

The Paradox of Who Is a Jew

by Rabbi Dr. Nathan Lopes Cardozo

What makes one a Jew? Being born to a Jewish mother? Converting to Judaism? Not really. It is living by the *spiritual order* of Judaism that makes one a Jew; living *through* the Jews of the past and *with* the Jews of the present and future. We are Jews when we choose to be so; when we have discovered Jewishness on our own, through our search for the sacred; when we fight the never-ending spiritual struggle to find God, realize that the world needs a moral conscience, and carry that exalted burden so as to save the world and provide it with a mission.

One becomes a bit Jewish when one realizes that there cannot be nature without spirit and there is no neutrality in matters of moral conscience. But all this is not enough. We have a long way to go before we grow into full-fledged Jews. We must recognize the noble in the commonplace; endow the world with majestic beauty; acknowledge that mankind has not been the same since God overwhelmed us at Sinai; and accept that mankind without Sinai is not viable.

To create in ourselves Jewish vibrations we need to see the world *sub specie aeternitatis* (from the perspective of eternity). We must be able to step out of the box of our small lives and hold the cosmic view, while at the same time not losing the ground under our feet but dealing with our trivial day-to-day endeavors and sanctifying them. Not by escaping them through denial or declaring them of no importance, but by actually engaging them and using them as great opportunities to grow. As one painstakingly discovers this, one slowly becomes a Jew.

Some of us have to struggle to attain this; others seem to be born with it. They possess a mysterious Jewish soul that nobody can identify, but everyone recognizes it is there. It has something to do with destiny, certain feelings that no one can verbalize. What is at work is the internalization of the covenant between God, Abraham and, later, Sinai. It is in one's blood even when one is not religious. It murmurs from the waves beyond the shore of our souls and overtakes our very being, expanding our Jewishness wherever we go.

Most Jews "have it," but so do some non-Jews. They *know* they have it. It is thoroughly authentic. They are touched by it as every part of one's body is touched by water when swimming, its molecules penetrating every fiber of one's being. Nothing can deny it.

These are the authentic Jews, but not all of them belong to the people of Israel. Some are gentiles with gentile parents; others are children of mixed marriages. If they should wish to join the Jewish people they would have to convert in accordance with Halacha, although they have been "soul Jews" since birth.

But why are they not already full-fledged Jews, without a requirement to convert? All the ingredients are present! Why the need for the biological component of a Jewish mother, or the physical act of immersing in a *mikveh* (ritual bath)?

The reason must be that Halacha is not just about religious authenticity and quality of the soul. It is also about the down-to-earth reality of life. It asks a most important question: How shall we recognize who is Jewish and who is not? Can we read someone's soul? How can one know for sure whether one is really Jewish? Can one read one's own soul and perceive it? How do we know that our believed authenticity is genuine?

The world is a complex mixture of the ideal and the practical, where genuineness can easily and unknowingly be confused with pretentiousness. To live one's life means to live in a manner that the physical constitution and the inner spirit of man interact, but also clash. There is total pandemonium when only the ideal reigns while the realistic and the workable are ignored.

Tension, even contradiction, between the ideal and the workable is the great challenge to Halacha. It therefore needs to make tradeoffs: How much authenticity and how much down-to-earth realism? How much should it function according to the dream and the spirit, and how much in deference to the needs of our physical world?

As much as Halacha would like to grant full dominion to the ideal, it must compromise by deferring to indispensable rules that allow the world to function. Just as it must come to terms with authenticity versus conformity (see *Thoughts to Ponder* 275), so it must deal with authentic Jewishness and the necessity to set external and even biological parameters for defining Jewish identity. And just as in the case of authenticity and conformity, here too, there will be victims and unpleasant consequences.

Some "soul Jews" will pay the price and be identified as non-Jews, despite the fact that "ideal" Halacha would have liked to include them. However unfortunate, Halacha must sometimes compromise the "Jewish soul" quality of an individual who because of these rules cannot be recognized as Jewish. Were we not to apply these imperatives, chaos would reign.

But there is more to it than that. There needs to be a *nation* of Israel, a *physical* entity able to carry the message of Judaism to the world. All members of this nation must have a common historical experience that has affected its spiritual and emotional makeup. There need to be root experiences, as Emil Fackenheim calls them, such as the exodus from Egypt, the crossing of the Red Sea and the revelation at Sinai. The impact of these events crafted this people into a most unusual nation ready to take on the world and transform it. For Jews to send their message to the world they need to have a historical experience - as a family and

later on as a nation - in which people *inherit* a commitment to a specific way of living even when some of its members object to it.

The fact that Judaism allows outsiders to join, though they were not part of this experience, is not only a wondrous thing but is also based on the fact that not all souls need these root experiences to become Jewish. They have other qualities that are as powerful and transforming, and that allow them to convert as long as they are absorbed into a strong core group whose very identity is embedded in these root experiences.

In terms of a pure and uncompromised religious ideal, this means that some Jews should not be Jews and some non-Jews should be Jews. Authenticity, after all, cannot be inherited; it can only be nurtured. Ideally, only those who consciously take on the Jewish mission, and live accordingly, should be considered Jews. If not for the need for a Jewish people, it would have been better to have a Jewish *faith community* where people can come and go depending on their willingness to commit to the Jewish religious way and its mission - just as other religions conduct themselves.

So, the demands of Halacha create victims when some "soul Jews" are left out of the fold, as is the case with children of mixed marriages who have non-Jewish mothers, or children of Jewish grandparents but non-Jewish parents. Similarly, with gentiles who have Jewish souls but no Jewish forefathers at all. All of these are casualties.

This is the price to be paid for the tension between the ideal and the need for compliance; for the paradox between the spirit and the law. That Halacha even allows any non-Jew to become Jewish through proper conversion is a most powerful expression of its humanity. In fact, it is a miracle.

There are probably billions of people who are full-fledged "soul Jews" but don't know it, and very likely never will. Perhaps it is these Jews whom God had in mind when He blessed Avraham and told him that he would be the father of all nations and that his descendants would be as numerous as the stars in the sky and the grains of sand on the seashore.