

## REVIEW ESSAY

### ***Transforming Identity: The Ritual Transformation from Gentile to Jew—Structure and Meaning*** by Avi Sagi and Zvi Zohar

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# ***Transforming Identity: The Ritual Transformation from Gentile to Jew—Structure and Meaning*** by Avi Sagi and Zvi Zohar (London & New York, 2007)

Marc Shapiro

In 1911 R. Zvi Hirsch Grodzinski published an open letter<sup>1</sup> to rabbis all over the world, asking them to offer their opinions on the following problem: A young man has fallen in love with a non-Jewish woman and the man's parents are insisting that the woman convert. Yet it is obvious to all that the Gentile woman has no interest in Judaism and will not observe any of the commandments.

Grodzinski tells us that in the past he never accepted these types of converts. Yet eight years prior to this, R. Jacob David Wilovsky (Ridbaz) had been staying with him, and one such potential convert came to Grodzinski. Wilovsky at first wished to accept her. However, after Grodzinski showed him halakhic authorities who rule that *ab initio* such converts should not be accepted, and that it is questionable if the conversion is valid even *ex post facto*, Ridbaz agreed that one should not convert these people.<sup>2</sup>

Knowing that Grodzinski would not convert her, the young woman who is the subject of his letter went to the local *shohet*. He was more amenable and found two others to make a *beit*

*din* which then performed the conversion. Grodzinski asks, is the conversion valid *ex post facto*?

Grodzinski was an outstanding talmudist and halakhist, some might say the most outstanding in the United States. Although he personally believed that conversions without real intention are invalid even *ex post facto*, he recognized that there is ambiguity in the traditional sources on this point,<sup>3</sup> which is why he wanted to hear what other rabbis thought about the issue.<sup>4</sup>

The first one to respond was a well-respected Hungarian rabbi, R. Yehezkel Baneth.<sup>5</sup> In his opinion, the conversion of one who has no intention of following the Torah is absolutely binding. Baneth notes that there are different positions expressed in rabbinic literature, but Maimonides rules:

A proselyte whose motives were not investigated, or was not informed of the commandments and the punishment for transgressing them, but was circumcised and immersed in the presence of three laymen, is a proselyte.<sup>6</sup>

1. See *Ha-me'asef*, 5671, vol. 2, no. 20, pp. 20a-23b.

2. Reflecting how often rabbis have been “burnt” by converts, R. Jacob Kantrowitz writes as follows (in R. Joseph Avigdor Kessler, *Tiferet yosef* [New York, 1943], p. 7):

ולפי שרע עלי מעשה הגירות בכלל, קשה עלי להרבות דברים בזה, ואך שהדר"ג כתב שזה המעשה נעשה אצל רב מובהק, אני אומר, כי רב מובהק אין לו עסק בענין זה של גירות, ואם כי בגמ' אמרו קשים גרים לישראל, הנה זה ביותר קשה לרבנים.

3. To give just one example (which is not mentioned by Grodzinski), Maimonides states that even though the wives of Solomon never intended to give up their idolatrous worship, their conversions were still valid. See *Hilkebot Issurei bi'ab* 13:16-17. For a unique understanding of Maimonides' view, see R. Ahron Soloveichik, “*Be-inyan gerut*” [Regarding Conversion], in Moshe Sherman, ed., *Kevod ha-Rav* (New York, 1984), pp. 20-25.

4. See R. Moses Feinstein, *Iggerot mosheb, Yoreh de'ab*, vol. 1, no. 157, which is sent to a great scholar who was in doubt about this issue (called to my attention by R. Chaim Rapoport).

5. *Ha-me'asef*, 5671, vol. 2., no. 57, pp. 61b-63a, no. 73, pp. 78b-79b. Baneth was the grandson of R. Solomon Ganzfried.

6. *Hilkebot Issurei bi'ab* 13:17.

Baneth sees it as obvious that there can be no acceptance of *mitsvot* without being informed of them (more on this later). Yet Maimonides rules that a convert who knew nothing of the *mitsvot* is still a valid convert. According to Baneth, this means that even if one doesn't accept the *mitsvot*, as long as he goes through the proper halakhic procedure the conversion takes effect.

Baneth brings another proof for this perspective from an earlier *halakhab* in the *Mishneh torah*. Here Maimonides states that a prospective convert who has been circumcised but not immersed, or immersed but not circumcised, is not regarded as a convert until the missing element is completed.<sup>7</sup> Yet Maimonides doesn't say anything about accepting the commandments or about the *beit din* determining that the commandments will be observed. "From here we see that lack of acceptance of the *mitsvot* and observance of the Torah do not prevent one from becoming a convert, *ex post facto*." The best possible way of converting someone is set out by Maimonides,<sup>8</sup> where he speaks of informing the potential convert of the commandments, yet *ex post facto*, even without such informing and acceptance, the conversion is still valid.

In the following issue of *Ha-me'asef*, R. Jacob Schorr's responsum was printed, and he comes to the exact opposite conclusion. He felt that the woman, who never had any intention of observing *mitsvot*, is not to be regarded as a

convert, even *ex post facto*.<sup>9</sup> It is not my intention here to go into the argument in any detail. I cite this dispute only in order to show that, contrary to what many today would like us to believe, the issues we are dealing with are hardly clear-cut, and great scholars have come down on different sides of the issue.

