



Sifre Numbers 4

Converts and inheritance

Date: 3d CE

Place: Syria Palaestina

Language: Hebrew

Category: Jewish

Literary genre: Midrash

Title of work: Sifre Numbers

Reference:

4

Commentary:

This midrash addresses the subject of returning possessions that have been stolen from a *ger* (in rabbinic literature, this term often denotes a proselyte or a convert; for information on the term *ger* and conversion in general, see the commentary on Mishnah Bikkurim 1:4-5). This teaching highlights the fact that, according to the rabbis, newcomers to Judaism may not bequeath property to their non-Jewish relatives and, in that respect, they do not maintain ties with their non-Jewish family.

Although this midrash expounds on Numbers 5:8, the immediately preceding verses provide the scriptural and thematic context needed to understand this rabbinic passage:

“The Lord spoke to Moses, saying: Speak to the Israelites: When a man or a woman wrongs another, breaking faith with the Lord, that person incurs guilt and shall confess the sin that has been committed. The person shall make full restitution for the wrong, adding one-fifth to it, and giving it to the one who was wronged. If the injured party has no next of kin (*go’el*) to whom restitution may be made for the wrong, the restitution for wrong shall go to the Lord for the priest, in addition to the ram of atonement with which atonement is made for the guilty party” (Numbers 5:5-8, NRSV).

In our midrash, Numbers 5:8 prompts Rabbi Ishmael to ask: Who in Israel would lack a *go’el*, namely, a kinsman who would posthumously serve as the wronged party’s beneficiary? This sage then reasons that no Israelite would be without a *go’el*; therefore, this biblical verse must refer to converts who would have severed their prior family connections. Rabbi Ishmael then explains that this text discusses a case in which an Israelite stole from a convert. After that Israelite made a false oath, swearing that he did not steal, the *ger* died. The issue then arises, to whom should the thief return this lost property and pay the fine required by biblical law? According to Rabbi Ishmael, this verse comes to teach a statute that also appears in Mishnah Bava Qamma 9:11:

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The one who steals from the *ger* (convert) and has sworn [falsely] to him, and [that *ger* then] died. Behold, this one (the thief) should pay the principle (full value of the stolen goods) and [the fine of] one-fifth [of its worth] to the priests and [also bring] a guilt offering to the altar, as it is stated [in Scripture]: “If this man has no *go’el*” (a kinsman to whom restitution may posthumously be made if the deceased had been wronged; Numbers 5:8, NRSV).

This halakhah – which instructs that, if restitution is made posthumously for theft from a *ger*, the culpable Israelite should return the stolen property and pay the fine to the priests rather than to the convert’s relatives – also appears in a *baraita* in the Jerusalem Talmud 9:11, 7a, where this passage is attributed to Rabbi Akiva. This payment of retribution is also included among the gifts for priests listed in Tosefta ?allah 2:9 and Sifre Numbers 119.

These sources indicate that, for the rabbis, the relatives of converts could not inherit from them, with the exception of children who were born after their conversion. Even when the sons of a gentile converted together with their father, all rights of inheritance were nullified (see, for example ,Mishnah Shevi’it 10:9), indicating that, upon conversion, a *ger* effectively joins a new family and severs fiscal ties with his biological relatives (Porton, *The*



Stranger, p. 21). Yet, this breaking of bonds with their original family was not absolute since a convert could inherit property from his gentile father (Mishnah Demai 6:10). According to Gary G. Porton, the sages did “not rule that converts were prohibited from inheriting from their gentile parents ... because this could make conversion unappealing.” This asymmetry complicates our understanding of the relationships between *gerim* and their families of origin. Thus, while some associations were cut, others were preserved.

Elsewhere, I have shown the striking parallels between these rabbinic laws and the Roman legislation which also associates a father’s loss of paternal authority upon gaining citizenship with his children’s loss of status as heirs (including Gaius, *Institutes*, 1.93-94; 3.19-20). It therefore seems that tannaitic halakhah reflects an internalization of particular features of the status of new Roman citizens that were then applied to converts (Wilfand, “A Proselyte”).

Keywords in the original language:

- [???](#)
- [????](#)
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Thematic keywords in English:

- [convert](#)
- [gentile](#)
- [inheritance](#)
- [priests](#)
- [proselyte](#)
- [Rabbi Akiva](#)
- [Rabbi Ishmael](#)
- [thief](#)

Bibliographical references: de Vries, Benjamin, [“The Ancient Form of Halakhot and their Development”](#), Tarbitz 33 (1964) : 8-19
Porton, Gary G., [The Stranger within Your Gate: Converts and Conversions in Rabbinic Literature](#) (Chicago: The University of Chicago Press, 1994)
Wilfand, Yael, [“A Proselyte whose Sons Converted with Him’: Roman Laws on New Citizens’ Authority over Their Children and Tannaitic Rulings on Converts to Judaism and Their Offspring”](#), in Legal Engagement: The Reception of Roman Law and Tribunals by Jews and Other Inhabitants of the Empire (ed. Katell Berthelot, Natalie Dohrmann , Capucine Nemo-Pekelman; Presses of the Ecole Française de Rome)

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