

(別紙 1)

論文の内容の要旨

論文題目

Inventing Imagined Descent
- Theorizing Rabbinic Conversion as the Ethnic Construction of
Jewish Identity -
(「虚構の出自」としてのユダヤ・アイデンティティ：
-血縁を再創出するラビ・ユダヤ教改宗法規再考-)

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This doctoral study aims to examine how the notion of rabbinic conversion (*Giyjur*) sheds a light on Jewish identity construction in defining the boundaries of Rabbinic Judaism. With the redactions of the major rabbinic corpora known as the Mishnah of the third century C.E. and the Babylonian Talmud of the 7th century C.E. respectively, Rabbinic Judaism developed and institutionalized the legal procedure of conversion by which a gentile can become a Jew. The Babylonian Talmud in fact conceptualized and developed the concept of “*A convert is like a newborn child*,” which enables the convert to be ethnically and genealogically affiliated with the ethnic community of the Jewish people. In this conceptual framework, the convert is no longer considered as a gentile but rather as a newly born Jew who has no kinship ties with his former relatives. This implies that one could join the peoplehood as a legitimate member on a par with the native-born via conversion regardless of one’s previous religious, kinship, and ethnic status. To illustrate how rabbinic conversion serves as an important site for the demarcation of the group boundaries that define Jewish identity, this study demonstrates how generations of the sages in the Babylonian and Palestinian Talmud reworked and redefined previous traditions of conversion in a more stringent manner, which eventually shifted the focus of Jewish identity construction towards the discourses of kinship reckoning, bodily purity, and ethnic identity. This study thus takes on an inquiry into the textuality of the Babylonian

Talmud as well as both Amoraic and Tannaitic texts with significant attention to how its textual developments evolved, shaped, and developed the *halakhic* concept of conversion as a cultural construct that defines Jewish identity. This study consists of four chapters, each of which explores different facets of how the *halakhic* notion of rabbinic conversion shapes different themes and discourses of kinship, ethnic, and bodily Jewish identity construction.

The first chapter engages in form analysis of the literary unit in Tractate Yevamot of the Babylonian Talmud (Yev 46a–48b), which contains a long unit devoted to the conversion procedure. This unit, a collection of discussions on Tannaitic traditions known as the Baraita, preserves literary conventions that contain a full description of the conversion procedure, concluding with the motif of the convert as a *newborn child* with a verse of comfort. A variety of methods are applied in order to affirm and identify the unique literary structures of this small tractate. Synoptic comparison with parallel Tannaitic sources preserved in Palestinian amoraic sources in fact reveals the growing stringency that promoted the institutionalization of rabbinic conversion as a court-ruled legal procedure. In this literary process of textual transmissions, the more stringent views in various Tannaitic traditions are reassessed and reaffirmed as legally valid in each amoraic statement of particular themes of the conversion procedure with the Babylonian redactors' comments. This literary tendency that the Babylonian views were gradually attributed to earlier Tannaitic authorities thus led to the institutionalization of the rabbinic court for conversion, which in turn enhanced the authority and authenticity of rabbinic conversion as a court-ruled legal procedure.

The second chapter examines another important development of the textuality of the Babylonian Talmud by paying significant attention to the Babylonian imagery of conversion as new birth in the context of the severing of the convert's kinship, which finds concrete expression in the phrase of "*A convert is like a newborn child.*" As is the case with the institutionalization of the rabbinic court for conversion as demonstrated in the previous chapter, this Babylonian construct was also the product of complex and delicate processes of textual transmissions, evolution, and developments, in which metaphors and phrases are mutated only to bear new meanings and definitions. The Babylonian construct of conversion as the severing of the convert's former kinship is legally designed to completely erase his former kinship and ethnic identity as a gentile, which in turn enables him to be defined as a new being. Through the Babylonian Talmud's attempt at semantic and textual maneuvers, particular metaphors, phrases, and constructs of earlier Palestinian, Tannaitic traditions

that rule the lack of paternal kinship among gentiles were thus reworked and reshaped to denote the severing of the convert's kinship in such a didactic way that in turn established the *halakhic* legislation of conversion as new birth. This textual maneuver of former Tannaitic traditions also contributed to constructing a historical prism through which the convert's genealogical status was discursively redefined and reaffirmed by earlier Tannaitic traditions in order to conceptualize Israel's intergenerational genealogical continuity into which he is already genealogically integrated, which in turn enhances the authority and authenticity of the rabbinic conversion process.