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*Maimonides rules that a convert who knew nothing of the mitsvot is still a valid convert.*

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In fact, as Avi Sagi and Zvi Zohar note, in their challenging new book on the subject of conversion, R. Abraham Isaac Kook comes down on both sides of the issue. In one responsum he states that the only thing that matters is that the conversion be carried out properly. What someone is thinking at the time is irrelevant and cannot void the halakhic act of conversion. Yet in another responsum he takes the exact opposite position.<sup>10</sup>

Sagi and Zohar analyze other important opinions on this topic, as well as a number of additional issues related to conversion. While the "stringent" views have become quite well known in the last few years,<sup>11</sup> this is not the case with the "lenient" opinions, that is, those that do not make conversion contingent on complete halakhic observance. In this regard, Sagi and Zohar are particularly valuable. I too provided a number of additional "lenient" sources in a blog post.<sup>12</sup>

7. Ibid. 13:6, 14:1-5.

8. Ibid., 13:14.

9. *Ha-me'asef*, 5671, vol. 2, no. 72, pp. 75b-78b.

10. pp. 226-227, 232 n. 17.

11. Despite all the news about the "stringent" position, and the problems it has caused for converts, I am unaware of any adherent of this position who has explained what it actually means to declare that converts must adhere to complete halakhic observance or else the conversion is of no value. It is very easy to say that a convert who violates *shabbat* the day after his conversion is not a valid convert. However, what about a convert who speaks *lashon ha-ra* the day (or hour) after his conversion? Is this conversion also rendered invalid? Are converts not allowed to sin like other Jews, without worrying about the status of their conversions?

12. See [www.seforim.blogspot.com](http://www.seforim.blogspot.com), Aug. 28, 2009. Some additional sources not mentioned in Sagi and Zohar nor in my blog post are R. Hezekiah Shabtai, *Dinrei hizqiyabu* (Jerusalem, 1989), *Yoreh de'ah*, no. 1; R. Moses Rosen's responsum in R. Joseph Avigdor Kessler, *Tiferet yosef* (New York, 1944), vol. 2, no. 13 (and see Kessler's responsum, *ibid.*, no. 14); R.

Let me now also refer to one further important source, which is a responsum of R. Naphtali Zvi Judah Berlin. Berlin was a very important decisor. Yet in all of the heated discussions about voiding conversions and what is required for a convert in terms of *qabbalat ha-mitsvot* (acceptance of the commandments), no one has mentioned Berlin's responsum, which appears in *Meshiv davar*, vol. 5, no. 46.<sup>13</sup> Berlin states that while it is forbidden to convert someone who does not undertake to perform the *mitsvot*, if such a conversion is carried out it is nevertheless valid. The reason for this is that *qabbalat ha-mitsvot* is not required *be-di-avad* (*ex post facto*).<sup>14</sup>

What this means is that no otherwise valid conversion can be voided, since as long as circumcision and immersion were performed in a proper fashion, the fact that in reality the convert never accepted the commandments does not affect the conversion's validity. Significantly, Berlin is referring to when there was no *qabbalat ha-mitsvot* whatsoever, and yet he still declares the conversion valid.<sup>15</sup> The situation that is so common today is actually much less problematic than that dealt with by Berlin. That is because the current controversy revolves around conversions that indeed included formal *qabbalat ha-mitsvot*, yet questions were later raised about whether the acceptance had been authentic.

Abraham Price, *Mishnat avraham on Sefer hasidim* (New York, 1960), vol. 2, p. 236, vol. 3, p. 63; R. Hayyim David Halevi, *Aseh lekha rav* (Tel Aviv, n.d.), vol. 3, pp. 134-135; R. Eliezer Berkovits, *Not in Heaven* (New York, 1983), pp. 108ff.; R. Ovadiah Yosef, *Masa ovadyah* (Jerusalem, 2007), pp. 441-442; R. Moshe Malka, *Miqveh ha-mayim* (Jerusalem, 1984), vol. 5, p. 83, *Ve-beshiv mosheb* (Lod, 1994), no. 71; R. Yigal Ariel, "Giyur olei berit ha-mo'atsot," *Tehumin* 12 (1991), pp. 81-97; R. Moshe Tsuriel, "Giyur ha-olim me-rusiyah," *Iturei kohanim* 67 (Tishrei 5751), pp. 34-37; R. Moshe Horev, "Din gerut ba-olim ha-hadashim ba-ba'im me-erets tza'fon (rusiyah)," *Va-ya'an shemu'el* 3 (2000), pp. 218-221; R. Shlomo Goren's letter in *Tehumin* 23 (2003), pp. 180ff.; R. Mordechai Yehudah Krauss, "Be-inyan gerut beli qabbalat mitsvot amitit u-le-ahar zeman hitbil lishmor mitsvot," *Mi-beit levi* 18 (2005), pp. 196ff.; R. Nachum Eliezer Rabinovitch, *Siah nahum* (Ma'aleh Adumim, 2008), no. 69. See also R. Moses Feinstein, *Iggerot mosheb, Yoreh de'ah*, vol. 1, nos. 159-160, that many rabbis accepted converts who did not intend to observe the *mitsvot*. (R. Feinstein disagreed with this approach, but on account of the other rabbis would not publicly protest.) One of these rabbis was R. Jacob Meskin. See *Even ya'aqov al masekhet hagigah* (New York, 1944), p. 108 (emphasis added):

