked to create a mural that reflects the glory of all that surrounded him, all the good and all the potential that we as a community have. He has built up our Yeshiva to reflect the very best that came before us — our tradition, our history, our story as he would so often refer to it. At the same time, he has invested his entire being in unleashing the potential of the glory of who and what will follow — the generations of young men and women who have absorbed those lessons, built on them and made them their own, and will, God willing, continue to bring pride and nachat to us as parents, grandparents, as Jews and as citizens of the world. He has created that fourth wall that reflects the glory, the beauty and the nobility of what was and what is still to be.

As a leader, he has created a paradigm that we could all benefit from emulating — understanding that our yichus comes not from any greatness that we attribute to ourselves, but rather to our commitment to ennoble the past and enable the future. His artistry has brightened the future of our community, the broader Jewish community throughout the world and mankind as a whole.
If it is acceptable to have favorite *pesukim* (verses) in the Torah, I would choose the following section. Toward the end of Moshe’s farewell speech to Bnei Yisrael, Moshe shares some inspirational words, meant to motivate the people. In *Parshas Nitzavim* (Devarim 30:11-14), Moshe says:

> יא כִּי הַמִּצְוָה הַזֹּאת, אֲשֶׁר אָנֹכִי מְצַוְּךָ הַיּוֹם לֹא-נִפְלֵאת הִוא מִמְּךָ, וְלֹא רְחֹקָה הִוא. יב לֹא בַשָּׁמַיִם, הִוא: לֵאמֹר, מִי יַעֲלֶה-לָנוּ הַשָּׁמַיִם וְיִקָּחֶהָ לָּנוּ, וְנַעֲשֶׂנָּה. יג וְלֹא-מֵעֵבֶר לַיָּם, הִוא: לֵאמֹר, מִי יַעֲבָר-לָנוּ אֶל-עֵבֶר הַיָּם וְיַשְׁמִעֵנוּ אֹתָהּ, וְנַעֲשֶׂנָּה. יד כִּי-קָרוֹב אֵלֶיךָ הַדָּבָר, מְאֹד: בְּפִיךָ וּבִלְבָבְךָ, לַעֲשֹׂתוֹ.

11. For this commandment which I command you this day, is not concealed from you, nor is it far away. 12. It is not in heaven, that you should say, “Who will go up to heaven for us and fetch it for us, to tell [it] to us, so that we can fulfill it?” 13. Nor is it beyond the sea, that you should say, “Who will cross to the other side of the sea for us and fetch it for us, to tell [it] to us, so that we can fulfill it?” 14. Rather, [this] thing is very close to you; it is in your mouth and in your heart, so that you can fulfill it.

But there is some debate as to what Moshe was truly referring to. What is this “mitzvah” that is close to us?

According to the Ramban, it is the mitzvah of *teshuva* (repentance). This parsha is always read right before Rosh Hashana. The Seforno explains in this vein that the message Moshe is leaving Bnei Yisrael is “*lo nifleis hi mimcha*” — “It is not concealed from you” that you would need *nevi’im* (prophets), “*v’lo rechoka hi*” — “And it is not far away” that you would need *chachamim* (Sages), to explain to you what needs to be done. Don’t think that *teshuvah* isn’t a reality given your time or place. Rather, repentance is always attainable, even though we may sometimes feel like it is out of reach for one reason or another.

Rashi offers a broader definition of this “mitzvah” and suggests it is referring to the entire Torah. The messages then are similar, but this interpretation is all-encompassing. It is our responsibility to acquire and attain the Torah. “*Shamayim*” (heaven) isn’t going to do it for us. Simultaneously, the contents of the Torah—the commandments, the stories, and the lessons—are accessible to everyone, not just the *chachamim* and *nevi’im*.

Beyond the charge these *pesukim* provide to Bnei Yisrael, they also serve as the basis for a halachic concept. Based in part on the phrase “*lo bashamayim hi*,” the Rambam codifies (*Hilchos Yesodei HaTorah* 9:1) that a prophet can’t override halacha, nor can he introduce a new law based on a heavenly prophecy. If a prophet tries to add, remove, or change mitzvos, we do not listen to him.

There is a well-known story in *Maseches Bava Metzia* (59b) that applies this principle as well. Rebbi Eliezer ben Hirkanus declared that a certain oven made out of separate coils of clay is not susceptible to *tum’ah* (impurity), while the Sages declared that it was. After failing to convince the other members of the Sanhedrin, he resorted to supernatural means to convince them. In support of his opinion, Rebbi Eliezer summoned a carob tree to uproot itself and walk across a garden. He then instructed water in a stream to reverse direction. Last, he ordered the walls of their study hall to support him, so they trembled and tilted inwards. After all of these miracles failed to sway the Sages, a *bas kol* (a heavenly voice) called out that the halacha should follow Rebbi Eliezer.

Unmoved by the supernatural display of support, Rebbi Yehoshua, the *av beis din* (chief of the court), responded with “*lo bashamayim hi*” — “It isn’t in heaven.” It doesn’t matter that the...
heavens testified on Rebbi Eliezer’s behalf. We follow the guiding principles given to us, including “acharei rabim l’hatos” — we follow the majority even if an individual sage might have gotten a law “right” in the absolute sense. The Torah tells us through these pesukim that the responsibility for interpreting the Torah rests on the chachamim of each generation, which they do by utilizing the system given to Moshe on Har Sinai, and then passed down to each generation. This can’t be overruled, even by Hashem! (Rebbi Eliezer’s refusal to follow this system ultimately led to him being excommunicated.)

The Gemara continues to describe how Rebbi Nisan asked Eliyahu HaNavi how Hashem reacted to their decision to ignore the miracles and the bas kol, and rule against Rebbi Eliezer. Eliyahu said that Hashem’s response was “nitachuni banai” — “My children have been victorious over me.” Hashem rejoiced in the fact that they followed the system He had put in place for the development of Jewish law. This is exactly how Hashem wanted the halachic process to play out.

The compelling question is: why not follow the bas kol? If Hashem reveals absolute truth to us, why doesn’t He want us to follow that? Aren’t the Sages simply trying to uncover the truth? Perhaps it is counterintuitive, but Hashem is not looking for us to follow absolute truth. Rather, Hashem’s goal is to create a partnership with us. Hashem wants us, Bnei Yisrael, involved in the creation and shaping of halacha. He wants us to partner with Him in this process.

This isn’t the only time we see how much Hashem values His partnership with mankind. During the story of creation, Hashem introduces the creation of man by saying (Bereishis 1:26) “na’aseh adam b’tzalmeinu” — “Let us make man.” Why is it plural? With whom was Hashem consulting? One answer is that Hashem was talking to mankind. We are created in an imperfect state (as opposed to all other creations). Hashem started the creation process, and we are invited, and charged, to do our best to continue and complete it — by reaching our potential.

This partnership is also emphasized in the difference between the first and second set of luchos, tablets. There was one main difference between the first set of luchos — which Moshe ultimately smashed in response to the sin of the Golden Calf — and the second set. While Hashem wrote on both of them, Hashem only carved out the first luchos. Moshe had to carve out the second set, upon which Hashem then wrote. Ultimately it was the second set that endured. I heard from Rabbi Eli Rubin that it endured because that was where Hashem and mankind partnered together. The creation of that second set involved both Moshe and Hashem, in partnership.

Until now, we have advanced the theory that even though it may not lead to absolute truth, we follow the halachic process and utilize the tools given to the chachamim, like following the majority. Perhaps, though, there is no absolute truth when it comes to halacha. There is some debate about what Hashem gave Moshe on Har Sinai. If Moshe was given both Torah She‘bichsav (the Written Torah) and Torah She‘ba’al Peh (the Oral Torah), how are there machlokos, arguments, in the Gemara? There are a few approaches to this. One understanding is that Hashem gave Moshe all of Torah She’ba’al Peh. With all of the transmissions over the generations, some of the details were lost. The Sages seek to rediscover them, and that is where machlokos come from. Another explanation is that Hashem only gave Moshe the general principles, but left it up to the chachamim to apply them. The application of them is where there are disagreements. [See Rambam’s introduction to Seder Zeraim.]

A third approach, based on the Yerushalmi (Sanhedrin 4:2) is that Hashem taught Moshe 49 reasons to prohibit each situation and 49 reasons to permit those very same situations. Hashem gave Moshe and the chachamim all of the logic and tools, along with the ability to determine what “truth” is. As Rav Chaim Navon of Yeshivat Har Etzion beautifully explains (article available at etzion.org.il/en/download/file/fid/4477):

The act of Torah study is not aimed at uncovering and revealing an absolute truth, but at creation and advancement. In this respect, Halakha is closer to a work of art than to a rigid mathematical system, in that it does not require a specific and unequivocal conclusion. ... With respect to the Oral Law, the concept of “truth” is meaningless. The Torah student is not required to strive for the absolute “truth” that is concealed in God’s hidden places. The Torah serves as raw material for human creation, and man must develop the Torah in the direction that seems right to him.

This approach can also give meaning to a well-known phrase from the Gemara in Eruvin (13b). The Gemara states that for three years Beis Hillel and Beis Shammai argued. Each one said the halacha was according to their opinion. In the middle of this argument, a bas kol came out and said:
These and these are the words of the Living God, and the law follows Beis Hillel.

Rav Yaakov Kamenetsky, Emes L’Yaakov, Eruvin 6b, understood that the argument was not an ordinary argument but a very broad argument about the nature of halacha: who do we follow when we have a majority and a minority, but the minority is a little bit sharper? Beis Shamai argued that you follow the sharper group. Since they are sharper, they will find the absolute truth. Beis Hillel maintained that we follow the majority. Even though it may not be the absolute truth, we follow the majority since it better reflects true human intellect. While the heavenly voice states that both are the words of Hashem, it also concludes that the halacha follows Beis Hillel. In practice, we have to choose an opinion to follow. But fundamentally, “both these and these are the words of the Living God.”

Rav Navon explains that this Gemara can be understood simply — “since there is no single halakhic truth, both opinions are equally legitimate and ‘true’. Both are considered a legitimate development of halakha.” Therefore, machlokes isn’t a bad thing, and may even be desirable.

Similarly, in his introduction to Choshen Mishpat, Rabbi Yechiel Michel Epstein, author of the Aruch HaShulchan, says:

On the contrary, this is the glory of our pure and holy Torah. The entire Torah is called a song, and the splendor of a song is when there are different voices; this is the essence of harmony. Anyone who sails the sea of the Talmud will discern the harmony rising from all the different voices.

Mankind’s partnering with Hashem in the creation of halacha is harmonious to Hashem.

Students have asked me if the way we currently do things is the way Hashem intended. “Did Hashem really mean for us to have two sinks, two sets of dishes, etc.?” “Did Hashem really intend for us to soak our strawberries in soapy water to rid them of bugs?” “Did Hashem intend for us to not be able to turn a light on or watch TV on Shabbos, the day of rest?” Perhaps we can now meaningfully and confidently answer these questions. Hashem didn’t have a particular picture in mind; Hashem asked us to help Him paint the picture and determine what it should look like.

This idea — that we partner with Hashem in all ways and even play a role in painting the landscape of the world — resonates with the way my father lives his life. With the support of my mother, he has dedicated his entire life to answering the call to help the Jewish community raise their different voices in harmony to partner with Hashem in tikun olam, perfecting the world. May we all merit to contribute our voices to this harmony as well, and truly partner with Hashem.
Much can be learned from the matan Torah narrative. We often focus on what Bnei Yisrael received during matan Torah and how B’nei Yisrael responded to the experience. But there are many leadership lessons that can be gleaned from the experience at matan Torah.

The text states that in preparation for matan Torah, Moshe traveled up and down the mountain numerous times to communicate with G-d and Bnei Yisrael:

וּמֹשֶׁה עָלָה (פס' ג) ... וַיֵּרֶד מֹשֶׁה מִן-הָהָר
(פס' יד) ... וַיַּעַל מֹשֶׁה (פס' כ) ... וַיֵּרֶד מֹשֶׁה,
אֶל-הָעָם; וַיֹּאמֶר, אֲלֵהֶם (פס' כה).

And Moses went up (v. 3) ... And Moses went down from the mountain (v. 14) ... And Moses went up ... So Moses went down unto the people, and told them (v. 25).

Shemot ch. 19

Climbing a mountain, even Mount Sinai, is no small trip. So why did Moshe find it necessary to make multiple trips up and down the mountain? And was Moshe at the top of the mountain with G-d or at the bottom of the mountain with the people for the Aseret Hadibrot?

Perhaps Moshe’s frequent trips between G-d and Bnei Yisrael reflect his effective leadership style. Even in the throes of preparing for matan Torah with G-d, Moshe continued to focus on the needs of the people by repeatedly returning to them at the bottom of Mount Sinai. But Moshe needed to return to G-d at the top of the mountain to continue focusing on the bigger picture and broader vision for Bnei Yisrael.

R’ Shmuel Goldin, in his work Unlocking the Torah Text: Shmot, discusses where Moshe was located during the Aseret Hadibrot. He notes that Midrash Rabba suggests that Moshe needed to be with the people when the Aseret Hadibrot were given because G-d wanted to make it clear that the Torah was coming from G-d and not from Moshe.

Rav Shimshon Raphael Hirsch (Shemot 19:25) also believes that Moshe stood with the people during matan Torah. However, the reason Moshe stood with the people was not to emphasize the Divine origin of the Torah, but rather to teach Bnei Yisrael that Moshe was receiving the Torah just like they were. This was an important message for the people to understand and an important reminder for Moshe — the people needed to recognize that Moshe was part of the nation, obligated in the laws like all other members of Bnei Yisrael, and Moshe was reminded of the importance of understanding the lives of the people. This experience points to the important balance the leader must maintain between leading the people and understanding the people in a thoughtful way.

Immediately following the matan Torah narrative, the Torah pauses in the story and discusses numerous laws in Parshat Mishpatim. This is unusual. Why would G-d interrupt the story of making a nation with a long list of laws? Rabbi Lord Jonathan Sacks suggests that Mishpatim interrupts our narrative in order to connect this great vision for our nation that we just heard from G-d — the broad concepts of our purpose, including the Aseret Hadibrot — to the details of how to actualize that vision. Mishpatim explains the legal system that guides us toward making this vision a reality. We, as Bnei Yisrael, need not only a shared narrative and broad vision, but also a system to actualize that vision.

By structuring the texts this way, G-d is providing a model for successful leadership. A leader must focus on a compelling vision and a detail-oriented plan to execute it.

Once Bnei Yisrael received the laws, the narrative continues with cheit ha’egel (the sin of the golden calf), and
again we see a leadership lesson:

They have made themselves a god of gold. 32. And now, if You forgive their sin [I am satisfied,] But if not, erase me now from Your book, which You have written.” 33. And the Lord said to Moses: “Whoever has sinned against Me, him I will erase from My book!” 34. And now go, lead the people to [the place] of which I have spoken to you. Behold My angel will go before you. But on the day I make an accounting [of sins upon them], I will bring their sin to account against them.”

**Shemot Chapter 32 (Judaica Press Translation)**

What do we learn from Moshe’s reaction to G-d?

Moshe continued to focus on the needs of the people by repeatedly returning to them at the bottom of Mount Sinai. But Moshe needed to return to G-d at the top of the mountain to continue focusing on the bigger picture and broader vision for Bnei Yisrael.

Absence these people, the larger vision crumbles. Therefore, Moshe did not want any part of it.

The experience at Sinai is a critical moment of the Jewish narrative that teaches us many lessons in leadership. Moshe was a leader who understood that his role as leader included seeing the bigger picture, the vision for the nation, and understanding the perspectives and needs of the people. Ultimately, Moshe set the example for us by emphasizing that you can’t forfeit the people for the vision.

Moshe’s sincerity and true caring for the people motivated him to defend the people with his life. What could be a greater example of a leader completely committed to his people?

I have had the opportunity to watch my father, with the incredible support of my mother, be a thoughtful and compassionate leader in many settings. Motivated by a desire to make the world better and, in particular, to make Jews feel connected to their Judaism in a meaningful way, my father has truly taken to heart the example set by Moshe Rabbeinu. He has consistently prioritized personal relationships with people while also articulating and implementing a vision for Yeshiva University. Both of these aspects of his leadership are truly inspiring.