The third chapter seeks to explore how the Palestinian amoraic tradition uses the logic of patrilineal descent as an organizing principle for authorizing the invention of the convert's common ancestry with the nation's progenitor Abraham in the discourse of conversion. Beginning with careful textual analysis of Mishnah Bikkurim 1:4 as well as the *sugya* of the Palestinian Talmud, Bikkurim 1:4, 64a, the Palestinian sages fictively invented common ancestry for converts by drawing on the dialectics of the rhetoric of patrilineal relationships between ancestors and descendants in order to enable their fictive kinship construction through appeals to a common ancestor, Abraham. This demonstrates that religious rites and genealogy mutually meshed to construct "fictive" kinship structures in defining the convert's ethnic membership in the Jewish peoplehood, thus establishing his genealogical affiliation with the Jewish peoplehood as a whole. Hence it is precisely the recognition of a putative shared ancestry based on the myth of patrilineal descent that defines the identity of the convert as genealogically part of the peoplehood of Israel.

The fourth chapter demonstrates how the concept of conversion as a *halakhic* medium of identity transformation is deeply embedded in the rabbinic discourse of the human body that discursively constitutes the notion of *self* and *personhood*. The rabbinic notion of the human body should be examined as a major site through which one's own self or identity is understood, negotiated, and constantly redefined in relation to the discourse of conversion. In this conceptual framework, the sages' appeal to the discourse of the human body as a site through which identities are shaped and performed is also used to construct a distinct *Jewish body/self* for the convert especially in Tannaitic sources. In specific bodily-related *halakhot* that deal with conception, skin discoloration and genital discharge in association with the event of conversion, one's *halakhic* transformation from gentile to Jew via conversion apparently entails some form of the fundamental change of his or her "selfhood." The notion of conversion in the context of the discourses of bodily processes thus reveals that what

is called Jewishness or Jewish identity is not understood as a physical “given” but rather as a “cultural construct” that is fluid, mutable and constantly subject to negotiation, which may help shape and create a conceptually defined framework of defining the convert’s *Jewish body/self*, in which the rabbinic discourse of the human body is embedded as a discursive cultural construct that stands for what a person *is*.

In sum, examining all of the elements discussed above in this study, inquiries into the discourse of rabbinic conversion have significant implications for understanding Jewish identity construction in light of Jewish law and its worldview. That is, rabbinic conversion may also be understood as a divine act of creation. Based on the Mishnah’s theory of classification by which human thought plays an active role in altering the character of certain entities, classifying certain entities into new constructs is deemed a divine act of creation itself. This also suggests that any entity such as kinship or bodily purity can be subject to change and mutation through the *halakhic* acts of classification. The sages utilized this legal theory to shape the fundamental character of the convert as a Jew in order to effect a fundamental change in his identity from gentile to Jew. The Babylonian Talmud, for example, attempts to classify the convert as someone who is a *newborn child* under the general category of “Jew” by appropriating the Mishnah’s concept of classification. By the same token, the notion of conversion as a legal procedure administered by the rabbinic court suggests that it is the sages who constitute a sole representative body of the entire Jewish peoplehood that are authorized to serve as divine agents in carrying out the task of the divine creation, namely conversion. Since God in effect ascribes humanity/the sages the power analogous to His by transferring it to them in order to carry out the divine task of creation on His behalf, they too can exercise their power to classify the fundamental reality of the world through their attempt to make *halakhic* decisions. This demonstrates that the act of legal classification has profound effects to such an extent that what they classify in effect produces tremendous *halakhic* consequences. In a similar manner, classifying gentile into Jew via conversion thus embodies the divine act of creation. By engaging in the task of classifying the convert as a *newborn child* or more specifically as *Israel*, the sages have fulfilled the divine will of creation. In other words it is the *halakha* of conversion as a legal construct that defines the boundaries of Jewish identity. Therefore the Babylonian development of rabbinic conversion suggests that Rabbinic Judaism has the structures of identity construction openly subject to change in newly emerging perceptions and circumstances.