ולכאורה כיון דפסק הרמב"ם דין קבלת המצות מעכב בדיעבד, א"כ אם אינו מקבל מצוה אחת לא גרע מאלו לא קבל כלל . . . ע"כ צ"ל דאם לא קבל כלל ומל ושבל הוי גר דאינו מעכב אבל אם קבל שאר מצות ופירש בפירוש שאינו מקבל מצוה אחת התם גרע מסתמא, ועוד י"ל דכיון דמל וטבל לשם גירות הוי כאילו קבל כל המצות ולא הוי מחוסר קבלה דסתמא לשמא קאי, אבל אם אמר בפירוש שלא לשמו פסול, כמו"כ גבי גר נמי הכי דבפירוש שאינו מקבל גרע מסתמא דודאי קבל עליה. ויש שרוצים לומר דכיון שאינו משמר את המצות לאחר מילה וטבילה וקבלת המצות הוי כאילו אינו מקבל את כל המצות, ואמנם הקבלה היתה על כל המצות ואח"כ כשאינו משמר את המצות הוא נענש על זה כמו ישראל גמור מבין ומלידה שנענש על שאינו שומר מצות התורה אבל בעת מעשה מקבל על עצמו ליכנס תחת כנפי השכינה דהא מניח את עצמו למול לשם גירות ומקבל להיות יהודי גמור לאלקיו ולתורתו ולעם ישראל, ולכך מהני.

The sentiments expressed by Meskin were shared by many *poseqim*.

For a justification of converting people even if you know that they will not observe the *mitsvot*, see R. Zvi Magence, "Be-inyan gerim ve-gerut," *Or ha-mizrah* 38 (1991), pp. 257-258. According to R. Avraham Avidan, willingness to observe "most of the *mitsvot*" is sufficient to validate a conversion. See "Be-inyan gerut," *Torah she-be-al peh* 32 (1991), p. 94. See also R. Ezra Batzri, *Sha'arei ezra* (Jerusalem, 2003), vol. 2 p. 433 (emphasis added):

הכל תלוי בהשערת הדיינים באופיו של האיש . . . וכך נוהגים בבתי הדין בארץ לגייר אפילו כשיודעים שהסיבה לכך היא נישואין . . . שאם רואים בית-דין שסופו לקיים את תרי"ג מצוות לשם שמים, אף שעכשיו אינו לשם שמים, כיון שסופו יהיה לשם שמים יכולים לגיירו.

13. This last volume of *Meshiv davar* only appeared in 1993. While it is now published together with the other volumes, it is not part of everyone's library, especially those who already have the classic four-volume set. Some may even be unaware of its existence.

14. In this responsum he raises the possibility that according to the Tosafists, this principle is no longer applicable. Yet he rejects this approach and asserts that according to Alfasi and Maimonides, acceptance of the commandments is not required in order for a conversion to be valid.

15. See Sagi and Zohar, p. 215, where they cite R. Solomon Kluger who states that acceptance of the commandments is a rabbinical injunction, and that even without *qabbalat ha-mitsvot* the conversion is binding according to the Torah.

Throughout the conversion controversy, the issue that everyone focused on is the concept of *qabbalat ha-mitsvot* (“acceptance of the commandments”), and what this requires in order for the conversion to be valid. This is also a major theme in the book under review, since Sagi and Zohar argue that according to one approach recorded in the Talmud, what they term the “*Yevamot* paradigm,” *qabbalat ha-mitsvot* is not a requirement at all. The *Yevamot* paradigm is about joining Jewish society in a kinship sense, and circumcision and immersion accomplish this, with nothing else being required. They distinguish this from the “*Demai* paradigm,” referring to *Tosefta Demai* 2:5,<sup>16</sup> which is explicit that a convert must take it upon himself to perform the mitsvot of the Torah.

The notion that there could be different views in early rabbinic literature on a matter such as this should not be surprising. Yet the novelty of Sagi and Zohar is their claim that not only is this dispute not settled in the Talmud, but the two positions can be identified, advocated by different authorities, up until the *Shulhan arukh*. They further assert that one can even identify these positions in the post-*Shulhan arukh* era.

A further significant claim of Sagi and Zohar is that the nineteenth-century R. Yitzhak Schmelkes is the first halakhic authority to hold that “acceptance of the commandments means subjective intent to perform them” (p. 234). Can it be that something that is taken for granted by pretty much all halakhic authorities today is actually a relatively recent notion? This is one of the big questions that the reader must confront in this very ambitious book. It is, to be sure, not always an easy text to follow, as there is a good deal of detailed analysis. Fortunately, the authors provide summaries, and readers do not need to grasp all of the

halakhic particulars in order to understand the authors’ main points.