Moshe continued to focus on the needs of the people by repeatedly returning to them at the bottom of Mount Sinai. But Moshe needed to return to G-d at the top of the mountain to continue focusing on the bigger picture and broader vision for Bnei Yisrael.
Reflections on a Presidential Chavrusa: Lessons from the Fourth Perek of Brachos

There is a photograph that hangs between the Gottesman Library and the Glueck Beit Midrash that shows President Richard Joel, former Vice President Jeff Rosengarten and me sitting at a table on the upper floor of “the beis.” At one point, rumor had it that it was a posed picture, set up to make it look like we were learning; in fact, however, we had opened a volume of Rambam’s *Mishneh Torah* and were experiencing, for the moment, the bracha that so many of our students get on a daily basis: the overwhelming experiential gestalt that inheres Torah study in such an awe-inspiring place, surrounded by the melodic cacophony of several hundred chavrusa pairs alternately yelling at or with their study partners, mentors and Rebbeim.

I do not recall whether it was immediately after that study session or soon thereafter, but the President and I committed ourselves to finding whatever time we could to learn together *be-chavrusa* in the newly-consecrated beis midrash. We chose to start with the fourth perek of *Brachos* for a variety of reasons, and the lessons that we shared about Torah and life could fill volumes. There are a number of lessons President Joel has taught us over the years that find resonance through this chapter as well. For now, in honor of the yom tov that celebrates matan Torah, and in honor of my mentor, friend and chavrusa, I present the following six *divrei Torah*.

**1. Ask questions**

One of the lessons President Joel constantly taught was the importance of asking questions. When we approach a Mishna, we use the same...
technique; so for example, the first four words of our first Mishna beg understanding:

מתקין תפלה בחרה עד זהרה.

Mishna: According to the Rabbis, the morning prayer may be recited until noon.

תפלה—Which prayer in the morning is being referenced? The entire morning service? Are we continuing the discussion in the previous perakim about the Shema? The berachos before and after? Yes, the third perek parenthetically discusses some details surrounding tefillah, but it is not made clear at the outset what it signifies until we arrive at this perek.

השחר—What does morning mean? Is it until the fourth hour or midday as the Mishnah debates? Moreover, when does the morning begin?

עד—Even a seemingly unassuming word, “until,” must be examined, as the Gemara later wonders whether it means “up to” or “up to and including.”

חצות—What is the definition of midday? How do we even understand time? Can an hour mean something different from one season to the next? Is time truly fixed or can it fluctuate depending on the month and time of year? Moreover, why must prayer be delimited to a set time? Might there be a chance for a do-over?

2. It’s not enough to ask questions; recommend solutions

The very first words of the Gemara on the aforementioned Mishna present a challenge: ureminhu, a citation that seems to contradict the Mishna, or at least introduce a dialectic not at first apparent in the earlier text. According to the challenging statement, tefillah begins with sunrise in order to connect geula, redemption, with tefillah. The question, then, in and of itself provides solutions to two of our questions above: a) it sheds light for us that tefillah refers to the Amidah, or Shemoneh Esrei, not the Shema; and b) that the day begins at sunrise.

Although the Gemara seems to be challenging and questioning, it is simultaneously fleshing out the halachah and ironing out the details by suggesting and proposing solutions! Though President Joel always welcomed questions and enjoyed parrying through give and take, he also insisted that we question, look for answers, and focus on solutions and not just the problems.

3. It’s not enough to be right

The Gemara in Berachos on 28b, details several provocative incidents between Rabban Gamliel and Rabbi Yehoshua, where the former, the Nasi of the Sanhedrin at the time, forces the latter to admit his erroneous opposition, thereby embarrassing him. The situation grew so intense and dire that eventually Rabban Gamliel needed to be deposed from his position. As President Joel points out, “Ok, so you’re right. It’s not enough.” It is not enough to be right, one must act righteously as well. Often people are blinded by their drive to win, to be accurate; the lesson we can learn from The Gemara, as emphasized by President Joel, is that one needs to also focus on how to work toward a united goal, not to fracture the whole in the process of working toward a better answer.

4. We can both be right, even though we disagree

The Gemara details a lengthy debate as to the source of the daily tefillos, whether they were established by our ancestors, tefillos avos tiknum, or whether they derived from the sacrificial services, tefillos keneged tmidim tiknum. Proofs are cited in support of both sides, but in the final analysis, both answers are accepted: our ancestors established the tefillos and the Rabbis related them to the sacrificial services.

This combination of the two sides, however, need not have been necessary. At one point, the question is raised for the position supporting the ancestors’ origination: “from where do we get Mussaf (the additional service)?” In our study, we suggested that it seems one could posit a linguistic parallel between this additional prayer, Mussaf, and Yosef, one of the descendants of Yaakov, as they seem to share the same root. Later, we found that the Or Gedalyahu on Moadim (page 146) suggests the same idea — that perhaps we can learn about Mussaf from Yosef. Thus, we might have truly been able to derive all of the tefillos from the Avos. However, the Gemara did not give such an answer, possibly preferring to teach that at times, a beneficial solution might derive from approaching a dilemma via two directions and solving it while providing the opportunity to benefit from both sides. Thus on a daily basis, we hearken back to the original prayers of our ancestors while also connecting our actions and service to the Beis Hamikdash.
5. With respect

President Joel has always promoted a harmonious approach in discourse, as he says, “to disagree agreeably.” We can profoundly disagree on major issues, but we must do so in a respectful manner, appreciating the tzelem Elokim, the Godly image of all those with whom we engage. The Gemara in Berachos 27b, explains that a person cannot daven behind his Rebbe, as this would perhaps make the Rebbe wait for the student to finish praying before the Rebbe may finish his own Amidah. In fact, the Gemara says that a person who would daven behind his Rebbe causes the Divine presence to be distanced from B’nei Yisrael. Thus, not just one’s intentions, but one’s actions matter, and respect and consideration must be given to the context within which one stands.

Based on this and a series of related discourses in the Gemara, we discussed the dialectic between those who are b’nei Torah and those who are b’nei yeshiva. The former is to be lauded for his dedication to Hashem’s timeless Torah teachings and ideas; but the latter attains an even higher plane, as a ben yeshiva also recognizes the prerequisite respect for a Rebbe and his place within the context of the place of study, the place of prayer. As we find ourselves leaving the period of Sefiras ha-Omer — a period when we mourn the lack of respect of the students of Rabbi Akiva for each other — and as we head to the yom tov of Sefiras ha-Omer, we find ourselves leaving the period of study, the place of prayer. As we head to the yom tov of Sefiras ha-Omer — a period when we mourn the lack of respect of the students of B’nei Yisrael. Thus, not just one’s intentions, but one’s actions matter, and respect and consideration must be given to the context within which one stands.

6. Tocho Ke-Varo

President Joel often comically quotes a UJA fundraiser who once remarked, “The absolutely most important thing to develop is a sense of personal integrity. Once you can fake that…” This approach, which certainly was meant in jest, is not often lived in jest. Especially when we contrast this notion to the Gemara (Berachos 28a) that states that Rabban Gamliel only let someone who was “tocho ke-varo” (literally “his inside is like his outside”) into the study hall. President Joel would often posit that an essential leadership quality is to be honest with yourself about who you are — and to share that wholeness with others; to make yourself vulnerable is to make yourself truthful. In order to lead, people must see you as genuine. In order to advance a cause, your team must trust that you are wholeheartedly committed. In order to affect others, people need to believe in you as you truly are. This sixth lesson represents the value of a role model. By taking time to learn in the beis midrash, President Joel showed that the role model of “lay kodesh” that he so often spoke about is best exemplified by President Joel himself.

With these few and humble lessons, my intent is to display some of my world, having merited a deep and meaningful relationship with a man who has been a mentor, a friend, and a source of inspiration for many years. As our professional relationship evolves I will cherish our chavrusa even more, as we continue to try to find ways to learn together. Thank you President Joel, not just for transforming Yeshiva into the beacon it is today, but also for who you are and for allowing me to greatly benefit from a relationship with such a remarkable person — and chavrusa.

Deriving Ethical Messages from Talmud Study
R. Yechiel Yaakov Weinberg HaDarom (Vol. 19, pg. 178), writes that until R. Yisrael Salanter, ethical development and the study of Gemara were treated as two separate realms. R. Yisrael Salanter stressed the importance of finding ethical messages in one’s study of Gemara, the mussar bahalacha. This idea is consistent with R. Yisrael Salanter’s general approach to studying Torah. In Ohr Yisrael (no. 27), he writes that the mitzvah of mastering Torah supersedes the mitzvah to constantly study Torah. The mitzvah to constantly study Torah would not provide an allowance for someone to seek out a means of improving the quality of one’s studies such as travelling to a yeshiva in another town or sleeping more in order to focus. It is only because of the mitzvah to master Torah that one can spend less time studying in order to focus on the quality of one’s studies. However, this is only true when the individual is someone who is working on ethical development and yirat shamayim (fear of heaven). If one has mastered the Torah but did not use that as an opportunity to become a refined individual, it would have been better to focus on quantity. Talmud Torah is not simply a means of collecting information. It is part of a process of becoming a complete individual who lives the ideals of the Torah.
Rabbi Norman Lamm, shlita, in a derasha reprinted in his book *The Royal Reach*, points out that while we often speak of the “quiet before the storm,” the inverse occurred at Sinai.

There was most certainly a “storm”:

תַּחַת אֵלֶּה לְךָ קֹלֹת וּבְרָקִים וְעָנָן כָּבֵד עַל הָהָר וְקֹל שֹׁפָר חָזָק מְאֹד וַיֶּחֱרַד כָּל הָעָם אֲשֶׁר בַּמַּחֲנֶה

It came to pass on the third day when it was morning, that there were thunder claps and lightning flashes, and a thick cloud was upon the mountain, and a very powerful blast of a shofar, and the entire nation that was in the camp shuddered.

Shemot 19:15

All of this, however, occurred before the giving of the Torah. The actual revelation, according to Chazal, unfolded with a backdrop of utter cosmic silence.

א”ר אבהו(NAME)ר’ יוחנן: כשנתן הקב”ה את התורה צפור לא צווח עוף לא פרח שור לא געה אופנים לא עפו, שרפים לא אמרו קדוש קדוש הים לא נזדעזע הבריות לא דברו אלא העולם שותק ומחריש ויצא הקול אנכי ה’ אליך.

Said Rabbi Abbahu in the name of Rabbi Yochanan: When the Holy One gave the Torah no bird screeched, no fowl flew, no ox mooed, none of the ophanim flapped a wing, nor did the seraphim chant “Kadosh Kadosh Kadosh,” the sea did not roar and none of the creatures uttered a sound. Throughout the entire world there was only a deafening silence as the Divine Voice went forth speaking: “I am the L-rd your G-d.”

Shemot Rabbah 29:9

“Greatness,” explains Rabbi Lamm, “is born out of the womb of stillness.” There is no doubt that G-d could have spoken loudly enough to be heard over the din of His creation. Instead, the world is given the opportunity to partner with the Divine at the moment of revelation. He speaks, it stands quietly in awe. In the words of Rabbi Lamm, “The word of G-d comes forth when the words of man come to an end.”

G-d’s offer to partner with mankind continues to this day and His voice, in a certain sense, can still be heard. In *Parshat Va-etchanan* we are told:

The Lord spoke these words to your entire assembly at the mountain out of the midst of the fire, the cloud, and the opaque darkness, with great voice, “velo yasaf.” And He inscribed them on two stone tablets and gave them to me.

Devarim 5:19

What does the pasuk mean when it says “velo yasaf”? Those two words can be understood to mean “He added no more.” But the exact opposite translation is also valid. Onkelus translates:

יתַכְּפִיָא הָאִלֵין מַלִיל הָאָלָה עִם כָּל קְהֻלְכֶּם בְּטוּרָא מִגוֹ אֶשָּתָא עֲנָנָא וַאֲמִיטְתָא קָל רַב וְלָא פְסַק.

These words spoke the Lord with all your congregation at the mount, from the midst of the fire, the clouds and the darkness, with a great voice, and has not ceased.

Rabbi Yehoshua ben Levi in *Pirkei Avot* presents a similar idea (6:2):

אמר רב יוחנן בן זקאי: כל יום ובא קול מבית המקדש._And every day, an echo resounds from Mount Horeb (Sinai)._

In the words of Rabbi Lamm: “Since that first Shavuot, the Divine Voice still broadcasts on the same heavenly wavelength from Sinai every day. So why do we not hear it? Why are we not moved to teshuvah or introspection every day?”

The answer is simple: We expend tremendous effort to make sure that there is never a moment of silence — a moment to think and to listen. Rabbi Lamm was addressing an audience in the 1960’s and asking them to “sit still, for Heaven’s sake.” Today, the obsession to keep our senses flooded has reached levels unimaginable in past generations. Walking, driving, sitting, standing; we are attached to our smartphones and are listening, watching, communicating, and reading. We multitask, doing and accomplishing everything — except for the critical task of living in the moment and...
contemplating the world around us. We dread those moments of silence, but they are so important for introspection and listening for the voice of Hashem.

It is noteworthy that the holiday of Shavuot is bereft of its own unique mitzvot. There are no lulavim to shake, sukkot to dwell in, matzot to eat. There is just — quiet. We are asked on Shavuot not to do — but to listen. Ironically, the yom tov that marks Klal Yisrael’s momentous proclamation of “naaseh ve-nishma” is commemorated through listening first and only acting later. Perhaps we have already proven our ability to fulfill “we will do.” On Shavuot, we are asked to fulfill the second part of our promise — “we will listen.”

But we need not wait for Shavuot, or even for Shabbat, to find the quiet we so desperately need. Rabbi Yehuda HaLevi in his Book of the Kuzari (3:5) explains that tefillah is to the day what Shabbat is for the week. Just as we must stop for twenty-four hours every seven days, we must pause several times every day to reorient ourselves and remind ourselves of what is truly important. Our moments of prayer provide us with an island of quiet in a world of deafening confusion.

Where is the word of G-d to be heard at those moments of quiet meditation? Rav Avraham Yitzchak HaKohen Kook, in the first introductory essay to his siddur, Olat Re’iyah, makes a fascinating suggestion: Our souls — the portion of G-d within us — can “speak” and can sometimes even be heard. Our neshamot speak words of truth — G-dly words, through which we can properly learn values and set our priorities.

When can we hear our souls? Perhaps at any moment of quiet in which we truly take time away from the world. However, our souls “speak” very softly and are difficult to hear. Tefillah, if not rushed, can allow for such a time.

There is one time, however, that we can hear them loudly and clearly — when we mouth the words of the tefillot. The words of the siddur, which often seem disconnected from our everyday lives and our priorities, express the true desires of our souls. By listening to our prayers, we hear our souls talking. In fact, Rav Kook explains, our souls pray to G-d without interruption. Most of the time, we cannot hear those beautiful tefillot. Only three times a day do we give a “voice” to the tefillot emanating from our neshamot.

Have we ever considered the possibility that during tefillah, the word of Hashem is actually coming to us? It has been said that when we learn Torah, G-d speaks to us, and when we pray, we speak to G-d. But we rarely pray to G-d using our own words alone. We use texts that speak to us, even as we are speaking to G-d. These texts were written by those who understood neshamot and G-dly priorities — the Anshei Knesset HaGedolah — with prophets among that group.

Rav Shimshon Raphael Hirsch famously explains that the word “le-hitpalel” comes from the root פלל — which means to judge. When we pray, we judge ourselves. What does this mean? Are we supposed to ask ourselves with each middle berachah of Shemoneh Esrei whether we are truly worthy of being granted our request? Rav Yosef Albo (Sefer HaIkkarim) says absolutely not. Tefillah is a request for mercy. We ask Hashem not for our due but to shower love upon us, as a father would upon his children.

What, then, does it mean that we “judge” ourselves during tefillah? Perhaps we evaluate ourselves and our

When we use the words of the siddur, we can compare our priorities in light of the text composed by our Chachamim. If I would have asked Hashem for a different set of things, I must ask myself: Are my priorities correct or did Chazal perhaps have a greater understanding of what really matters?
priorities by listening to the words we utter to G-d.

When we speak in our own words, and listen to ourselves, we must challenge ourselves: Am I asking for the right things? How will I use the things I ask for? Will they truly help me in my avodat Hashem? Are there others I should be praying for — or am I asking only for selfish needs?

