

A Concurring Opinion to Barry Leff's Teshuvah on Naming Converts
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This paper was submitted in December 2010 as a concurrence to "Name of a Convert" by Rabbi Barry Leff. Concurring and dissenting opinions are not official positions of the Committee on Jewish Law and Standards.

I want to endorse Rabbi Leff's responsum more strongly than he himself argues for it.

As Rabbi Leff points out, the Mishnah in Chapter Four of Bava Metzia (4:10, 58b in the Babylonian Talmud) announces a clear principle – that reminding converts of their non-Jewish past is forbidden as *ona'at d'varim*, oppressive speech. The Talmud and the codes all repeat this principle and embellish it in its applications. Therefore it seems to me that if we are thinking halakhically, we would need to declare the custom that evolved in the Middle Ages of naming a convert as son or daughter “of Abraham our Father and Sarah our Mother” a *minhag shtut*, a senseless and banned custom, for it publicly violates the principle announced in the Mishnah.

I take it that it is for this very reason that many rabbis are instead calling converts to the Torah as son or daughter “of Abraham and Sarah,” without “our Father” and “our Mother.” This practice, though, confuses things because some Jewish men, after all, are named Abraham, and some Jewish women are named Sarah, so it sounds as if the converts called to the Torah as children “of Abraham and Sarah” were born Jewish and that those are the names of their Jewish parents.

The three things that in my mind save the medieval custom from being classified a *minhag shtut* and therefore declared illegal are these: (1) Maimonides' wonderful theory in his *Letter to Yemen* that converts should see themselves as descendants of Abraham our Father and Sarah our Mother can and often does give converts a welcome sense of roots in the Jewish

people and not just the Jewish faith; (2) with a much larger number of converts in our midst and a larger percentage of our people being Jews by choice than in times past, the taint involved in being a convert in previous eras is thankfully dissipating in the minds and hearts of many people born Jewish; and (3) largely because of Maimonides' theory, many converts to Judaism do not mind being called the son or daughter "of Abraham our Father and Sarah our Mother" and may even see it as an honor. Of course, the last of these factors may not be sufficient to justify the custom, for the Talmud (*Bava Kamma* 86b) discusses whether shame (*boshet*) occurs solely when the victim feels embarrassed or whether it also exists when the person does not experience shame but the public or his or her family see whatever happened as a disgrace. In light of factor (2), though, even that broader concept of disgrace does not seem to apply in our time to being identified as a convert, and so these three factors are enough to convince me that we should not condemn the current practice as illegal nor even discourage it.

At the same time, what Rabbi Leff is proposing – that converts be allowed to choose to use some other names, presumably their parents' English names or, if those happen to be easily translated into Hebrew, the Hebrew version of their parents' names, in place of "Abraham our Father and Sarah our Mother" – seems to me to be a clear right that they should have as a direct application of the principle enunciated in the Mishnah and supported by the sources of Jewish law ever since, the principle that we may not shame converts by reminding them of their non-Jewish past. If that is true for the converts themselves, it is all the more true of the public at large, who would immediately know that the person called to the Torah as son or daughter "Abraham our Father and Sarah our Mother" is a Jew by choice.

As Rabbi Leff indicates, where a person's status as a Jew by choice has any legal

consequences, as in legal documents of personal status, we can identify the person by the name he or she chooses and then add “the convert,” *ha-ger* or *ha-giyyoret*. Some of us endorse the ruling by Rabbi Arnold Goodman and approved by this Committee that a female convert may marry a *kohen*, and then we would not even need to add that description of the woman involved. For those who do not accept Rabbi Goodman’s ruling, though, adding that description in the document to the woman identified by her parents’ names will accomplish what is necessary. In the meantime, in the far more common setting of being called to the Torah, Rabbi Leff’s ruling enables converts to choose to use “Abraham our Father and Sarah our Mother” but also their parents’ names (or a Hebrew version thereof) if they find the medieval custom embarrassing and a constant reminder to them and everyone else of their non-Jewish roots. His responsum thus enables us to retain the medieval custom for those who choose to do so but also to be faithful to the Mishnah’s principle for those who find the medieval custom embarrassing and disenfranchising.