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*The controversy revolves around conversions that included qabbalat ha-mitsvot, yet questions were later raised about whether the acceptance had been authentic.*

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The book was written before the recent controversy regarding voiding of conversions, but anyone who had read the book would not have been surprised by what has been going on. That is because the authors cite examples of cancellation of conversions before the famous cases that hit the news. In fact, in some ways events have moved beyond what the authors deal with, and beyond what anyone could even have imagined a few years ago. Thus, in discussing child conversion they note that none of the talmudic sages who deal with this “require any positive act or statement by the young proselyte to validate the *giyyur* he underwent as a minor. Not only is he not required to take upon himself ‘the yoke of the commandments,’ he is not even required to express his wish to be a Jew” (p. 154). Yet we are now hearing of *batei din* with a different outlook. These *batei din* reportedly hold that when the proselyte reaching the age of majority is not observant, the conversion is invalidated.

This approach goes against what has always been the standard procedure when it comes to child conversion, that, barring an active protest upon reaching majority, the conversion remains binding. The new approach would literally deny non-Orthodox Jews the right to have their adopted children convert to Judaism. What this means in the State of Israel is that all adopted children of the non-Orthodox would be regarded as Gentile, and it is hard to imagine a greater disaster for the Jewish community than this.

16. This *Tosefta* is quoted in *Bekhorot* 30b.

An important element of Sagi's and Zohar's thesis is as follows: "We hold that one cannot assume rabbinic consensus on the basic requirements of *giyyur*; requirements not mentioned in a text cannot be regarded as having been so 'self-evident' or 'obvious' as to require no mention" (p. 114 n. 1). Thus, when a rabbinic text does not mention anything about the need for acceptance of the commandments, it is because according to this text, there is no such necessity.

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*It is hard to imagine a greater disaster for the Jewish community than this.*

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Another central feature of the book is charting the development of conversion requirements. Rather than summarize the argument, let me quote a passage that lays it out very clearly:

[A] transformation has taken place in which "for the sake of Heaven" no longer refers to a religious state of mind or belief, but to a serious commitment to religious praxis. The fact that this transformation first occurred in late nineteenth-century Europe is understandable: at that time, alternate modes of Jewish religious praxis had emerged as well as secular lifestyles... In this context, it seemed insufficient for a proselyte to be motivated "merely" by sincere belief: it was imperative that she identify with the one and only correct form of Judaism, an identification that could be verified not by belief but only by praxis (p. 90).

Once it can be shown that real commitment to observance of mitzvot was not a necessity for conversion until recent times, this opens the door to liberalizing conversion requirements in our own day, an important subtext of Sagi's and Zohar's book.

Yet Sagi and Zohar are not always convincing in their arguments. For example, they quote R. Eliezer's opinion that if a proselyte was circumcised but did not immerse, he is Jewish.<sup>17</sup> The authors derive from this that circumcision "is noted as the sole ritual for a male proselyte" (p. 117). However, the source under discussion doesn't say this at all. Rather, it is speaking *ex post facto*, that if a convert was circumcised but did not immerse, that the conversion is still valid. The fact that immersion is also mentioned shows that as a general rule, this text does not regard circumcision as the "sole ritual." What makes their formulation all the more surprising is that on the very next page Sagi and Zohar acknowledge that, *ab initio*, R. Eliezer holds that "immersion should be part of the *giyyur* ceremony also for men" (p. 118).

Another example of what I believe to be a misreading relates to JT *Qiddushin* 4:1.

One who underwent *giyyur* for the sake of love, either a man because of a woman or a woman because of a man, and so too those who did so for the sake of a royal table, and lion proselytes, and the proselytes of Mordecai and Esther, are not to be accepted. Rav said: The *halakhab* is that they are proselytes, and they are not to be rejected in the manner that [potential] proselytes are rejected *ab initio*. Rather, they must be accepted and kindly welcomed, since they may have become proselytes for the sake of Heaven.

Sagi and Zohar (pp. 11-12) understand both the first, anonymous, opinion and Rav to be in agreement that the conversion is valid. They interpret the first opinion's conclusion—"are not to be accepted"—to mean that these converts should not be permitted to marry into a Jewish family. This is an incredibly farfetched reading, and I don't know of any commentaries

17. JT *Qiddushin* 3:12.

that adopt it. The simple meaning of the passage is that the first opinion does not accept the conversion, even *ex post facto*.

Sagi and Zohar also claim that the final words of Rav, “since they may have become proselytes for the sake of Heaven,” do not intend “to make the validity of the *giyyur* contingent, but to stress the obligation to welcome such proselytes and accept them into the community” (p. 17 n. 16). Although Sagi and Zohar do not note this, their reading can be supported by R. Joshua Benveniste’s understanding of the text. He claims that even though these people did not convert for the sake of Heaven, perhaps later they will come to this.<sup>18</sup> In the meantime, they are regarded as valid converts despite their intention at the time of conversion.