When we use the words of the siddur, we have an even greater opportunity to judge ourselves by comparing our priorities — the hopes and desires that we would pray for if left to devise our own prayers — in light of the text composed by our Chachamim in the Amidah. If the themes of the berachot seem foreign to us, if we would have asked Hashem for a different set of things, we must ask ourselves: Who is right and who is wrong? Are our priorities correct or did Chazal perhaps have a greater understanding of what really matters? And if our prayers give voice to our own neshamot, might we, deep down, know the truth but need daily reminders?

For example, the latter half of the requests in the weekday Amidah are for the national aspirations of Klal Yisrael — from kibbutz galuyot through the Mashiach. If I would not have “used” half of the requests in my weekday Amidah on these aspirations, what does that say about my priorities?

The berachot, as the Gemara tells us in Megillah 17b-18a, are in a very specific order. If I would have, for example, asked for health (Refa’einu) and wealth (Bareich aleinu) before understanding (Ata chonen) and repentance (Slach lanu), do I, perhaps, have something to learn from the text of the Shemoneh Esrei?

The Shulchan Aruch (Orach Chaim 101:2) instructs us:

One should not pray just in his heart (without saying the words) but one must actually say them with his mouth in a whisper that can be heard by his ears, but not as loud as one’s voice. And if he is unable to concentrate with just a whisper, it is permitted to raise his voice, and the words remain with him, but in public it is not permitted to bother anyone else with this.

The Amidah must be said softly — so that my fellow mitpalelim aren’t distracted, but loud enough for me to hear myself. Yes, it adds to my level of concentration when I can hear myself. But this halacha may be about something more. I may be listening to my own tefillot — listening to their messages and listening to my soul. As I whisper the Shemoneh Esreh — having blocked all other sounds and distractions — I hear a kol demamah dakah, the calling of my soul, the truths of G-d revealed through our Sages, as passed on through our prayer-books for millennia. I have much that I can learn if I listen to that voice.

As I write this piece in honor of our outgoing President Richard Joel, I must conclude with a personal thank you to our Nasi. By nature, I am more resistant than almost anyone to the experience of calm silence. On many occasions, President Joel has steered me to step back, to take the time to just listen and take in the beauty around me. The voice of Hashem can be heard thundering in the walls of our Beit Midrash and in the still quiet voice of acts of kindness and greatness around the campus. Much is missed (including large objects that one can and will walk into!) if one runs around our holy campus with their eyes glued to their phone or their list of tasks to complete. Thank you for opening my eyes, my ears and my soul!
The most iconic image associated with matan Torah is surely the one described in the Gemara (Shabbat 88a):

ויתיצבו בתחתית ההר א"ר אבדימי בר חמא בר חסא מלמד שכפה הקב"ה עליהם את ההר כגיגית ואמר להם אם אתם מקבלים התורה מטוב אם לאו שם תהא קבורתכם.

“And they stood bi-tahtit of the mountain” (Shemot 19:17). Rav Avdimi son of Hama son of Hasa said, “This teaches us that The Holy One, Blessed be He, suspended the mountain over them as a vat (gigit) and said to them, ‘If you accept the Torah, good. But if not, there will be your burial place.’”

Rav Avdimi interprets the unusual word tahtit as if it were tahat, meaning “under,” probably influenced by a verse later in the Torah where that image is explicitly indicated, "And you approached and stood under (tahat) the mountain" (Devarim 4:11). In this view, at matan Torah, the Jews stood, literally, under Har Sinai and were presented with an ultimatum: either you accept the Torah or you will die.

This vision of the ultimatum offered the Jews under the mountain at the moment of Revelation is also found elsewhere in rabbinic literature. In describing how the Nations of the World will seek reward from God at the End of Days, the Talmud (Avodah Zarah 2b) records that their claim will be rejected because they refused to accept the Torah even after being offered it by God. Their retort, in the words of the Sages, will be, “Master of the Universe, did You suspend the mountain over us as a vat as you did to the Torah, they all made up their minds alike to accept the kingship of God with joy,” and goes on to note that “God appeared on Mount Sinai like an old man full of mercy.”

For me the most compelling expression of this perspective is found in the comment of Mekhilta de-Rabi Yishmael on the verse, “And they stood bi-tahtit of the mountain” (Shemot 19:17):

It teaches us that the mountain was uprooted from its place and they [the people of Israel] came near and stood under it, as it is said, “And you approached and stood under the mountain” (Devarim 4:11). Of them it is declared in the traditional sacred writings, “O my dove in the clefts of the rock” (Shir ha-Shirim 2:14)."

This verse in Shir ha-Shirim, invoking the image of the Jews under the mountain at Revelation like a dove is found in the clefts of the rock, is also found in Mekhilta de-Rabi Shimon ben Yohai and Midrash Rabbah Shir ha-Shirim.

Why is a dove found in the clefts of the rock? It is fair to assume that...
it is seeking protection from the elements rather than continuing to feel vulnerable to them; resting under the outcropping of the rock enables the bird to feel safe and secure. Now imagine the Jews standing at the foot of Mount Sinai exposed to the merciless heat of the summer sun in the desert. How uncomfortable they must have felt. How unpleasant and even painful the experience must have been for them! Who can concentrate on hearing the words of Moshe, or even God Himself, in such a distressed position? And so, sensing the aggrieved state of the Jewish people, God lifted the mountain over them to provide shade for them, to protect them from the sun, like the dove is protected by finding shelter in the clefts of the rock. Now, as a result of God’s kindness, they were in a much better position to focus on what they were hearing. Yes, the image is the same. The Jews were, indeed, under the mountain, but gone is the sense of ultimatum, coercion, compulsion or duress. In its place we have God’s love, God’s sensitivity, God’s protection. We can now better appreciate a different statement in the Midrash, which I heard from my father, Rabbi Herschel Schacter z"l. God’s arranging for the Jewish people to be in the shadow of Sinai was, indeed, a most clear indication of how beloved they were by Him.

So which is it? Were the Jewish people forced into accepting the Torah or did they accept it voluntarily, with great joy? Was God being coercive or was God being kind? This is the subject of much discussion but I would suggest that, ultimately, both are true. On the one hand, it is imperative that we submit to God’s will and devote ourselves to following what we believe to be His commandments. We should experience our commitment to Torah and mitzvot as if we were coerced into observing them, as if we have no choice in the matter at all. And, at the same time, we should appreciate the gift that God kindly bestowed upon us by granting us the opportunity to live our lives blessed by the warmth and the specialness of Jewish life and Jewish living. To borrow from Rabbi Joseph B. Soloveitchik’s description of what he learned from his mother, “Judaism expresses itself not only in formal compliance with the law but also in a living experience. She taught me that there is a flavor, a scent and warmth to mitzvot.” Judaism is both, requiring compliance and providing warmth.

On this holiday of Shavuot, then, when we invoke the image of our ancestors under Har Sinai at the great moment of Revelation, we reaffirm that our observance of mitzvot is motivated by these two dimensions. We do so, one, because we have no choice, and two, because we appreciate how meaningful they are for our lives. Indeed, we would choose to observe them even were we not obligated to do so.

It is my pleasure to contribute to this collection of essays in honor of Yeshiva University President Richard Joel as he completes his tenure as the leader of our institution. Reflecting upon his many very significant contributions, I want to conclude with an insight on this Talmudic passage that I heard from my father, Rabbi Herschel Schacter z”l.

There is one word that is out of place in this rabinic formulation. In the view of Rav Avdimi, God held the mountain over the Jewish people at Sinai and said, “If you accept the Torah, good. But if not, there will be your burial place (sham tehei kevuratkhem).” There will be your burial place? Should He not have said, “Here will be your burial place?” Would it not have made more sense for the text to have read, “If you will not accept the Torah, I will drop the mountain on top of you and you will die right here”? True, it is interesting to note that the version of this statement in the Mekhilta de-Rabi Shimon ben Yohai does in fact read, “If you accept upon yourselves the Torah [good], and if not here [kan] will be your burial place.” What is the significance of the “there (sham)” in the Talmudic version?

The answer lies in understanding the particular choice of the “kafah aleihem har ki-gigit” image adduced here. Gigit means vat or “something arched, roofing, a huge vessel, tub, tank (for brewing beer).” Kafah, similar to kipah, or dome, gives the impression that the Jews were not under the vat or mountain, but in the mountain, surrounded on all sides by the mountain. The Maharsha, in his commentary on this passage in Shabbat uses the phrase “betokh ha-tahtit.” Perhaps, then, we can understand the choice of the word sham. Imagine trying to kill a fly not by hitting it but by trapping it inside a glass. It will live for a while but, soon, it will tire and die. So too the Jewish people, suggested my father z”l. God was telling them, “If you accept the Torah, good. But if you will not do so, you will continue to live for a while just like all the other nations around you, the Hitim, Hivi, Yevusi, Emori, and Gergashim. They too will continue to exist without the Torah. But sham,
there, in the future, down the long road of history, tihiyeh kevuratchem, you will be buried. You will not be able to sustain eternal existence without the Torah. At some point I guarantee you that you will disappear, just as all those other nations will disappear.”

Torah assures the eternity of the Jewish people. Creating, sustaining and nurturing institutions of Torah assures the future of the Jewish people. And here we are in President Joel’s debt. He has devoted a lifetime of service to the Jewish people, culminating in the last fourteen years at the helm of our institution. We are deeply grateful to him for all his mi-mekomo interpretation [is] that the mountain was held over them like a vat (ve-nikhpah aleihem ki-gigit). Notice that the source Rashi gives for this second interpretation is a midrashic text. Indeed, the first half of his comment, the words “she-nitlash ha-har mi-mekomo,” appear in the midrash (Mekhilta de-Rabbi Yishmael) and not in the Talmud. The second half, “ve-nikhpah aleihem ki-gigit,” invokes language found in the Talmudic passage and not in the midrash. I thank my son-in-law, Corey Tarzik, for drawing this interesting point to my attention many years ago.


2 The Talmud itself is sensitive to this assessment because it immediately wonders (Shabbat 88a, s.v. et divrei ha-am) why any Jew can ever be faulted for not observing the Torah since it was originally accepted only under duress.


4 Midrash Rabbah Shir ha-Shirim 1:2:2, 1:2:3; Pirkei de-Rabi Eliezer, Chapter 41; Mekhilta de-Rabi Yishmael, Masekhta de-ba-Hodesh, Yitro, Parshah 6, beginning (Weiss edition, p. 74b; Lauterbach edition, p. 319). See too Rashi, Shemot 19:9, s.v. et divrei ha-am.

5 Mekhilta de-Rabbi Yishmael, Masekhta de-ba-Hodesh, Yitro, Parshah 3, end (Weiss edition, p. 72b; Lauterbach edition, p. 307).

6 Mekhilta de-Rabbi Shimon ben Yohai, Yitro 19:17 (Hoffmann ed., p. 99); Midrash Rabbah Shir ha-Shirim 2:14:4.

It is interesting to note that it appears that Rashi conflates both of these sources (the Talmud in Shabbat and the Mekhilta de-Rabbi Yishmael) in his commentary to the verse, “And they stood bi-tahtit of the mountain” (Shemot 19:17). He writes, “According to the simple meaning (left peshuho) [it means] at the foot of the mountain. And its midrashic interpretation [is] that the mountain was uprooted from its place (she-nitlash ha-har mi-mekomo) and was held over them like a vat (ve-nikhpah aleihem ki-gigit).” Notice that the source Rashi gives for this second interpretation is a midrashic text. Indeed, the first half of his comment, the words “she-nitlash ha-har mi-mekomo,” appear in the midrash (Mekhilta de-Rabbi Yishmael) and not in the Talmud. The second half, “ve-nikhpah aleihem ki-gigit,” invokes language found in the Talmudic passage and not in the midrash.

I have dealt with the contemporary challenge of experiencing submission to God’s commandments while at the same time seeking to make them personally meaningful and resonant in my article, “Halakhic Authority in the Thought of Chief Rabbi Lord Jonathan Sacks” (New Milford and Jerusalem, 2012), 155-76. See above, n. 1.

11 Marcus Jastrow, A Dictionary (New York, 1950), 234. Rashi, Shabbat 88a, s.v. ggit, translates it as “a vessel in which beer is placed.”

12 I am reminded of the formulation of the Rambam (Hil. Melakhim 5:4) in connection with the Seven Nations, “their memory has already been lost (u-kevar avad zikram).”

Find more shiurim and articles from Rabbi Dr. Jacob J. Schacter at http://www.yutorah.org/Rabbi-Dr-Jacob-J-Schacter
It was my deep honor to work in President Richard M. Joel’s office for a number of years and to see first-hand his profound commitment and tireless dedication to enhance so many aspects of our Yeshiva, University and community. In honor of Shavuot I have chosen to focus on our minhag of beautifying our homes and mekomot Torah on Shavuot. This practice highlights but one of President Joel’s achievements; his spectacular beautification of our Yeshiva.

In addition to the many other aesthetic improvements to our Yeshiva’s campuses, President Joel is responsible for the construction of our gorgeous new Glueck Beit Midrash, which has added significant beauty to our Yeshiva. He was not content, however, with only enhancing our Yeshiva’s physical appearance. Through his sichot mussar and campaigns, he tirelessly combated the corrosive effect of cynicism that too often plagues batei medrash. Effectively he beautified our Yeshiva in the physical sense and improved our culture as well. Both of these constitute hiddur mitzvah. Maharsha in Shabbat 133b explains that hiddur mitzvah is a category that can be applied to mitzvot bein adam l’chaveiro as well as to mitzvot bein adam lamakom.

Through his hard work, our Yeshiva is now a far more beautiful, upbeat and positive place. Thank you President Joel for this, and for so much more.

There is a widespread custom to decorate our homes and shuls with trees and flowers on Shavuot. We will discuss the variety of reasons for this minhag, and the consequent practical implications in terms of the scope of the practice. Finally, we will discuss how and why this practice was met with controversy.

The earliest source of this practice is the Maharil:

> נוהגים להשטיח רצפת ב”ה בבשכים ובשושנים לשמחת הרגל.

It is our custom to spread the floor of the synagogue with fragrant spices and roses in order to enhance the joy of the holiday.

Sefer Maharil, Hilchot Shavuot

It seems from a careful reading of the Maharil that the practice was to place fragrant spices on the ground of the shul and this was a fulfillment of the general mitzvah of simchat yom tov.

Although every yom tov mandates simcha, the Gemara (Pesachim 68) teaches us that Shavuot is supposed to be more joyous than other festivals. Hence the practice was limited to Shavuot, and not other yamim tovim.

Rama’s citation of this minhag modifies it somewhat. Rama writes:

> ונוהגים לשטוח עשבים בשבועות בב”ה והבתים, זכר לשמחת מתן תורה.

Our practice is to spread grasses on Shavuot in the synagogues and the homes as a remembrance of the joy of receiving the Torah.

Glosses of Rama, Orach Chaim 494:3

According to Rama, the practice is to place grasses rather than spices, and the practice extends to homes as well as shuls. Moreover for Rama, the practice is based on matan Torah, rather than the generic joy of yom tov. Perhaps placing greenery to commemorate maamad Har Sinai is a fulfillment of the Torah prohibition against forgetting this formative event.

This practice was further extended by Magen Avraham (494:5) to place trees in shuls and homes to remind us that Shavuot is a time of judgment, when we are judged regarding peirut hailan (fruit trees). Effectively Magen Avraham is adding an additional reason for the practice. Consequently, for Magen Avraham, the practice involved the placement of trees rather than spices or grasses.

It is well known that the Vilna Gaon (Gra) opposed this practice. Gra felt that since the non-Jews place display trees during their holiday, our display of trees would constitute a prohibition of chukot akum (following the ways of the idolaters). Many of the later seforim ponder if Gra’s opposition to the practice in fact is at odds with the position of Rama.

Some suggest that there is no dispute. They contend that a careful read of Rama only supports the practice of placing grass, while Gra opposed
the extension of Magen Avraham to include trees. Although there is much merit to this argument, nonetheless many leading poskim including Aruch Hashulchan (495:6) understood that Gra opposed the placement of all forms of botany.

Others suggest that there is no dispute between Rama and Gra, and their differences are due to historical considerations. It is generally assumed that Gra opposed placement of trees because of the similarity between this practice and the Christmas tree that was introduced by Martin Luther in 1572 less than thirty years after Luther, may not have been aware of this practice. Gra, however, who lived 200 years later in Lithuania and was well aware of the practice, forbade it.

However, a careful read of the original source in Chayei Adam indicates that the non-Jewish holiday that concerned Gra was Pentecost rather than Christmas. An essential part of the observance of Pentecost involved decorating homes and churches with birches and other greenery. Chayei Adam writes:

הגר"א ביטל מנהג מלה?>>ית אילנות בעצרת,男神شعמשה אה קוח נפשם新浪财经ים אילנות והן שלשל (סקוריה" ואילניאי
שעתעניא" עד פניםם').

Gra nullified the custom to place trees on Shavuot because now it is the custom of non-Jews to place trees on their holiday (which is called Zielone Świątki or Pfingsten).

Chayei Adam 131:13

Chayei Adam identifies the non-Jewish festival he is referring to by its Polish name Zielone Świątki and its German name Pfingsten. These terms for Pentecost are absent from many of the later editions, which deleted the foreign terms in Chayei Adam. This deletion led to the mistaken impression based on our modern experience that the festival addressed by Gra was Christmas.

If Gra meant to oppose the practice of both trees and other greenery, and if the holiday Gra was concerned with was Pentecost, then Rama and Gra would be in dispute.

Perhaps we can trace this disagreement back to a well-known machloket regarding chukot akum. In Yore Deah 178:1, Rama paskens like Maharik that the prohibition of chukot akum only applies to practices that originated among pagans and does not have a good reason. However, a practice that is based on a solid, readily comprehensible reason cannot be forbidden. Effectively for Rama, the prohibition is only for chukim, practices that are not understood.

Consequently, it is permitted for doctors to wear special clothing to demonstrate their educational attainment, since the reason for this practice is easily comprehensible.

Gra (178:7), however, disagrees. According to Gra, even practices that are grounded in comprehensible reasons may be forbidden. His proof is from the Gemara in Sanhedrin 52b, where the tanna Rabbi Yehuda forbids carrying out the mitat beit din of hereg (capital punishment) with a sword, since the idolaters use a sword to kill. Gra maintains that there is a logical reason to employ a sword; swords simply do a good, neat job of killing. Even so, the tanna Rabbi Yehuda wants to forbid the use of a sword. Apparently reason alone does not suffice to conclude that an action will not constitute chukot akum.

Based on this we can explain that Rama permitted placing trees in shul and at home since there are legitimate logical reasons to do so. Gra, however, consistent with his position in YD 178, forbids even activities that have a logical basis.

Endnotes

1 Much of the material cited comes from Rabbi Gedalia Oberlander’s fine article in Ohr Yisrael volume 20 (5760) page 136-150. Rabbi Oberlander traces the practice in great detail and offers a fair number of other reasons for the practice. For the sake of brevity, we will suffice with the broad general overview presented.

2 In Rabbi Oberlander’s article note 14, he connects this with another famous comment of Maharil. Although for Maharil it is permitted to fast a taanit chalom (a fast for a troubling dream) on every other yom tov, on Shavuot one may not fast a taanit chalom. Shavuot mandates an even greater level of joy than any other yom tov.

3 See Ramban Devarim 4:9 and Shichchot Lavin #2.

4 As cited by Chochmat Adam 89, Gra forbade the practice of placing trees since the non-Jews display trees during their holiday. See also Chayei Adam 131. In Maaseh Rav (195) Gra writes similarly that the practice should be nullified since it is not a strict obligation but only a minhag. Interestingly, this paragraph was absent from a number of the editions of Maaseh Rav. See 2009 edition note 106.

5 See Rabbi Oberlander, loc. cit. page 146 in the name of Rav Shlomo Zalman Auerbach.

6 This is the approach of the Sefer Halikutim printed on the side of Maaseh Rav 2009 edition.

7 I would like to thank Dashiell Ferguson for alerting me to this point.

8 My brief survey of this matter shows that all versions of Chayei Adam published until 1960 contained the foreign language terms. Those who removed the terms may in fact be in violation of Rabbnenu Tam’s strict admonition not to amend the text in sefarim.

9 See Rashi Bamidbar 19:2.
Special Symposium • Shavuot 5777

PERSPECTIVES ON CONVERSION
I am fortunate to be a member of a beis din that is involved in conversion. This has given me the opportunity to enable sincere, committed individuals from all walks of life join kneset Yisrael and become a part of our great nation. I take this job very seriously and view it as a great privilege. Nevertheless, I frequently encounter challenges in this role. One such area of challenge is the groundbreaking and innovative technology now available through modern medicine in the treatment of infertility; technology that enables couples to bear children and enjoy the blessing of building a beautiful family. These innovations, however, present halachic questions that often extend to a beis din that is involved in conversion. One issue that can cause infertility is a woman’s inability to produce fertile eggs. The medical world has discovered methods to extract an egg from a donor and implant it, providing an otherwise infertile woman the ability to have a child. Additionally, some women can produce a fertile egg but for various reasons are unable to complete a full pregnancy. Medical technology now provides the ability to implant a fertilized egg in another woman, a surrogate, who can carry the fetus to term. In many of these situations, the egg donor or surrogate may be a non-Jew. Our beis din very often is required to determine whether or not children born as a result of these technologies require conversion. While in the past, in vitro fertilization and surrogate motherhood were merely theoretical issues in the world of halacha and Gemara, they now are frequent issues facing today’s batei dinim. When analyzing and understanding these issues, we will see that the discussions surrounding surrogacy and egg donation are relevant to understanding how we became a Jewish nation at Har Sinai.

The question that must be addressed is: which part of development is critical to producing a Jewish baby? Does halacha require a Jewish mother to deliver the baby, or is it more critical that the genetic material come from a Jewish mother, regardless of who carried the child to term? Chazal tell us that a child born to a Jewish mother is Jewish, but they do not specify what part of the process imparts the Jewish status onto the child.

Although the concepts of egg donation or surrogacy do not appear in the Talmud, some commentators on the Torah allude to a similar concept with the birth of Dina and Yosef. The verse uses peculiar language to describe the birth of Dina:

Bereishis 30:21

After, she bore a daughter and she called her name Dina.

The Baal Hatama notes that regarding Dina, the Torah never refers to herayon (pregnancy) as it does by the other children. He explains, based on a comment of Targum Yonasan, that Leah did not in fact conceive Dina, but rather Dina was conceived in Rachel’s womb. At the same time, Yosef was conceived in Leah’s womb. If Leah would have given birth to another boy, Rachel would have only had the opportunity to bear one of the shevatim (tribes), fewer than the maidservants. Leah had mercy on her sister and davened for a miracle. The Targum Yonasan states that Hashem performed a miracle and transferred Yosef to Rachel’s womb and Dina to Leah’s womb.

The Tur takes this idea one step further. The Torah (Bereishis 46:10) refers to one of the children of Shimon as “Shaull ben Hakena’anis.” Rashi comments that this was a child born to Shimon and Dina. After Dina was captured by Shechem and was embarrassed publicly, Shimon resolved to marry...
her. This marriage is problematic, as it involves siblings that share a common mother, which is prohibited under Noachide law as well as Jewish halacha. How could Shimon marry his sister? The Talmud resolves this issue by citing the above commentary, and argues that since Dina and Shimon were conceived by different mothers they are not considered siblings for the purpose of halacha (Noachide law only prohibits marrying a sibling from the same mother). The implication of these sources is that the Torah seems to consider the woman who conceives the child to be the mother. This could be extrapolated to our modern-day dilemma, and one may conclude that as long as the egg is from a Jewish mother, that child would not require conversion. The Minchas Yitzchak 3:114, points out that these sources are difficult to rely on for a few reasons. First, these sources are not traditionally meant to teach halacha, they are more aggadic texts. Additionally, the Gemara in Brachos 60a, has a different account of the story involving Leah. In the version in the Gemara, Leah had pity on her sister and prayed for her to conceive and deliver a boy. There is no mention of a fetus transfer or exchange.

The most compelling and direct source that helps to clarify our issue is one highlighted by Rav Zalman Nechemia Goldberg (Techumin Vol. V), one of the leading poskim in Eretz Yisrael. The Gemara in Yevamos 78b, discusses the issue of a woman who converts while she is pregnant. The Gemara explains that the geirus is effective not only for her but for the fetus as well. Many of the commentaries are bothered by this conclusion. A male convert must undergo circumcision prior to immersion in a mikveh. If this particular fetus is male, how could the mother’s conversion be effective for him as well? He is still uncircumcised at the time of the conversion. The Baalei Hatosfos (see Tosfos, Yevamos 47b, s.v. and Matbilin and Kesuvos 11a, s.v. Matbilin) offer an answer, which may serve to clarify our issue as well. The Baalei Hatosfos believe that when this child is born, the circumcision is not a circumcision of conversion. At the time of the mother’s conversion the fetus undergoes conversion as well, regardless of the child’s gender. Once the child is born and turns out to be a male, we circumcise him on the eighth day as we would any other baby that was born Jewish. The Ramban, Yevamos 47b, however, offers a different solution and explains that in general, this formal order of circumcision prior to immersion in the mikveh is not essential and although ordinarily recommended, the conversion is valid if the order was reversed. The conversion of the baby whose mother converted while pregnant is complete once they are born, contrary to what would normally occur in the process of conversion.1 This would imply that the gestation and delivery are more critical for creating a Jewish child.

There are numerous ways to resolve this contradiction and because there is no clear resolution as to whether conception or gestation is the ultimate determinant, many poskim suggest that the beis din should be stringent and require conversion if either the egg donor or the surrogate are not Jewish. One of these resolutions provides for us an important insight into what makes us Jewish. Rav Naftalli Trop, in his Chiddushim to Kesuvos 11a, resolves the contradiction by explaining that both conception and delivery are contributing factors to one’s Judaism. There are two fundamental elements that give an individual the status of a Jew. There is shem Yisrael, Jewish nationality, which is attained by being born to a Jewish mother. The second dimension is kedushas Yisrael, Jewish Sanctity, which is attained when one is conceived by a Jewish

1 This would imply that the gestation and delivery are more critical for creating a Jewish child.
mother. We take for granted that every child born Jewish has both of these components, but as Rav Trop suggests, these two elements don’t always go hand in hand. Perhaps, he suggests, the child born to a woman who converted during pregnancy is considered a member of the Jewish nation for the purpose of determining his relatives, and therefore maintains his relationship with his twin brother for halachic purposes. Since at the time of his birth he was born to a Jewish mother, he has the status of a brother to his twin. Nevertheless, at conception he was the child of a non-Jewish mother and therefore is missing the second element of being Jewish, kedushas Yisrael. For that, according to Tosfos, he requires a conversion in-utero and for the Ramban, he still must undergo the conversion process after birth. Thus, the two passages in the Gemara are not necessarily contradictory. They are merely discussing different components of becoming a Jew.

Perhaps one could suggest that these two elements, Jewish nationality and Jewish spirituality, stem from the experience of the Jewish people at matan Torah. The Gemara, Kerisus 9a, states that bnei Yisrael underwent a conversion at Har Sinai. In fact, we use that process as the source for how we conduct our conversions. If this is true, then am Yisrael should have lost all of their familial relationships after undergoing the conversion process at Har Sinai. Are we to assume that after matan Torah, the Jewish people had no relatives because they were all converts? Furthermore, don’t we all recite three times daily that we are the children of our ancestors Avraham, Yitzchak and Yaakov? How can the Gemara consider am Yisrael converts, yet still maintain their connection to their ancestors as well? Why didn’t the ger shenisgayer principle apply after matan Torah?

Based on the analysis of the two elements of our Judaism, I believe we can resolve these questions. Our relationship with our ancestors and the fathers of our nation is a result of being born to Jewish parents. The descendants of Avraham, Yitzchak and Yaakov had a shem Yisrael. Nevertheless, we were still missing a critical component of being Jewish. We had not yet achieved the element of kedushas Yisrael. This second element was only realized at Har Sinai when we received the Torah and its commandments. When we perform a mitzvah, we recite a beracha that states “asher kideshanu b’mitzvosav vitzivanu” — Who sanctified us with His mitzvos and commanded us. We were endowed with holiness and sanctity when we received the Torah and mitzvos. In order to attain that additional component of Judaism, we required a conversion process at Har Sinai. It remains true that our family relationships remained the same, since we already had Jewish nationality from our ancestors. Nevertheless, Shavuos imbued within us that kedushas Yisrael and completed the process of becoming a Jew. In essence, every single one of us standing at Har Sinai was similar to the status of a baby born from a Jewish mother but conceived by a non-Jewish mother. The same way — according to this analysis — the child would require a conversion, the Jews at Har Sinai all required conversion as well.

It is remarkable how a modern dilemma encountered in a beis din for geirus helps to illuminate our perspective on the chag of Shavuos. Many of us were born to Jewish parents and live in Jewish communities. As we approach this chag — which takes us back to our national conversion — we realize it is insufficient to simply identify ourselves as part of the Jewish nation. We must realize the other component of becoming a Jew, and renew our commitment to achieving kedushas Yisrael. This component of Judaism requires constant reaffirming and commitment. We relive this transformation every Shavuos and reaffirm our commitment to Torah and mitzvos, thereby completing the process of our own “conversion” to Judaism. The world is changing and constantly confronts us with new challenges. We must therefore undergo an annual kabbalas Hatorah, a symbolic conversion, through which we maintain our kedushas Yisrael.

Endnotes

1 This question could theoretically be applied equally to both the opinion of the Baalei Hatosfos and Ramban. However, as we alluded to earlier, if a conversion takes place in-utero and then the Jewish baby is born to a Jewish mother, he retains the relationship with his mother. See Achiezer 2:29. The relationship to the mother in such a situation is more of a technicality and as such, the first passage in the Gemara implies that conception is the determinant even according to the Baalei Hatosfos.

2 These two dimensions of Judaism are not only apparent to us. Our enemies have recognized it as well. We have suffered from anti-Semitism in many different generations. Yet the persecution and animosity was triggered in different generations for various reasons. We have often faced enemies that would like to destroy the Jewish nation, the descendants of Avraham, Yitzchak and Yaakov. Mitzrayim serves as the paradigm of this type of antisemitism. They persecuted us before we even attained kedushas Yisrael. However there are other enemies, such as Yavan and Amalek, who focused on Jewish sanctity and our observance of mitzvos.
My Choice

Although I wasn’t Jewish, I grew up going to Chabad Hebrew school, day camp, and shul. As I got older, my mother and I celebrated all the Jewish holidays in a more and more Orthodox fashion. It wasn’t long before I often wore a kippah and tzitzit. My mother managed to get me into an Orthodox day school before I was even officially Jewish (an exception to school policy). Finally, at age 10, I went with her to the mikvah and went through the conversion process.

The question has occasionally occurred to me since then — as I’m sure it has to many gerim (converts) — what would have happened had I not converted? The question itself implies a choice, but upon further reflection, my choice doesn’t seem to have been present at all. This type of situation, a child under the age of bar mitzvah converting along with a parent, is precisely what necessitates a reacceptance of the mitzvot at the dawn of adulthood for child gerim.

Yet, even such an affirmation of one’s choice is embittered by the same problem: Where is indeed the choice? I was invested in Orthodoxy, certainly; sometimes even more than my mother, at least as far as the strict nature of the law was concerned. But this did not change the fact that I was extremely close to my mother, who had raised me — an only child — by herself for most of my life, and if she was going through a religious process, then so was I. My taking said process seriously is inherent in my personality. The point remains: If I was forced into Judaism, albeit circumstantially and more by coercion than force, how was my choice meaningful?

A Strange Midrash

The giving of the Torah at Sinai might be viewed as the pinnacle of Jewish history. It was the climax of the people’s miraculous exodus from a centuries-long slavery in Egypt, a national covenant with the omnipotent God of their ancestors and Creator of the world. A crucial part of this covenant was Bnei Yisrael’s end of the pact: the acceptance of the Torah and all the laws and systems of law therein. An oft quoted aggadic fragment of Gemara, found in Shabbat 88a, throws a wrench into the significance of this event. In classic midrashic fashion, the Gemara paints a strange picture based on the word tachtit:

…And they stood at the lowermost part of the mount” (Exodus 19:17). R. Avdimi bar Hama bar Hasa said: [the verse] teaches that the Holy One, Blessed Be He, overturned the mountain above them like a barrel, and said to them: If you accept the Torah, excellent, and if not, there will be your burial. R. Aha bar Ya’akov said: From here is a substantial caveat to [the obligation to fulfill] the Torah. Rava said: Even so, they again accepted it in the time of Ahasuerus, as it is written: “They ordained and took upon them…” (Esther 9:27); they ordained what they had already taken upon themselves.