Yet this reading is very difficult to put into the words of the text. After all, Rav explains that the conversion is valid because perhaps they really did convert for the sake of Heaven. Yet this raises its own problem, since how could Rav say this when the Talmud explicitly tells us that the people did not convert for the proper reasons? In fact, in the parallel text, BT *Yevamot* 24b, the explanation that perhaps they converted for the sake of Heaven is lacking from Rav’s statement. What this presumably means is that it is not part of Rav’s original teaching but is an addition of a later *amora* seeking to explain how Rav could validate a conversion that was done for inappropriate reasons.

R. Gedaliah Felder explains Rav’s opinion to be that although the court should not have converted such people originally, once the conversion is carried out we act on the assumption that the convert had at least some small intention for the sake of heaven.<sup>19</sup> Even

R. Eliezer Berkovits, whose liberal position on conversion is well known, concludes that Rav’s opinion means that “perhaps they converted properly and we must draw them close.”<sup>20</sup>

Both Felder and Berkovits assume, and I think correctly, that the only reason the conversions are recognized *ex post facto* is due to the assumption that there was at least some element of proper intention on the part of the converts. This stands in opposition to Sagi’s and Zohar’s claim that Rav’s opinion assumes “that the motivations of a proselyte are inconsequential as far as the *ex post facto* validity of a *giyyur* is concerned” (p. 11).

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*The reason the conversions are recognized ex post facto is the assumption that there was some element of proper intention.*

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Let me note another example where Sagi and Zohar are off-target. The passage in the Jerusalem Talmud mentioned above is parallel to a passage in BT *Yevamot* 24b: “R. Nehemiah used to say: Lion proselytes, dream proselytes, and the proselytes of Mordecai and Esther are not considered proselytes. . . . R. Isaac b. Samuel b. Marta said in the name of Rav: The *halakhab* is in accordance with the opinion of him who maintains that they were all proper proselytes.” There are some differences between the traditions quoted in the Jerusalem and the Babylonian Talmud. (One such difference was noted above.) Sagi and Zohar see great significance in the fact that the BT *Yevamot* text says that lion proselytes etc. “are not considered proselytes,” while JT *Qiddushin* says that “they are not to be accepted.” As mentioned above, Sagi and Zohar understand

18. *Sedeh yeboshu`a* (Constantinople, 1754), ad loc.

19. *She’elat yeshurun* (New York, 1988), pp. 116-117: שבמקצת היתה כוונתו לשם שמים. Yet Felder also states that even when we know with certainty that the convert does not intend to be observant, the conversion is still valid *ex post facto*. Thus, *le-shem shamayim* need not be identical with intent to observe *mitsvot*.

20. “*Berurim be-dinei gerut*,” *Sinai* 77 (1975), p. 36.

“not to be accepted” to mean that we do not intermarry with them. Yet this is most unlikely, and as noted by R. Joshua Benveniste,<sup>21</sup> the first, anonymous, opinion in JT *Qiddushin* is in fact identical to the opinion of R. Nehemiah quoted in BT *Yevamot*.

As for the word “accepted,” this is used in many other places in the Talmud, and as far as I can tell, it never means what Sagi and Zohar claim it means here. In fact, right after offering their interpretation they quote another passage in BT *Yevamot* 24b: “No proselytes will be accepted in Messianic times.” This means exactly what it says, and there is no reason to assume anything different elsewhere. And what about *Tosefta Demai* 2:5, which is so central to this book? The *Tosefta* reads: “A proselyte who took upon himself all matters of Torah, excepting one thing, they don’t accept him.” In all these cases “accept” means “accept for conversion,” not “accept for marriage.”

Despite these reservations, I would also like to defend the authors from some recent criticism. Michael J. Broyde and Shmuel Kadosh have recently reviewed this book and were extremely critical, seeing it as without any merit.<sup>22</sup> I agree that many of Broyde’s and Kadosh’s points are valid. For example, while Sagi and Zohar refer to the different approaches of the texts in *Yevamot* and *Tosefta Demai*, and how these different approaches continued in the post-talmudic period, I think that Broyde and Kadosh are correct that such a supposed major

disagreement between *sugyot* would have been noted by the earlier authorities. Since they do not, it implies that, contrary to Sagi and Zohar, they do not see the two texts in tension. I think it is best to assume that the *rishonim* viewed *Yevamot* and *Tosefta Demai* not as contradictory texts, but as texts with different emphases that could be harmonized in some way. For example, one could argue that the *Tosefta Demai* text, which insists on acceptance of all the *mitsvot* before being converted, is only speaking *le-kbathilah* (*ab initio*).

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*Would Broyde and Kadosh have been so dismissive of Sagi’s and Zohar’s understanding if they knew the good company they were in?*

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Yet I also think that Broyde and Kadosh have gone overboard in some their criticisms. To give one example, they criticize the authors for stating that R. Joel Sirkes (known as the *Bah*) holds that according to Maimonides, *ex post facto* a conversion is valid even without acceptance of *mitsvot*.<sup>23</sup> I do not wish to enter into the dispute *per se*, other than stating that while the reading of the *Bah* put forward by Broyde and Kadosh can be defended, it too is not without difficulties. Yet Broyde and Kadosh make it appear that Sagi and Zohar have made an egregious blunder in their understanding of the *Bah*.