For the purposes of Purim, this aggadic passage strikes a chord; the holiday not only contains its own depth, but is now imbued with the additional significance of the real acceptance of the Torah. But for Shavuot, a holiday on which our
acceptance of the Torah should be in far more focus, what is left by this midrash but a seemingly meaningless, half-hearted acceptance of a body of law resulting only from a sure death sentence had it not taken place? How could such a covenant even be enforceable, when its participants could claim they only agreed because the alternative was death? Furthermore, even if we choose not to take the midrash literally, how would such a counterintuitive angle on history deepen our perception of the already momentous occasion of the giving of the Torah?

We might attempt to limit the scope of the problem by narrowing its subject. An alternate version of the midrash in Shabbat is found in Tanchuma, beginning the same way but, instead of continuing to discuss the first statement’s implication or continuation in history, taking a radically different turn:

לֹא כֵלָל יִשְׂרָאֵל אָהָבָה דֶּעָה מְדַמְּרָה וְユーザーַת עֲלֵיהֶם
הַהֲרָה וַאֲשֶׁר שֵׁלָת בַּחוֹל וְאַלְמַנְתָּן אֲשֶׁר אֲשֶׁר
tהַהֲרָה נַטֶּשׁוּךָ אֲשֶׁר נָטַשׁוּךָ וְנֶשֶׁת יֵעָלֶךָ וְנֶשֶׁת יֵעֲבֹרֶךָ

מָשְׁבַּת 앟 אֶל שֶּם חַוֹּר הַבָּרֶךְ אֶל

אֶל יִשְׂרָאֵל, חַבָּרֶךְ חַבָּרֶךְ. וַהֲרָה

אֹוֹר לַעֲדֵי וּלְשַׁמְּתָּן

אַלְמַנְתָּן אֲשֶׁר אֲשֶׁר

אָמַר לַעֲדֵי וּלְשַׁמְּתָּן

מָעַת כָּלַת חַוֹּרָה...

The Jewish people did not accept the Torah until the Holy One, Blessed Be He held the mountain over them like a barrel, as it states “And they stood at the lowermost part of the mount,” and R. Dimi bar Hama said: The Holy One, Blessed Be He said to the Jewish people: If you accept the Torah, excellent, and if not, there will be your burial. If you will say that He held the mountain over them for the Written Law, did not the Jewish people respond “We will do and we will listen” when they were first asked if they would receive the Torah? Because [the Written Law] doesn’t involve toil and effort and its laws are small in number. Rather [the holding of the mountain] was said about the Oral Law that has many details to both stringent and less stringent mitzvot.

According to Tanchuma, the Jewish people were only forced to accept the Oral Law. If the focus of the giving of the Torah was the Written Law and the Oral Law simply came along with it, the problem posed by this midrash is minimized. However, this is not the case. R. Shimshon Raphael Hirsch, in a beautiful essay on Shavuot, explains that the significance of our annual holiday marking the giving of the Torah indeed is concentrated on the cruciality of the Oral Law, not the Written Law (though the latter is, of course, certainly necessary). If the import of the events at Sinai was Bnei Yisrael’s acceptance of the Oral Law specifically, and this was the very portion of the Torah that they were forced to accept, what are we celebrating on Shavuot?

A closer look at the midrash reveals a detail with interesting implications. Of anything to compare a mountain to, the midrash strangely picks a gigit, which is a tub or barrel. One might think that, if a mountain hovering in the sky waiting to drop on millions of people were to resemble anything, the pictorial simile would certainly not be hollow. Not only does such an object not accurately represent the internal structure of a mountain, but it would also seemingly not convey the idea the midrash is attempting to portray. God explicitly threatens the people with death — “if not, there will be your burial” — so why not do so with something that would kill them immediately?

Here the midrash reveals its true intentions. God was threatening Bnei Yisrael with death, but not in the way one might think. Instead of being instantly crushed under the weight of a mountain, the apprehensive nation would be restrained behind a wall of rock for the duration of their lives. This would (ignoring loss of oxygen — this is a midrash, after all), rather than rendering them dead, simply render them immobile. In doing so, this imprisonment would theoretically remove all meaning from the people’s lives, leaving the collective as a mere shell of what it would have been, at least in purpose, with the Torah. In an exaggerated sense, this is the central tenet of the midrash; God was, in forcing the people to accept the Torah, simultaneously imparting the notion that their lives would be empty without it.

This point is manifest on two levels, respectively contained in the two versions of the midrash. The Gemara’s presentation addresses the consequence of a relationship with God without an accompanying Law. God held a hollow mountain over the people to symbolize that this type of relationship is purposeless. Without the Torah, they would feel trapped in a hollow existence. Tanchuma makes a similar point, emphasizing the importance of the Oral Law specifically.

It is in this vein that the midrash supplies insight into Shavuot as it appears through Hirschian lenses. Without the Oral Torah, the Written Torah would be difficult if not impossible to understand, inflexible, and limited in time scope. Furthermore, the nation’s continuity is dependent upon the generational transmission established by the Oral Torah. This fact is again related back
to our midrash by the version in the Mechina of R. Shimon bar Yochai:

and therefore, we celebrate what truly makes us what we are, despite — nay, because of — the fact that it was not really a choice.

My Choice: Redux

As I have moved from local Chabad to slightly yeshivish middle school to Modern Orthodox high school to Gush to YU, I have befriended many a peer from different backgrounds and with different interests and skill levels. Almost none of them know about my background. I made it somewhat of a policy to not outright tell people that I am a ger unless directly prompted. The decision largely developed from my bashfulness, but at least in my head, I had good reasons for remaining quiet about my origins. There was a latent fear, perhaps irrational, perhaps not, that people would view me differently if they knew. Maybe their expectations for me would be lowered. Maybe their esteem for me would grow.

While I wanted to be acknowledged for my identity, I also scornfully harbored anxiety for these possibilities. I desired to be held under only the highest of expectations, lest I be treated as if my ability or potential was limited. I did not deserve higher esteem for simply living my life in the way it was dealt to me; I did not accomplish anything extraordinary. In part, it is this attitude that has outwardly reinforced my ability to integrate to the degree that I have. Gerim are often looked upon with utmost respect and admiration; a praiseworthy perspective, no doubt. However, it becomes problematic when this view morphs into ger lenses, and the first thing one sees is a ger rather than a Jew. Such an attitude is what I was afraid of, and what hinders many gerim from reaching their potential. My upbringing has allowed me to fully internalize a key ingredient in a Torah life: obligation without choice.

While a choice of Judaism, as opposed to birth or coercion into it, may be more impressive, it is certainly no less meaningful. One of the greatest factors of the meaning and fortitude of our tradition, and of the Oral Torah on a broader scale, is the fact that it is not chosen. Instead, it was, even in the beginning, “forced” upon us as an integral component of our *brit* with God. It is not only the Oral Torah, but this aspect of coercion itself which is necessary for national survival and the deep meaning and beauty behind what we do every day, week, and year. This experience should be, even needs to be, available for every Jew, regardless of background or means of entrance into our nation. Part of our obligation to welcome the ger is to recognize that while his or her entry to Judaism was by choice, it was a choice to bind oneself by the same obligations incumbent on all Jewish people. It is this binding, this sense of absence of choice, that is to be celebrated particularly along with our celebration of the receiving of the Torah on Shavuot. Along with the resulting universal sense of appointed devotion will come a stronger and larger whole that we may look to with great pride as we once again revel in the Torah that we had no choice but to accept, and are all the happier for it.

Endnotes

Sipping a nice hot cup of ginger tea is my favorite way to end a Shabbat meal, regardless of the time of year. I was once a guest at someone’s Shabbat table sipping my tea, when the conversation turned to non-kosher food trends. The topic seems a bit random but I promise there was a context to it. Anyway, I was just sitting in my seat and enjoying the spicy aroma of my brew when, yet again, someone asked my opinion on a popular non-kosher restaurant. Before I could open my mouth, someone else piped up and asked how it is that I could have an opinion to begin with. Not missing a beat, I followed with my typical response, “Because I’m a baalat teshuva,” a line I’ve been using for years at this point.

Then came the typical questions: Why did you become frum? Was it hard to keep Shabbat? What do you miss from before? I’ve learned how to give canned answers to these questions that at this point require little to no thought and satisfy the inquiries fairly quickly. Inevitably there was one person who was more curious than everyone else and just couldn’t let the topic go. It tends to be the case that someone will then proceed to poke at my defenses and ask more personal questions about my family. Sometimes someone else will get involved and change the subject, but more often than not there will instead be a pregnant pause until I give some rushed answer.

Before I describe where the conversation tends to go from there I would like to bring in the Shelah, Rabbi Isaiah Horowitz. In Shnei Luchot HaBrit he spends some time discussing the phrase “When a stranger (convert) lives among you” from Vayikra 19:33, and how it is meant to serve as a literary allusion to Avraham. He explains that the reason Hashem put this allusion in the Torah is to remind us not to remind others of their potentially sordid pasts when we have our own to deal with. He goes on to remind us that B’nei Yisrael committed acts of avodah zarah and other aveirot while in Egypt and that because of this, we have no right to remind a convert of his or her prior acts.

The Talmud Bavli in Masechet Bava Metzia page 58b discusses a Mishna detailing the prohibition of ona’at devarim — causing someone emotional suffering — and how that can be done through various statements. One of the examples the Mishna gives refers to baalei teshuva:

If someone is a convert and he came to study Torah, someone cannot say to him, “Does the mouth that consumed non-kosher carcasses, wounded animals, disgusting creatures, and creeping animals come to study the Torah that was given over by the mouth of Hashem?”

Now most people, being decent and...
kind, would never think of saying something like what the Gemara is describing to anyone. I think that the rabbis of the Gemara also believed that most people were decent and kind and didn’t need to give mussar telling people not to make such statements. The rabbis were possibly using such an extreme example to illustrate a different point about how it feels for the convert in this situation. If you were in this convert’s shoes, how would you feel? Attacked? Embarrassed? Isolated? Inferior? I believe the rabbis would also apply this thinking to other questions posed to converts that seem to be more pareve. Questions like, Why did you convert? Was it hard to keep Shabbat? What do you miss from before?

If you have been following me so far, then you can already see where that conversation I was describing usually goes. It comes out that I’m a convert (surprise!) and then the questions become increasingly more invasive. At this point I tend to do one of two things, feign fatigue or steel myself with another cup of ginger tea. After about 10 minutes of being peppered with questions I hear the most common comment of all, “You’re so inspirational! Can you share your story?”

Now, to people who aren’t converts or baalei teshuva that last comment may seem harmless, but I would like to argue otherwise. When someone becomes a baal teshuva or a convert he or she spends a certain amount of time learning how to fit in to the frum community. What to say when, how to dress, what hechsherim to look for, these are all things we have to navigate as we find our place in the religious world. After this transitional period we just want to be accepted like any other frum from birth person (FFB). In other words, we want to “pass.” Once we have integrated into Modern Orthodox society, we don’t want others to remind us of our past. Can you imagine someone reminding you of a car accident you had at 16 after you were well into your 20’s? Now imagine that happening when you’re surrounded by strangers who want to ask all sorts of probing questions about the incident, over 10 years later.

I would like to suggest that as we celebrate Shavuot, we take time to think about how we could be more sensitive towards converts and baalei teshuva. Not just because Megillat Rut discusses the famous convert of the same name but because when the story was over, Rut went on to just be Rut, a regular shomeret mitzvah member of the tribe. Stories such as Rut’s can definitely be a source of inspiration, but as we seek out inspiration, we also need to be sensitive to the impact it has on others. I, and many, many others, don’t want to be treated as a separate group that the rest of the community finds “inspiration” from. We just want to bake challah, daven in a minyan, learn Torah, and enjoy a night out like anyone else. So please, don’t make us pay for our supper by harassing us with questions. We just want to drink our tea.

Endnotes

1 I encourage you to read Becoming Frum: How Newcomers Learn the Language and Culture of Orthodox Judaism by Dr. Sarah Bunin Benor for more information on this transition.

The Choice of the Convert as a Source of Inspiration

Even without knowing a person’s particular story, we can be inspired by the very choice to become Jewish. The Midrash Tanchuma, Lech Lecha no. 6 states:

א”ל ר”ש בן לקיש חביב הגר לפני הקב”ה מן אותן אוכלוסין שעמדו על הר סיני, למה שכל אותן אוכלוסין אלולי שראו הקולות והלפידים והרים רועשים וקול שופרות לא קבלו עליהם מלכות שמים,这只是 לא ראה אחד מכולם ובא ומשלים עצמו להקב”ה وקבל عليه עול מלכות שמים יש חביב מזה.

Reish Lakish responded: the convert is more precious before the Holy One, Blessed Be He than the population that stood at Mount Sinai. Why? Because if that population didn’t see the sounds, the flames, the thunder, the trembling of the mountains and the sound of the shofars, they wouldn’t have accepted upon themselves the Heavenly Kingdom. This individual didn’t see any of that and came to refine himself/herself to the Holy One Blessed Be He and accepted upon himself/herself, the yoke of the Heavenly Kingdom. Is there anything more precious than this?

R. Yehonatan Eibeschitz, Yearot Devash no. 1, writes that when we recite the beracha of Al HaTzaddikim (for the righteous), we should specifically have in mind to fulfill the mitzvah to love the convert. In today’s day and age when the spirit of the times is to live a life free of any ethical systems, and this individual decides to accept the yoke of mitzvot, this individual is comparable to Avraham Avinu who discovered God on his own.

Torah To Go Editors
A major motif of the Shavuos holiday is the idea that kabbalas HaTorah represents the collective conversion of B’nai Yisroel to the Jewish faith. Indeed, the Talmud (Kerisus 9a) derives from the matan Torah experience at Har Sinai each of the requisite components of conversion, including the requirements for immersion in a mikvah and, in the case of male converts, bris milah. The statement of “na’aseh ve’nishma” (Shemos 24:7) — that we agreed to accept the covenant of all the laws of the Torah, including those not yet known by us — parallels the requirement of kabbalas ol mitzvos, the acceptance by each convert throughout the generations of the yoke of commandments (see, e.g., Teshuvas VeHanahagos 2:515). Similarly, the requirement that a conversion take place before a rabbinical court is based on the concept of the rabbinical court serving in the place of the Divine Presence that was present at Har Sinai, as expressed in the verse (Tehillim 82:1) Elokim nitzav ba’ adas Kel be’kerev Elokim yishpot — that the Divine Presence resides within a rabbinical court (see Rabbi Joseph B. Soloveitchik, Al HaTeshua, p. 137).

During the reading of the Aseres Hadibros on Shavuot morning, the entire congregation rises to stage a reenactment of the entering of the community of Israel into the Divine covenant (see Mesorah, volume 1, pp. 17-18). Along the same lines, the reading of the Megillah of Ruth on Shavuos (in the Diaspora on the second day) evokes the conversion experience of each individual convert. Ruth, in her exclamation (1:16) of “amech ami v’elokoich elokai” (your people are my people, and your G-d is my G-d), represents the paradigmatic convert who is prepared to associate herself wholly and unconditionally to the Jewish people and the Jewish faith.

The Talmud (Yevamos 48b) derives from the verse in Ruth (2:12) in which Boaz tells her “u’sehi maskurtech shelemah” — that your reward shall be complete, “asher bas lachasos tachas kenafav” — because you have chosen to enter under the protections of the wings of the Divine Presence, that Ruth received a particularly grandiose reward for her conversion to Judaism. According to one opinion in the Talmud (that of “acherim onrim”), most converts endure a certain amount of suffering as a result of having delayed their entry into the covenant of the Jewish people. However, in the case of Ruth, she was not able to convert until the Sages had decreed that the Biblical ban against marrying Moabite converts applied only to Moabite men and not Moabite women. As soon as this ruling was issued, she converted immediately without delay, and was therefore not subject to punishment (commentary of Etz Yosef, ibid).