21. *Sedeh yehoshua*, ad loc. See also R. Aryeh Leib Yellin, *Yefeh einayim*, *Yevamot* 24b; R. Shemariah Menasheh Adler, *Genulat yisrael* (London, 1950), p. 26.

22. *Tradition* 42 (Summer 2009), pp. 84-103.

23. *Ibid.*, p. 88-89. See *Bah*, *Yoreh de`ab* 268, s.v. *u-le-inyan*. There is a problem with the way Sagi and Zohar quote the *Bah*, in that they make it seem as if there is no ambiguity in his opinion (p. 170): “Our master Maimonides wrote that the *giyyur* is valid even if it was totally lacking in intent to accept the commandments.” Yet the words of the *Bah* are as follows:

אע"פ דכתב הרמב"ם [פי"ג הי"ז] דכשר אע"פ שלא היה לשם קבלת מצות.

As the reader can see, the word *giyyur* does not appear in the *Bah*. This version comes from the standard edition of the *Tur*. The *Makbon yerushalayim* edition substitutes היה for היתה. (I follow R. Yehudah Herzl Henkin, “*Al af she-niglah sodan*,” *Ha-tzofeh*, July 6, 2008, in assuming that לשם should be read as *le-sham*, a form used often by the *Bah* and which is no different than שם.)

The following is how the second part of the sentence appears in Sagi’s and Zohar’s earlier Hebrew version of their book (*Giyyur ve-zehut yehudit* [Jerusalem, 1997], p. 104 n. 28):

דכשר [הגיוור] אע"פ שלא היה לשם קבלת מצות

If one assumes, as do Broyde and Kadosh, that the bracketed word should be הטבילה, only the *Makbon Yerushalayim*

Fairness requires pointing out that if Sagi and Zohar are mistaken in their understanding of the *Bah*, they are in good company. No less a figure than R. Ovadia Yosef states the exact same thing, namely, that according to the *Bah*, Maimonides does not require acceptance of the commandments for a conversion to be valid.<sup>24</sup> This position is also shared by R. Solomon Lipshitz,<sup>25</sup> R. Solomon Drimer,<sup>26</sup> R. Moshe Yonah Zweig,<sup>27</sup> R. Bezalel Zolty,<sup>28</sup> R. Elijah Schlesinger,<sup>29</sup> R. Shilo Raphael,<sup>30</sup> R. Shear Yashuv Cohen,<sup>31</sup> R. Yaakov Rosenthal,<sup>32</sup> R. Yitzhak Ralbag,<sup>33</sup> R. Yaakov Ariel,<sup>34</sup> R. Pinhas

Toledano,<sup>35</sup> R. Elijah Abergel,<sup>36</sup> R. Shlomo Dichovsky,<sup>37</sup> R. Yehudah Herzl Henkin,<sup>38</sup> R. Moshe Tsurriel,<sup>39</sup> R. Binyamin Riemer,<sup>40</sup> and Menachem Finkelstein.<sup>41</sup>

Would Broyde and Kadosh have been so dismissive of Sagi's and Zohar's understanding if they knew the good company they were in? Despite the fact that I acknowledge that the reading of Broyde and Kadosh appears to be viable, I must also state that with two exceptions,<sup>42</sup> I have not found their understanding in any traditional source, and as mentioned above, it too has difficulties.<sup>43</sup> In

version (שלא היתה לשם קבלת מצות) makes sense. Yet the first printing of the *Bah*, which appeared in Cracow 1735, has היה, and this can only refer to a masculine word such as *gilyur*. The *Makbbon Yerushalayim* version of the *Bah* is based entirely on the first printing, without any use of manuscripts. In other words, by replacing היה with היתה the editors have corrected what they believe to be a printer's error. They came to this assumption no doubt because they shared Broyde's and Kadosh's understanding of the passage. Unfortunately, they do not tell the reader about this emendation, and as the *Makbbon Yerushalayim* version becomes the standard edition, future readers, whose texts are missing the crucial word היה, will have difficulty understanding how so many great scholars assumed that the *Bah* understood Maimonides to mean that conversion without *qabbalat ha-mitsvot* was valid.

24. *Masa ovadiab* (Jerusalem, 2007), p. 432.

25. *Hemdut shelomoh* (Warsaw, 1836), *Yoreh de'ah*, no. 29.

26. *Beit shelomoh* (Jerusalem, 2006), *Orah hayyim*, no. 113.

27. *Obel mosheb* (Jerusalem, 1960), second series, no. 64 (p. 119). Zweig even states that according to R. Joseph Karo, *qabbalat ha-mitsvot* is not required *be-dianad*. See *ibid.*, p. 120.

28. "Be-dinei qabbalat gerim," *Torah she-be-al peh* 13 (1971), p. 37.

29. *She'eilot u-teshuvoth sho'alin ve-dorshin* (Jerusalem, 1997), vol. 2, no. 47 (p. 376). Unfortunately, much of this responsum is lifted word for word from Zolty's article, referred to in the previous note.

30. "Gilyur le-lo torah u-mitsvot," *Torah she-be-al peh* 13 (1971), p. 127.

31. "Ger she-hazar le-soro ve-she-eino shomer mitsvot," *Torah she-be-al peh* 29 (1988), p. 36.

32. "Be-hilkhot gerut," *Moriah* 2 (1970), p. 28.

33. "Qabbalat mitsvot be-gerut," *Torah she-be-al peh* 39 (1998), p. 67.

34. *Be-obalah shel torah* (Kefar Darom, 1999), vol. 2, p. 104.

35. *Beit shalom* (Jerusalem, 2006), vol. 1, p. 295.

36. *Dibrot eliyahu* (Jerusalem, 2009), no. 59.

37. *Piskei din shel batei ha-din ha-rabaniyim be-yisra'el*, ed. Dov Katz, vol. 10, p. 198.

38. "On the Psak Concerning Israeli Conversions," *Haqirah* 7 (2009), pp. 19-20.

39. "Gilyur ha-olim me-rusiyah," p. 35.

40. "Be-sugya de-ger qatan u-ve-din zakhin le-adam she-lo be-fanav," in *Zera berakh* (Jerusalem, 2002; memorial volume for R. Barukh Shimon Schneersohn), p. 308.

41. *Conversion: Halakhah and Practice* (Ramat Gan, 2006), p. 185-186.

42. R. Yoel Klufit, *Da'at yo'el* (Haifa, 1991), p. 354; R. Gedaliah Axelrad, "Be-dinei gerut," *Hadar ha-karmel* (Haifa, 1983), p. 48, *Migdal tsofim* (n.p., n.d.), vol. 1, p. 117. Broyde and Kadosh, p. 100 n. 6, claim that their reading is also reflected in *Entsiqlopediyah talmudit*, s.v. *gerut*, at text accompanying note 233. Yet this is incorrect, as is made clear by note 233:

ב"ח שם לד' הרמב"ם . . . ונ' שאינו מחלק בין הודעת המצוות לקבלת המצוות. וכ"נ מרישב"א כתובות יא א ושמו"ק שם בשמו ובשם שיטה ישנה שאין הודעת המצוות וקבלתם מעכבות בדיעבד.

43. Probably the major difficulty is how to explain the underlined passages, according to Broyde's and Kadosh's reading:

אע"פ דכתב הרמב"ם [פי"ג הי"ז] דכשר אע"פ שלא היה לשם קבלת מצות כל עיקר מיהו התוספות והרא"ש חולקין ע"ז דקבלת המצוות ודאי מעכבת והכי נקטינן דאין משיאין אותו אשה עד דיקבל עליו המצוות בפני שלשה

fact, virtually all sources that discuss the *Bah* assume, without any discussion needed, that the reading adopted by Sagi and Zohar is the correct one. Confronted with such a mass of great rabbinic figures who read the *Bah* in the very same way Sagi and Zohar read it, the typical reader, and I include myself in this category, should feel confident in assuming that in this example, at least, it is Sagi and Zohar, not Broyde and Kadosh, who get it right.<sup>44</sup>

I also think that one can challenge a fundamental point made by Broyde and Kadosh in their critique. They assume that there is a distinction between *hoda`at ha-mitsvot*, which is informing the potential convert of the commandments, and *qabbalat ha-mitsvot*, which means acceptance of the commandments. This logical distinction is crucial for their argument and it makes a good deal of sense. This distinction has also been made by a number of *aharonim*.

The problem, however, is that there is no evidence that the *risbonim* referred to by Sagi and Zohar shared this assumption. As far as I can tell, none of the *risbonim* make a distinction between *hoda`at ha-mitsvot* and *qabbalat ha-mitsvot*; rather, they use *hoda`at ha-mitsvot* as a form of shorthand to also include *qabbalat ha-mitsvot*. This leads me to conclude that when the *risbonim* speak about a convert who was never informed of the commandments, and that *ex post facto* the conversion is still valid, this means that the convert *never accepted* the *mitsvot*.

Broyde and Kadosh make it seem that Sagi and Zohar have committed a terrible blunder, and that their identification of *hoda`at ha-mitsvot* and *qabbalat ha-mitsvot* is almost a child's mistake. Yet the truth is that Sagi's and Zohar's understanding is taken for granted by numerous traditional commentators and

44. One other error made by Broyde and Kadosh is their statement that until the writings of R. Uziel, "there is not a single halakhic authority who states that *kabbalat ha-mitsvot* is not necessary" (p. 96). First of all, many believe, in opposition to *Hemdat shelomo*, that there are *risbonim* who hold that *ex post facto*, *qabbalat ha-mitsvot* is not necessary. See also the responsum of R. Naphtali Zvi Judah Berlin mentioned at the beginning of this review. Secondly, R. Uziel never said that *qabbalat ha-mitsvot* is not necessary. Let us not forget, the *Shulhan arukh*, *Yoreh de`ab* 268:2-3, lists this as a requirement. Rather, he understands *qabbalat ha-mitsvot* to mean that the convert accepts that the commandments are binding and that he will be punished for transgressions. Yet it does not mean that he agrees to actually fulfill the *mitsvot*. Alternatively, R. Uziel suggests that *qabbalat ha-mitsvot* is demonstrated by immersion. This latter point is not unique to R. Uziel, as it was previously stated by Lipshitz, *Hemdat shelomo*, *Yoreh de`ab* nos. 29-30 (the following quotes are found on pp. 77b and 79a):

ולעולם קבלת המצות ודאי דמעכב, רק דזה נכלל בטבילת גירות דכיון שטבל עצמו להיות גר ולהכנס בדת ישראל, ממילא היא קבלת המצות. . . דכיון דטבלה לשם גירות היא ממילא קבלת המצות כיון דאין צריך הודעת המצות.