However, the aforementioned opinion in the Talmud about how converts are penalized for not having converted at an earlier point in time is puzzling because Judaism does not seek to proselytize non-Jews to convert to Judaism, and believes that it is perfectly legitimate for non-Jews to remain non-Jewish. Why, then, should
a convert be punished for taking so long to convert?

The commentary Ahavas Eisan (on the Eyn Yaakov) answers this question based on a different Talmudic passage. The Gemara in Shabbos (146a) states that all Jews were present at Har Sinai and have therefore been cleansed of the contamination brought upon humankind by the Serpent in the Garden of Eden. The Talmud then asks that while this makes sense with respect to descendants of those who were present at Mount Sinai, this does not account for converts whose ancestors were not present at the time. Accordingly, the Talmud answers that while the converts were not present, their “mazal,” or spiritual shadow, was indeed present at Har Sinai when the Torah was given. Therefore, all converts were predestined from the time of their birth to become converts to Judaism, in which case, explains the Ahavas Eisan, they can be held responsible for not converting quickly enough.

The Chida (Midbar Kedemos) notes that this is a reason why a convert is not called a “goy she’nisgayer” (a non-Jew who converted), but rather a “ger she’nisgayer” (a convert who converted), since he or she was always destined to become a convert. This insight is also consistent with the comment attributed to the Ger Tzedek of Vilna that throughout the generations, those Jews who became apostates were descendants of the small minority of Jews who did not want to accept the Torah at the time of matan Torah, and those non-Jews who converted to Judaism were descendants from the small minority of the other nations who would have been prepared to accept the Torah when it was offered to them. Based on this insight, we can understand why, notwithstanding Na’ami’s three utterances of shovna and shovna b’nosai (“return, my daughters, go back”), from which we derive that a convert should be discouraged three times, the Midrash (Yalkut Shimoni, Yisro, Remez 268) teaches:

כש שנים אבד באלותיה או מס על השמים אבד הקברות או התרומות Moses was indeed present at Har Sinai when the Torah was given. Therefore, all

ומצא אתיה ותיה אדום ויה зубараметל ממקבר יום.

When a person comes to you to convert and is sincerely motivated to do so, you should welcome him and not distance him. From here we learn that a person should distance with left (weaker hand) and welcome with the right (stronger) hand.

Since each sincere convert starts off as a destined member of the Jewish people, special care must be taken not to cast the convert away, even in the process of our appropriate efforts to gauge his or her commitment and sincerity to adopt the Jewish faith. The Radal (commentary to Midrash Rabbah, Megillas Ruth) writes:

ותיה שמחתת ולד אס זוחי למס ולעגל דלת בפתח.

The door to conversion should never be shut entirely but must always maintain a sliver of an aperture.

In fact, the Ba’alei Tosaftot (Yevamos 109b, s.v. Ra’ah) note that while it is improper to solicit converts or to convert an individual precipitously, the patriarchs were criticized for rejecting the overtures of Timna (see Sanhedrin 99b), a daughter of a chieftain of Seir, when she genuinely desired to become a member of the Jewish people. A consequence of her rejection from conversion to Judaism was that she ended up in a union with Elifaz, the son of Esav, from whom we bore Amalek, the arch enemy of the Jewish people.

It is interesting in this vein to note that while Judaism recognizes the validity of she’ein da’atam domeh zeh lazeh (Berachos 58a) — of there being a variety of different personality types — nonetheless when it comes to interactions with conversion candidates the Talmud (Shabbos 30b) states explicitly:

לעלם על אד אᵒי נוות חכללSCRIBE

A person should always have the patience and forbearance of Hillel and not the strictness and severity of Shamai.

Most people are familiar with the famous story of the individual who thought he could cause Hillel to lose his temper by continuously interrupting him with silly questions while Hillel was trying to bathe for Shabbos. What is not as well known is that this story appears in the context of the Talmudic passage praising Hillel’s personality specifically when dealing with candidates for Jewish conversion. The Talmud immediately thereafter recounts how after Shamai forcefully turned away three conversion candidates who came with unreasonable attitudes (one wanting to accept only the Written Law, one wanting to learn the entire Torah on one foot, and the other wanting to become the High Priest), Hillel worked with them with patience and understanding until they were fully ready for conversion (see Maharsha ad locum, s.v. amar leih). At the end of the account, the Talmud (Shabbos 31a) tells about how the three individuals met up in one place and declared:

שאנוותינו של הלל קרנה תחת כנפי השכינה והעבידה במועלה

The severity of Shamai sought to banish us from the world, and the humility of Hillel drew us under the wings of the Divine Presence.
The clear message from this Talmudic passage is that the rabbis who deal with conversion candidates are enjoined to assume the personality profile of Hillel.

The Gemara in Yevasmos (47b) states that it is a mitzvah to convert a sincere conversion candidate without delay as soon as the convert demonstrates his or her readiness to accept the yoke of commandments and the Jewish faith. The commentators debate the nature of this mitzvah, but one explanation is that this is a fulfillment of the commandment v’ahavtem es hager — to love the convert (see Rav Yerucham Perlow’s discussion in his commentary to the Sefer Hamitzvot of Rav Sa’adiah Gaon, Mitzvah 19, in the name of the Ri Arbargaloni). While others are of the opinion that the mitzvah of loving a convert only kicks in at the time that the convert has joined the Jewish people, the Tosafos HaRosh (Shabbos 137b) states that the mitzvah of loving the convert is in existence even at the time that a bris milah is performed on a male conversion candidate who still needs to undergo conversion in order to become a member of the Jewish faith, and that this is the reason why the blessing recited at such time includes the phrase 약ש קרשא בתומית תאני לומל אכ תר物流企业 — Who has commanded us to circumcise the converts. We can understand this approach very well based upon the explanation that every convert was destined from birth to convert to Judaism, and therefore is already viewed as a convert on some level prior to the completion of the conversion process.

Along these lines, Rav Asher Weiss (Shu’t Minchas Asher 1:49) rules that it is not the province of the Beth Din to reject a candidate based on the fact that they are uncomfortable with the convert’s social skills (unless of course there is a deficiency in terms of midos — the essential character traits that are part of a Torah Jew’s personality) if the convert has the requisite commitment and wherewithal to fulfill the mitzvos of the Torah. While part of the conversion process is an assessment by the Beth Din that a candidate belongs in the community of Israel, the Beth Din also has a solemn responsibility to facilitate the conversion of any sincere individual who is genuinely prepared to assume the commitments and responsibilities that define membership in the Jewish community.

Our rabbis teach that ger sh’enisgayer k’katan shenolad dami — a convert who converts is like a newborn child (Yevasmos 22a). Conversion is not only a halachic process, but is a birth, a moment of celebration. It is our custom at the Chicago Rabbinical Council, and the practice of many other rabbinical courts, to have the convert recite the blessing of Shehechiyanu on a conversion. It is a happy occasion, a momentous event. There is even a custom (see Mishnas HaGer 8:4, Teshuvos VeHanhagos 3:307) to have a seudas mitzvah — a festive meal — following the completion of a conversion. It is vital to remember that conversion to Judaism is a significant human milestone that requires humanity, sensitivity and appreciation. Accordingly, in addition to sending out a certificate of conversion to the conversion candidate, we have adopted the practice of sending out “Mazal Tov on Your Conversion” cards, much in the same fashion that people send such cards on a birthday, anniversary, or birth of a new baby.

The Talmud in Pesachim (87b) teaches:

לא חללה המבק Applications to Judaism, לא חללה המבק אול אול המבקי

Hashem did not exile the Jewish people amongst the nations of the world except for the purpose of adding converts to our people.

Hashem put us in exile to attract the sincere converts who are scattered throughout the earth. We can suggest that this task carries a twofold purpose. On one level, we have a responsibility to bring into the fold the sincere converts, such as Ruth, the great grandmother of King David, who have so much to contribute to the continuity of the Jewish people. But on another level, the very process of working together with conversion candidates serves as a growth opportunity for the character traits of Jews from birth, to learn how to inspire, to instruct and to embrace those, like Ruth and even like Timna, who want so much to join the Jewish people and adopt the Jewish faith. This can happen if we are prepared to open our hearts and minds, like Hillel, to work with them earnestly and compassionately.
The receiving of the Torah, which we celebrate on Shavuot, serves as the model for the laws surrounding conversion to Judaism. Having been involved with the Manhattan Beth Din for Conversions for close to a decade, I have been privileged to watch hundreds of individuals engage in their own personal reception of the Torah, as they embrace a life of Torah and mitzvot in all its fullness. Along the way, I have been inspired many times over by the commitment and self-sacrifice displayed by these individuals. As all of us prepare to receive the Torah anew on Shavuot, I share some lessons learned from converts and their process that can serve as a source of inspiration to us all.

Knowledge is a Key to Commitment

Reviewing the Talmudic passages regarding conversion, one gets the impression that the conversion candidate needs to acquire very little Judaic knowledge before conversion. Yet, every beth din today insists on a rigorous educational process through which the candidate studies Jewish theology and practice in considerable detail. The end result, typically, is a convert who often knows more about Judaism than many of the people he or she sits with in shul on a regular basis.

Why the contemporary insistence on acquiring extensive knowledge, if the Talmud does not seem to require it? I think the answer lies in the recognition that the knowledge is not only an end in itself; it is a means to enable the candidate to deepen a sense of connection and commitment to Torah and the Orthodox community. While the beth din may not be obligated Talmudically to insist on a certain level of knowledge, it is mandated to determine the candidate’s level of commitment, and in the contemporary world, one way in which to do that is by observing the depth of commitment generated by the acquisition of knowledge.

Our beth din generally insists on the candidate learning at least basic Hebrew reading. While this is not halachically required, we find that the connection to Hebrew enhances the connection to Torah and community. A few months after we asked a stellar candidate to learn how to read Hebrew, she wrote to us:

I write to you to express deep gratitude for asking me to learn to read Hebrew in preparation of my joining the Jewish people. I am excited and humbled by the new world that has been opened up to me. Instead of doing my prayers in English, I read them in Hebrew...yes, it takes me a long time but the joy is immeasurable... I have a long ways to go before I can read fluently with speed, but I can read, I can follow prayers in shul from my siddur. It is an amazing feeling! I am really looking forward to the High Holidays. G-d willing I will be a halachic Jew who for the first time will use the Machzor’s Hebrew side. I will need translation but not transliteration.

Those of us who were born Jewish...
would do well to reflect on the idea that knowledge is a key to commitment. The better we can understand a Jewish experience — a holiday, a lifecycle event, or even a simple halachic practice — the more committed we will feel to that experience and the joy will truly be immeasurable.

**Community Really Matters**

Rav Yosef Dov Soloveitchik zt”l sees the declaration of Ruth (1:16) — “Your nation is my nation; your G-d is my G-d” — as reflecting a dual aspect of conversion. The convert not only commits himself or herself to the Jewish religion. He or she commits to become part of the Jewish people. In a broad sense, this means developing a sense of kinship with the struggles and triumphs of the Jewish people worldwide and historically. In a more focused sense, this means that a conversion candidate needs to integrate into a specific Orthodox community before we can consider finalizing the conversion. This is often a complicated prospect. Full integration into an Orthodox community means living within comfortable walking distance of a functional Orthodox synagogue, something that can be challenging for many candidates.

And yet — integration into a community is essential to the conversion process. Anecdotal evidence suggests that even born Orthodox Jews often drift from observance when they do not feel part of the community. I would say that successful integration into a community is probably the single most important element in the conversion process to help ensure that the convert will remain committed to a life of Torah and mitzvot in the long term.

**Doing What is Right**

A non-Jewish woman in her twenties met a Jewish man who, like his parents, was nominally Orthodox but not fully observant. The family insisted that the woman undergo Orthodox conversion before any possibility of marriage would be considered. As the woman began to study with an Orthodox tutor, she gradually began incorporating Orthodox practice into her life and was disappointed to see that her boyfriend was maintaining his non-
observant lifestyle. She truly came to love Orthodox Judaism and sincerely wanted to lead her future life as a fully Orthodox Jew. Ultimately, she presented her boyfriend with an ultimatum: If you will not become fully Orthodox yourself, we can no longer be in a relationship.

The couple chose to end the relationship, and the woman continued to pursue conversion. But there was a catch: The boyfriend’s parents had been advised that the beth din would only convert a candidate who was living in an Orthodox community. They had therefore rented an apartment for the woman in an Orthodox neighborhood. When the relationship ended, the boyfriend’s parents no longer felt a vested interest in the woman’s conversion process, and they stopped paying her rent, forcing her to move back to her family, who lived quite a distance from any Orthodox resources. This was a cruel irony; her very devotion to Orthodoxy had set her back, in a very real sense, in her pursuit of conversion!

The beth din continued to provide both pastoral support to this idealistic woman, as well as connecting her to apartment possibilities in Orthodox neighborhoods which would be within her price range. After a number of disappointments, the woman was able to find an apartment she could afford in a vibrant Orthodox area. We completed her conversion not long thereafter. Today, she is studying Torah full-time and has begun applying for Aliyah.

I think this story speaks for itself. The tenacity this woman displayed — keeping to her goals, even when her decisions seemed, superficially, to backfire — should inspire us to “keep at it” and do what we know is right, even when we seem to be hurt by doing so in the short run.

We are Fortunate to be Chosen

A man in his twenties became attracted to Judaism through reading. During the course of his exploration of Judaism, he suffered an accident which left him temporarily bedridden and depressed. By that time, he had already purchased a Hebrew-English siddur. He randomly opened up the siddur, looking for some comfort during the difficult period he was experiencing. The siddur opened to Aleinu. The man read Aleinu for the first time and found its message

Michele & Jody Bardash
YU Parents

“Having attended YU and benefited from its education and religious culture we felt confident that it would provide those same opportunities for our children. With its balance of Limudei Kodesh and challenging academics, we knew YU would provide our children with the preparation needed for their careers as professionals, as well as reinforce the religious ideals that they will take with them in all that they do. The same values that permeated the walls of YU when we attended 35 years ago are the very values that we chose to inculcate in our children.

Today, our daughter is a sophomore at Yeshiva University. We are thrilled with the education she is receiving and her growth in Torah. She couldn’t be happier.”
incredibly inspiring. At that point — he later related to the beth din — he became convinced that he was on the right path and went on to seek out a more formal structure in which to study Judaism, ultimately leading to his conversion.

I find this story striking on several levels. Unfortunately, Aleinu is a prayer that is often recited without feeling even by those who attempt to invest their prayers with meaning. Aleinu has the “misfortune” of being placed at the end of our davening, a time when even the more devout among us often have “one foot out the door.” The idea that Aleinu could clinch someone’s decision to convert should certainly give us pause the next time we recite Aleinu mechanically.

What is even more striking, though, is that Aleinu’s content often causes us a degree of discomfort. Aleinu proclaims that we are fortunate to have been chosen to be Jewish, privileged to be able to worship G-d, and grateful that the Jewish role in the world is distinct from that of a non-Jew. Many of us chafe at that unabashed expression of pride in the Jewish mission. In fact, I have frequently heard born Orthodox Jews express amazement that anyone would want to convert. Why, they ask, would anyone voluntarily take upon themselves a whole host of extra obligations?

Our discomfort should be disturbing to us. It is true that halacha mandates impressing upon a prospective convert the gravity of his or her decision, and the fact that he or she need not feel obligated to undertake these extra mitzvot. At the same time, we certainly view the system of mitzvot as a privilege, not a burden. If we are surprised that someone would voluntarily choose to be an Orthodox Jew, perhaps we need to do a better job affirming to ourselves our sense of pride and privilege in being bearers of the Torah. Perhaps we really do need to say Aleinu with a little more feeling!

We Can Powerfully Influence Those Around Us

Our beth din worked with “Marty,” a man in his sixties who had been married to a non-observant Jewish woman for many years. Along the way, he developed an interest in Orthodox Judaism. He and his wife began attending services and classes at an Orthodox synagogue located about fifteen minutes’ drive from their home. As their observance intensified, the couple ultimately acquired a “Shabbat apartment” near the synagogue where they spent Shabbat, now fully observant. The journey toward conversion culminated with the man undergoing circumcision and immersion in a mikveh; a few hours after the mikveh immersion, the couple gathered in the Orthodox synagogue where they were married according to Halacha, surrounded by all the members of their newfound supportive community.

Although the synagogue was Orthodox, many of the members of the synagogue were not strictly observant. One such member pulled me aside during the spirited simcha dancing and commented to me with great passion, “You know, if Marty can become a shomer Shabbos, what excuse do the rest of us have?”

I don’t know whether that member ultimately became shomer Shabbos. I do know that Marty went on to become extremely active in that synagogue, spearheading a successful campaign to build an eruv locally and organize a daily minyan. He certainly exerted a powerful influence on his surroundings.

Questions Can be our Lifeline to Faith

Many of the converts we have worked with were raised as Catholics. I often hear from them something along the following lines: “I went to Catholic school, where we were taught that questions were bad, that we should just have faith and not ask questions. I find Judaism to be so refreshing, because it validates and encourages asking questions.”

One such conversion candidate was a woman in her twenties. She had forged a learning relationship with a wonderful Orthodox woman who was quite pious and scholarly. But there was a problem: when the candidate would question certain aspects of Judaism, in a sincere attempt to try to achieve a better understanding, the Orthodox mentor impressed upon her the importance of accepting things on faith and

Find more shiurim and articles from Rabbi Zvi Romm at http://www.yutorah.org/Rabbi-Zvi-Romm
limiting one’s questions. In a different context, this might have been good advice, but it was devastating for this candidate. “This is exactly why I left Catholicism!” she complained. The beth din connected her with a different mentor who encouraged questions. The woman’s intellectual curiosity was satisfied. She went on to convert with our beth din and today is living a life of commitment to Torah and mitzvot.

I have often thought about this case when contemplating our collective efforts to educate our own Orthodox youth. The candidate in question left Catholicism because she felt that she was not allowed to raise questions. If we discourage questioning and tell our youth — or, for that matter, the adults we seek to educate — that they should simply accept our Torah practices and viewpoints on faith, might we not generate disillusionment with Judaism? Engaging a sincere questioner can often lead to a deepened faith and commitment, rather than a lackluster one.

**Never Old, Never Stale**

A young man who converted with our beth din about two years ago recently wrote me the following:

_I have been told by a fellow convert that the conversion is over, and that I am a full Jew. The problem I have with that statement is that the actual moment that I became Jewish followed by the experience of my neshama coming into my body is something that I think about and relive every day of my life. It was such a positive moment that I really cannot let it go._

His sentiment beautifully captures the attitude toward Torah that is championed by Chazal (cited in Rashi to Shemot 19:1): “Let the words of Torah be eternally new to you.”

This attitude of wonder and freshness, expressed by so many converts, is the greatest source of inspiration. It can be easy to allow one’s Torah learning and mitzvah observance to become rote and ossified. One of the “perks” in my role as administrator of the beth din is my constant exposure to men and women who are proud to “never let go” of the awe-inspiring experience of accepting a life of mitzvot, allowing it to be an ongoing source of inspiration.
As director of the Mechina program at Stern College for Women, a program geared toward women who are coming from unaffiliated or less affiliated backgrounds with limited to no formal Jewish education, I have had the opportunity and privilege of seeing young women from all over the world accept the yoke of heaven and the yoke of mitzvot and choose a life of Torah. For some of these women, though, the choice was not merely choosing a Torah lifestyle over a secular Jewish one, but rather choosing Judaism altogether. I have had the unique opportunity to guide several of my students through the geirut process and to experience the event as a layperson from the inside. And I must say, the entire experience, from the initial beit din meetings, to follow-up communication with the members of the beit din, culminating in the final tevillah (immersion), I have been struck time and time again by the sensitivity in which the process was handled. [Note: I have dealt solely with the Manhattan Beth Din for Conversions under the leadership of Rabbi Zvi Romm.]

To be perfectly honest, the first time I accompanied a student to the mikva, I’m not sure if she or I was more anxious, though in all fairness it was probably she. The mere thought of entering a mikva with a group of three rabbis was itself anxiety-provoking to say the least. It certainly didn’t make it easier after the news media reported about mikva scandals involving a corrupt rabbi abusing his power over vulnerable women seeking conversion. The members of the beit din (that served on the cases that I have dealt with), Rabbis Rapp, Romm and Willig, deal with the immersion with tremendous sensitivity and modesty. Numerous steps are taken to ensure that the immersion takes place with the utmost standards of tzniut. Additionally, the rabbis, aware of the potential anxiety, do everything they can to put each woman at ease. My favorite line at one conversion of twin sisters was when one of the rabbis asked, “OK, who’s going first?” and one of the young women pointed to her sister and said, “she will because she’s older,” at which point the rabbi, to help lighten the mood, smiled and said, “You know, we can change that now too.”

In my experience in accompanying these young women, the most inspiring part of the geirut process is the proceeding that takes place immediately before the woman is about to immerse in the mikva. While partially immersed and completely covered except for her head, Rabbi Romm asks her a series of questions before her complete immersion. Discreetly, from just outside the doorway, he begins by asking her, “By immersing at this time, do you agree to believe in one G-d and reject other gods and other religions?” He then continues asking her about the acceptance of other aspects of Judaism including belief in G-d’s revelation of the Torah, both the Written and Oral Law, belief in reward and punishment, acceptance...
of Shabbat, kashrut, tzniut, tefilla. He then asks about her commitment to Jewish community: living in a Jewish community and being actively involved in a community that is committed to Torah Judaism and halacha. He asks if she is committed to raising her future children in a Jewish community conducive to Torah growth and sending those children to Jewish schools that embody those values. He asks about her commitment to her fellow man and her commitment to mitzvot bein adam lachaveiro, interpersonal mitzvot like tzedaka and chessed. Each loaded question begins with the identical wording, “By immersing at this time do you agree to…” And after each question there is a pause, and the woman responds with, “I agree.” The questions culminate with the woman immersing herself in the waters of the mikva with the help of the female mikva attendant as the rabbis leave the room. A few minutes later when she emerges Rabbi Romm gives her a mi’sheberach blessing and like any new Jewish neshama born into the Jewish people, she receives her Jewish name.

Experiencing these events have been and continue to be among the most inspiring experiences of my life. As Rabbi Romm asks the young women to agree to a lifelong commitment to Torah and mitzvot, I find myself directing the very same questions to me. And as she agrees after each one, I find myself agreeing silently, noting that over the course of my life no one ever asked me those questions.

Moshe tells Bnei Yisrael at the beginning of Sefer Devarim:

ה, אלהינו קדש השם ברוח ובטוהר. אלהינו אבותינו, ויהיה כלל ויהי. Hashem, our G-d, sealed a covenant with us at Horeb. Not with our forefathers did Hashem seal this covenant, but with us — we who are here, all of us alive today.

Devarim 5:2-3

Toward the end of the Sefer Devarim, he repeats this idea:

לא אकמכ נלחבי אֱלֹקֵינוּ מִם אֲבֹתֵינוּ, והוא לא י(photo image)

Not with you alone do I seal this covenant and this imprecation, but with whoever is here, standing with us today before Hashem, our G-d, and with whoever is not here with us today.

Devarim 29:13-14

The Torah is a gift from G-d and is ours for the taking, even if we weren’t actually at Har Sinai. Just as Moshe urges the next generation to take ownership of their Torah after they leave the supernatural bubble of the midbar and enter the Land of Israel, we too must take ownership of our portion in Torah. It makes no difference whether we grew up with Torah or we didn’t, whether our knowledge of Torah was taught as the “Old Testament” or even if we learned the “new” one, at some point in our lives each one of us must try to reflect, take ownership of our Torah and commit ourselves actively, not just passively.

It makes no difference whether we grew up with Torah or we didn’t, whether our knowledge of Torah was taught as the “Old Testament” or even if we learned the “new” one, at some point in our lives each one of us must try to reflect, take ownership of our Torah and commit ourselves actively, not just passively.
When Did Rus Convert?

The Gemara (Kerisus 9a) derives the necessary components of the conversion process from our collective experience at Sinai. The requirements of bris milah (for males), immersion in a mikvah, and bringing a korban (when there is a Beis HaMikdash) mirror the steps that the Jewish people took prior to receiving the Torah. While we derive the formal steps of geirus from the conversion that we underwent at Sinai, we learn about the process leading up to conversion from the exchange between Naomi and Rus in Megillas Rus.

The Gemara (Yevamos 47b) records:

תנו רבנן גר שבא ההתגייר בזמן הזה ... ואין מרבים עליו ואין מדקדקים עליו. אמר רבי אלעזר מאי קראה דכתיב ותרא כי מתאמצת אתה ותחדל לדבר אליה. אמרה לה אסיר לן תחום שבת באשר תלכי אלך. אסיר לן יחוד באשר תליני אלין. מפקדינן שש מאות ול"ג מצות עמך עמי. אסיר לן עבודת כוכבים ואלקיך אלקי. ארבע מיתות נמסרו לב"ד באשר תموت אמות. ב' קברים נמסרו לב"ד ושם אקבר. מיד ותרא כי מתאמצת היא וגו’.

The simple reading of the pesukim, amplified by the Gemara’s analysis, implies that Rus and Orpah had not converted before marrying Machlon and Kilyon; only now that Naomi was returning to Beis Lechem did Rus express interest in converting. This is the position of R. Meir (Rus Rabbah 2:9) that lo geirum v’lo hitbilu osam — they did not convert them nor bring them to a mikvah. Rashi (Rus 1:12) accepts this approach and writes that when Machlon and Kilyon married Rus and Orpah, the latter remained non-Jewish.

Ibn Ezra (1:4) argues with Rashi, since, in his opinion, it is inconceivable that Machlon and Kilyon (who, according to Bava Basra 91a, were righteous people) would have married non-Jewish women. He argues that Rus and Orpah must have converted earlier, and the conversation between Rus and Naomi reflects a reaffirmation on Rus’s part of that which she had previously accepted (1:16).

While Rashi must contend with the
difficulty of assuming that Machlon and Kilyon married non-Jewish women, Ibn Ezra’s position raises the question of how Naomi could have encouraged her daughters-in-law to return to their idolatrous ways if they had indeed already converted and were halachically Jewish. R. Yoel Sirkus (author of the Bayis Chadash — the Bach), in his Meishiv Nefesh on Megillas Rus (1:4), attempts to somewhat reconcile the opposing positions. He suggests that while Rus and Orpah did indeed convert before their marriages, their conversions, having been performed for ulterior motivation (i.e. for the sake of marriage), were halachically suboptimal but valid post facto (based on Yevamos 24a). When the Medrash says that they did not convert, it means that they did not convert in the optimal fashion. Their status was similar to the status that the Rambam (Issurei Biah 13:14-15) ascribes to the wives of Shimson and Shlomo HaMelech.3 4

The Need for a Conversion Process

The above analysis may be helpful in discounting a misconception that some have about the conversion process. It is common practice to require conversion candidates to undergo significant educational training — including both the theory and practice of Jewish law — and integrate into an observant community, so that they will have the requisite knowledge and experience to live an observant lifestyle upon conversion.5 Minchas Elazar (Shu”t 4:63) reasons that if a beis din were to convert someone without previously educating him or her in the proper observance of mitzvos (he specifically references proficiency in the siddur), the convert would, upon conversion, violate numerous prohibitions due to lack of knowledge, and the beis din will have violated the prohibition of lifnei iver, causing the new convert to sin.6

Some have claimed that requiring conversion candidates to embark on a rigorous course of study and integration is an unnecessarily onerous addition of the contemporary rabbinate meant to inappropriately discourage conversion candidates.7 After all, they argue, Rus merely made a singular declaration of faith and commitment and she was immediately accepted as a convert. It is clear, however, in context, that whether Rus’s statement was a reaffirmation of a previous conversion or whether it preceded an actual conversion, she had already been significantly exposed to the lifestyle to which she was committing herself and had been sufficiently trained in its details. In the ten years that Machlon and Kilyon were married to Rus and Orpah, they presumably had significant exposure to practical Judaism, and all that was left for Rus to do was make the commitment to embrace that lifestyle.

Tefillin and Mezuzah for Conversion Candidates

Our practice of having conversion candidates observe mitzvos in advance of the actual conversion is consistent with the ruling of Rambam (Melachim 10:10) that a non-Jew may voluntarily perform most mitzvos. However, there are some exceptions to this principle that may pose problems for the aspiring conversion candidate and require further analysis.

Radvaz (ad loc.) suggests that non-Jews should not be permitted to perform mitzvos that require kedushah v’taharah (sanctity and purity) such as tefillin, Sefer Torah, and mezuzah.8 Remo (Yoreh Deah 291:2) cites Shu”t Maharil (Chadashos 123:2), who rules that a non-Jew should not be permitted to display a mezuzah for additional reasons. The Maharil was asked about a local non-Jewish ruler who requested a mezuzah to place in his fortress. The person asking the question expressed concern that failure to provide the mezuzah could lead to negative repercussions for the local Jewish community.

Maharil responded that to the extent that the non-Jew who requested the mezuzah believed that it would protect him, if at some point he no longer felt protected, he would not treat it properly or dispose of it. At the very least, after this ruler’s passing his children would likely throw it out. Second, there is a concern that Jews may be led to think that the individual displaying the mezuzah is himself Jewish, and may be misled into being hosted by the non-Jew (with the implicit fear that he may then kill the Jew).9 This is along the lines of the Gemara in Menachos (43a) that prohibits a Jew from selling a garment with tzitzis on it to a non-Jew lest the buyer pass himself off as a Jew and use his assumed identity to lure and then kill Jews.10

At first glance, the Radvaz’s position would preclude a conversion candidate from wearing tefillin or affixing a mezuzah to his doorposts.11 However, Be’er Sheva (Shu”t 36) appears to suggest that under certain circumstances a non-Jew may be entrusted with mezuzos. He cites a Ye’rushami in Peah (1:1) that relates an episode in which Rebbe sent a
mezuzah to Artivan, presumably a non-Jew, in response to his request for a gift. Be’er Sheva posits that since Rebbe identified Artivan as an individual who believed in the oneness of Hashem, he sent him a mezuzah to encourage him to continue his belief and to convert. Alternatively, Be’er Sheva suggests that Rebbe knew that Artivan was not an idolater, and that Rebbe believed that there was only an issue with providing idolaters with mezuzos. Both suggestions of the Be’er Sheva would presumably allow a prospective convert to affix mezuzos in his home.

Netziv (Eimek She’ala, Eikev 145:19) suggests an alternative explanation of the passage in the Yershulami. Rebbe sent Artivan a mezuzah that had not been written for the purpose of affixing to a door, and thus lacked the kedusha of a regular mezuzah. To send a regular mezuzah would have been an inappropriate afront to the sanctity of the mezuzah. Shoel U’mishiv (Hagos Yad Shaul, Yoreh Deah 231:3) similarly suggests that the mezuzah that Rebbe sent was intended only as an amulet. According to this explanation, there would be no distinct dispensation for a prospective convert.

Based on the Radvaz, Rav Moshe Klein, Mishnas HaGer (1:31), points out that a conversion candidate should not wear tefillin before the conversion has been completed. Some batei din have the practice of instructing a conversion candidate to put on tefillin for a few weeks prior to the actual conversion in order to allow for sufficient practice. The general practice is that conversion candidates are not instructed to put up mezuzos, but would not need to remove them if they move into a residence that already has mezuzos set up.

Studying Torah and Shabbos Observance

Reflecting the special connection between the Jewish People and the Torah, the Gemara (Chagiga 13a) prohibits a Jew from teaching Torah to a non-Jew and also (Sanhedrin 59a) derives that a non-Jew who learns Torah is deserving of severe punishment. This is codified in Rambam (Melachim 10:9). However, despite the dual prohibitions, common practice is to instruct conversion candidates in whatever Torah knowledge is necessary to facilitate their observance of Jewish law.

This practice is consistent with a comment of the Maharsha (Shabbos 31a s.v. amer lei mikra) regarding the story of the non-Jew who came to Hillel and requested to convert on condition that he be allowed to wear the garments of the Kohen Gadol. The Maharsha assumes that Hillel did not, as the Gemara seems to indicate, convert him on the spot. Rather he instructed the interested party to study the relevant portion of the Torah so that he would realize on his own that a non-Kohen may not wear bigdei kehuna. In suggesting this answer, the Maharsha writes that there is no prohibition for a conversion candidate to study Torah.

Meiri (Beis HaBechira, Sanhedrin 59a s.v. Ben Noach) explicitly permits a non-Jew to study Torah if doing so will lead him to convert:

The same applies if one studies, not for the purpose of fulfilling its commands but because one’s heart desires to know our Torah and Talmud. He is then worthy of punishment because people might think that he is one of us because they see his knowledge and might be lured by him. Nevertheless, one who studies the principles of the Seven Noachide Laws, their details and the laws derived from them, even though that would include most of the fundamentals of Torah law, we would honor him like the Kohen Gadol. There is no concern that a Jew might be tricked to follow him because he is studying what relates to him. This is certainly true if his inquiries are for the intent of fully understanding the Torah so that if he finds the Torah to resonate with him, he will convert.

The aforementioned Gemara in Sanhedrin also records that a non-Jew who observes Shabbos (even on another day of the week — see Rambam ibid.) is deserving of severe punishment. While there may be theoretical arguments to allow for a conversion candidate to fully observe Shabbos, common practice is to instruct a conversion candidate to largely keep Shabbos but to perform one melacha over the course of Shabbos. If a candidate may in fact be Jewish already but is preparing to be Jewish, common practice is to instruct a conversion candidate to perform one melacha over the course of Shabbos. If a candidate may in fact be Jewish already but is preparing to be Jewish, the candidate should fully observe Shabbos, as the consequence of a Jew violating Shabbos is more severe than that of a non-Jew who keeps Shabbos.

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In his famous letter to Ovadia HaGer, the Rambam lauds the dedication and commitment of the righteous convert who leaves behind a comfortable lifestyle to embrace Judaism. He writes regarding the respect and admiration that a ger tzedek deserves:

You should know that the obligation that the Torah obligates us vis-a-vis converts is great. Regarding a father and a mother we are commanded to honor and fear [them]; regarding the prophets [we are commanded] to listen [to them], and regarding the converts we are commanded to to love them intensely from the heart ... and HaKadosh Baruch Hu Himself loves the convert ...

We should draw inspiration from the geirei tzedek in our communities in enhancing our own avodas Hashem, and embrace those who make the commitment to join the am hanivchar.

Endnotes

1 See Rambam (Issurei Biah 13:1-5). In a fascinating line, Meiri (Beis Habechirah, Yevamos 46a s.v. U'ma sheamru) implicitly wonders why every Jew is not required to undergo immersion, just as every male must receive a bris milah, as part of a personal acceptance of the Covenant.

2 Meishiv Nefesh to Rosh 1:4 quotes a Medrash HaNeelam (Zohar HaChadash) that is consistent with Ibn Ezra’s analysis.

3 For further analysis of the status of such conversions, see this author’s “The Converts of Shushan” (Torah To Go, Purim 2016).

4 See Tzitz Eliezer 17:42:5, who points out the difficulties inherent in the Bach’s presentation. Tzitz Eliezer quotes various suggestions that account for how Naomi could have attempted to dismiss Rus and Orpah if they had indeed already converted.

See commentary of R. Ovadia Yosef to Megillas Rus (appended to Chazon Ovadia on Yom Tov), who suggests that Machlon and Kilyon, who accepted Rus and Orpah as full geirim, and Naomi, who did not, took sides in a dispute between the Rishonim as to what components of geirus are invalid even post facto if not performed in front of a beis din. Tosafos (Yevamos 45 s.v. Mi) assume that the presence of beis din is only necessary even post facto for kabbalas hamitzvos, the formal acceptance of the binding nature of Torah and mitzvos and commitment to live an observant lifestyle. As long as this declaration was made in the presence of a beis din, even if the beis din did not observe the milah and tevilah, the geirus is still valid. Rambam (Issurei Biah 13:7), however, assumes that beis din is necessary even post facto for tevilah (and perhaps milah as well). According to one opinion in Tosafos, if a woman goes to the mikva as a niddah subsequent to her conversion, that is the halachic equivalent of having a beis din present. Given that there was no beis din in Midyan, Machlon and Kilyon assumed like this position in Tosafos that beis din was not absolutely necessary and the conversions were therefore valid. Naomi assumed like the other Rishonim that without a beis din for at least some components of the geirus process the conversion would be ineffective, and therefore Rus and Orpah remained non-Jewish and Rus needed to convert in a valid fashion.

5 The following is an excerpt from the GPS (Geirus Policies and Standards) document that governs the batei din that operate under the auspices of the Rabbinical Council of America and the Beth Din of America:

i. As far as the halacha is concerned, conversion involves the creation of a transformed, fully reborn, new person. Becoming fully part of the Jewish family, one literally acquires a new family, a new life and as such one reorients one’s entire being. The candidate will be expected to cultivate new friendships, new relationships, new social activities, new Torah commitments. Moreover, as with any Jew, the growth and learning process continues throughout one’s life.

ii. As a result, a candidate must come to reside in a Torah observant community. It is not possible to learn and absorb Judaism and Torah living at a distance; it must be experienced on a daily basis, especially on Shabbat and holidays. The candidate must also experience traditional Jewish communal life in order to be familiar with the realities of living as a Jew, both in faith and in peoplehood.

iii. Ordinarily, this community will be one in which fully observant families, other than that of the local rabbi, have sustained and can continue to sustain Orthodox life over the long term. Additionally, the candidate will have been living there for a significant period of time either without intention to move or with a commitment to move only to a similar community, and maintain an ongoing, positive relationship with a local rabbi.

6 Minchas Elazar suggests that in earlier times, proficiency in the siddur was not as critical a prerequisite for conversion as it is now, and therefore, the Gemara makes no mention of an educational period prior to conversion. In earlier times we accepted the basic halacha (Sotah 31b) that Shema and davening may be recited in any language and the Shalach Tzibur would have in mind all those in the congregation who were incapable of davening on their own. In such an environment, not being able to daven in the original was not an impediment to converting. Nowadays that is no longer the case, and therefore more training is necessary. Minchas Elazar does not address other areas of Jewish law that would presumably also require practice in observing.

7 For an analysis of the appropriate attitude toward conversion candidates see this author’s “Dissuasion and Encouragement: Complimentary Themes in the Conversion Process” (Torah to Go, Shavuos 2014).

8 While presumably the Radvaz is referring to allowing a non-Jew to don tefillin and to affix a mezuzah to his doorstep, the intention of the reference to sefer Torah seems unclear. Rav Hershel Schachter suggested that the intent of the Radvaz may be to prohibit a non-Jew from receiving the honors of hotza’ah or hagba’ah and gelilah.

9 Be’er Sheva (Shu’t 36) cites a Talmudic source for not allowing non-Jews to use mezuzos. The Gemara (Bava Metzia 102a) rules that if a Jew vacates a residence that will be occupied by another Jew, he may not remove the mezuzos from the premises. If the residence will be occupied by a non-Jew he may remove the mezuzos. Be’er Sheva notes that the intent of the Gemara must be that the departing resident must remove the mezuzos, and not merely that he may, as there is no chiddush in saying that he may remove the mezuzos (see also Shitah Mekubetzes citing R’I MiLunil).

10 Remo does acknowledge more room for leniency than the Maharil. According to Remo if there is a concern that failure to
provide the mezuzah could endanger the Jewish population, then one would be allowed to give the mezuzah to a non-Jew.

11 It is arguable that the two reasons of the Maharil which form the basis of the Remo’s ruling in Hilchos Mezuzah do not apply to a conversion candidate. There is less likelihood that a conversion candidate would treat a mezuzah with disrespect or pose a danger to other Jews by passing himself off as a Jew. R. Moshe Klein (Mishnas HaGer 1:32 and footnotes 75-76) assumes that this is the case with tztizis as well. He further notes that even the Radvaz’s position is not relevant to the wearing of tzitzis. As tzitzis are not considered to be objects of inherent kedusha there would be no objection to a prospective convert wearing them.

12 Mishnas HaGer (1:31) suggests, based on Netziv, that if tefillin are written specifically for the prospective convert there would be no objection to his wearing them.

13 Rav Schachter thinks that a conversion candidate should not recite a birchas hamitzvah prior to performing a mitzvah. Since the conversion candidate is not (yet) commanded to perform any given mitzvah, even if he is permitted to do so voluntarily, it would be an untruth to recite the formula *asher kidishanu b’mitzvos v’atzivanu —* who has sanctified us with his mitzvos and commended us. My colleague Rabbi Zvi Romm suggested that a conversion candidate could avoid this concern and still recite such brachos by prefacing every *birchas hamitzvah* with the phrase (or a similar phrase): “A Jew in this situation would say Baruch ata ...” This is similar to a suggestion of R. Yitzchok Zilberstein recommends that if one is in doubt as to whether he is in the presence of more than six-hundred thousand people, such that he would have to recite the bracha of Chacham Harazim, he should recite the relevant passage from the Rambam or Shulchan Aruch that includes the text of the bracha (teshuva referenced at kikar.co.il).

14 See Tosafos (Chaggigah 13a sv. Ein mosrin) who address the need for both prohibitions. Although the Gemara uses the term *chayav misah —* is deserving of the death penalty, see Kesef Mishneh to Rambam who says that the reference to the death penalty is to *misih biydei shamayim —* death in the hands of Heaven and not by a beis din.

15 In addition to the Minchas Elazar cited earlier and the Igros Moshe cited below, this is also the position of Minchas Yitzchak (1:36:1), Tzitz Eliezer (21.25), and Shevet HaLevi (7:162). See R. Ovadia Yosef (Yabia Omer, Y.D. 2:17:S), who records that the practice in Egypt that predated his arrival as Chief Rabbi of Cairo was to provide conversion candidates with an easy-to-read booklet written in the vernacular that outlined the basics of Judaism. See also R. Asher Weiss in Gerius K’hilchas, Section II 9:2.

16 See R. Eliyahu Bracha, Toldos Noach, p. 570, and Mishnas HaGer, pp. 318-319 ft. 107, who discuss whether there would be room to permit the non-Jew in this case to study Torah while preserving the prohibition of a Jew teaching him Torah.

17 R. Akiva Eiger (Shu’t 1:41) was asked about the propriety of teaching Torah to a conversion candidate who resided in a locale where conversion to Judaism was illegal and was hoping to eventually relocate to a country where conversion would be possible. R. Akiva Eiger points out that Tosafos (Yevamos 24a sv. Lo) understood that Hillel did indeed convert the individual immediately and that Tosafos implicitly disputes the Maharsha’s leniency. He concludes that he does have the ability to allow teaching Torah to a conversion candidate. R. Moshe Feinstein (Igros Moshe, Torch Deah 3:90) finds R. Akiva Eiger’s position difficult and assumes that the reluctance to allow a conversion candidate to study Torah must have been limited to the situation at hand, where it was not feasible to convert at that moment.

18 Regarding the Meiir’s implication that there would be a collective interest in having a non-Jew study the Torah in order to discover the ultimate truth and convert, it is worth noting an interesting comment of Ibn Ezra (Devarim 31:12). Included in the Torah’s list of attendees at the Hakhel gathering is hager asher b’kirbecha — the stranger in your midst. Ibn Ezra writes, “*ulay yisyaheid* — perhaps he will become Jewish. Ibn Ezra clearly understood that the ger referenced here is not a ger zedek, an actual convert, but rather a ger toshuv, a non-Jewish resident of the Land of Israel, and that there is a collective interest in having such a person convert. See Pardes Yosef HaChadas on this passuk for further source material on this matter.

19 There is a teshuvah of the Rambam (Pe’er HaDor 50) that may lead to a similar conclusion as the Meiir, although the printed teshuvah has some lines that may appear contradictory. See R. Eliyahu Bracha, Toldos Noach pp. 572-573 for an analysis of two versions of the Rambam’s teshuvah.

20 There may be other mitigating positions that provide further allowance for teaching Torah to conversion candidates. Netziv (Meishiv Davar 2:77) argues based on various sources that a non-Jew is permitted to study Torah SheBichavah and is only proscribed from studying Torah SheBeal Peh. One of his primary proofs is the tradition (see Sotah 35b) that Yehoshua translated the Torah into seventy languages. See, however, R. Ovadia Yosef (Yabia Omer, Y.D. 2.17) who quotes many sources that dispute the Netziv’s contention. Shitlei HaGibborim (end of the first perek of Avodah Zarah) quotes from the Riaz that the prohibition only applies to Chumash and the explanation of its pesukim and not to Neviim and Kesuvim, or at least those portions that deal with the consolation of the Jewish people. See Tetzitz Eliezer (21.25), who analyzes (and rejects) the position of some authorities that the prohibition only applies to teaching the reasoning behind the laws but not the laws themselves. For a general treatment of the subject of teaching Torah to non-Jews see R. J. David Bleich, Contemporary Halakhic Problems Vol. II pp. 311-340 and Toldos Noach Chapter 10. See also Mishnas HaGer Part II Chapter 15.

21 The aforementioned Meiir views the prohibition of a non-Jew keeping Shabos as being based on the same reason as the prohibition to study Torah. There is a concern that if a non-Jew keeps Shabos others will incorrectly think that he is Jewish and be led astray. It is arguable that this concern does not apply to conversion candidates. Tosafos Yeshanim (Yevamos 48a sv. Zeh) in one answer suggests that a non-Jew who intends to convert is permitted to keep Shabos. R. Akiva Eiger (Kamma, Hashmatos to 121) quotes from R. Pinchas Horowitz (author of the Haflaah) that the prohibition for a non-Jew to keep Shabos applies to the twenty-four-hour period beginning Shabos morning and through motzaei Shabos. According to this approach, which R. Akiva Eiger himself rejects, it would be permissible for a non-Jew to keep our Shabos, so long as he performs melacha on motzei Shabos. In a pamphlet entitled Vahavatem Es HaGer (2003), a guide for families that host conversion candidates published by the Israeli Conversion Authority (Ma’arach HaGiyur).
the author recommends instructing conversion candidates to keep Shabbos fully.

22 The most common suggestion in contemporary times has been to turn on a light once over the course of Shabbos. Given the recent movement away from incandescent bulbs (which according to many poskim constitutes a Torah prohibition of kindling a flame) in favor of fluorescent, halogen, or LED bulbs (which according to many poskim would only involve a rabbinic prohibition), perhaps the violation of a clearer Torah prohibition would be advisable.

23 The issue of whether a conversion candidate who has already undergone a bris milah but not yet gone to the mikva may (or should) observe Shabbos spurred much literature in the aftermath of an episode that took place in Yerushalayim in 1848. See, for example, Binyan Tezon 126. For a thorough analysis of this topic, see Rabbi J. David Bleich in Contemporary Halakhic Problems Vol. IV pp. 145-170.

24 Minchas Chinuch (mitzvah 32 section entitled Assuf) is bothered by the apparent Catch-22 situation of a person who is unsure as to whether he is Jewish. If he observes Shabbos he may violate the capital offense of a non-Jew keeping Shabbos and if he desecrates Shabbos he may violate the capital offense of a Jew violating Shabbos. He suggests that a person in situation violate a melacha through a chatzi-shiur — performing the action in a quantity less than that necessary to incur culpability. In Torah law there are many mitzvos and aveiros whose fulfillment or violation requires a certain minimum amount (shiur). However, the notion of shiurim does not apply to non-Jews. Thus, for example, a Jew is only liable for stealing if he stole an object worth at least a perutah; a non-Jew would be liable for stealing even if he stole an object worth less than a perutah.

If this individual of questionable status performs a melacha on Shabbos with only a chatzi-shiur, if he is really not Jewish he would be considered to have violated Shabbos. If he is Jewish, he would have only performed a melacha with a chatzi-shiur, which according to some is not Biblically prohibited (even though in general chatzi-shiur in other areas is considered Biblically significant), and according to others would not be prohibited if his intention is simply to avoid this Catch-22 situation.

Pardey Yosef (Noach 43) quotes in the name of the Chasam Sofer that one who is of doubtful status should wear tztizis in a reshus harabbim (public domain). If he is Jewish, then he will have done nothing wrong, as one is permitted to wear clothing in a reshus harabbim. However, if he is not Jewish, since he is not obligated in tzitzis the garment would be considered a masa, a burden, and to wear it in reshus harabbim would be considered a violation of Shabbos.

R. Yitzchak Yosef (Kuntreis HaGiyur, printed in Kenes HaDayyanim 5774, pp. 148-149) thinks that the notion of safeik d’oraisa l’chumra does not apply to non-Jews, and therefore if someone is of doubtful status, there is no consideration of being stringent to intentionally violate Shabbos, and he should fully observe Shabbos.
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