Avidan, "Be-inyan gerut," p. 82, connects Lipshitz's view with the lenient opinions on conversion of R. Solomon Kluger and R. Hayyim Ozer Grodzinski. See also Sagi and Zohar, pp. 208ff. Posner's viewpoint in this matter appears to be no different than Lipschitz's. See *She'eilot u-teshuvot beit me'ir* (Jerusalem, 1995), no. 12 (p. 72):

לשיטת התוספות והטור והש"ע עיקר קבלת המצוות הוא במה שמקבלה עליה בב"ד לטובל לשם גירות.

halakhists, including R. Moses Isserles.<sup>45</sup> In fact, in describing the conversion ceremony in *Hilkebot Issurei bi'ab* 14:6, Maimonides never uses the language of *qabbalah*, only *boda'ab*, which shows that *boda'at ha-mitsvot* also incorporates *qabbalat ha-mitsvot*.<sup>46</sup> According to R. Hayyim Amsalem, R. Solomon Lipshutz (1765-1839)<sup>47</sup> is actually the first to distinguish between *boda'at ha-mitsvot* and *qabbalat ha-mitsvot*. Amsalem asserts that this is definitely not the understanding of those *risbonim* who refuse to invalidate a conversion for lack of *boda'at ha-mitsvot*. For them, lack of *boda'at ha-mitsvot* means that there is no *qabbalat ha-mitsvot*.<sup>48</sup> In other words, according to these *risbonim*, *ex post facto* there is no necessity for *qabbalat ha-mitsvot* at the time of conversion.

R. Joseph Karo, *Shulhan arukh, Yoreh de'ab* 268:3, speaks of the two concepts, *boda'at ha-mitsvot* and *qabbalat ha-mitsvot*, as one (להודיעו). He also states that if the acceptance of *mitsvot* does not take place the

conversion is invalid, even *ex post facto*. There is another type of *boda'at ha-mitsvot*, and that is spoken of in *Yoreh de'ab* 268:12. Here Karo writes that if you don't inform the convert of the reward and punishment for the *mitsvot* (שלא הודיעוהו שכר המצוות ועונשן),<sup>49</sup> the conversion is still valid. Yet this is very different from the simple *boda'at ha-mitsvot* which informs the convert of the existence of the *mitsvot*, and without which, according to many, there can be no *qabbalat ha-mitsvot*.

It is commonly stated that Karo's formulation in *Yoreh de'ab* 268:12 repeats what Maimonides states in *Issurei bi'ab* 13:17. Yet this is not entirely correct, as Karo makes a subtle change. Maimonides writes that if you don't inform the potential convert of the commandments and the punishments for lack of observance (. . . גר שלא הודיעוהו המצוות ועונשן), the conversion is still valid. Maimonides is speaking of two separate things, 1: Informing the potential convert of the commandments, and 2: Informing him of

45. For R. Moses Isserles, see *Darkehei mosheh, Yoreh de'ab* 268:1, and the explanation of his position in Rosenthal, "Be-hilkebot gerut," p. 28, and Avidan, "Be-inyan gerut," p. 78. See also Finkelstein, *Conversion*, p. 182 n. 66. For some other examples of those who identify *boda'at ha-mitsvot* and *qabbalat ha-mitsvot*, see R. Aaron Sasson, *Torat emet* (Venice, 1626), no. 20 (who independently of the *Bah* concludes that according to Maimonides a conversion is valid even without *qabbalat ha-mitsvot*):

ואף על פי שלא היה פה קבלת מצות כבר כתב הרמב"ם ז"ל בסוף פרק י"ג גר שלא בדקו אחריו או שלא הודיעוהו המצוות ועונשן ומל וטבל בפני שלשה הדיוטות הרי זה גר . . . נראה מכאן שקבלת המצוות אינה מעכבת.

R. Meir Posner, *She'eilot u-teshuvot beit me'ir*, no. 12:

קבלת מצות ע"י הודעה ודאי מעכב.

R. Elijah ben Hayyim, *She'eilot u-teshuvot r. eliyahu ben hayyim* (Jerusalem, 1960), vol. 2 no. 92 (the second no. 92):

משמע דמודיעין אותו היינו קבלת מצות.

R. Shlomo Drimer, *Beit shelomoh, Orah hayyim*, no. 113:

נראה שהרמב"ם לשיטתו שסובר שהודעת המצות אינו מעכב בדיעבד, וכן הם דברי הנמוקי יוסף, על כן אין צריך בדיעבד דוקא תלמידי חכמים וסגי בהדיוטות, אבל להתוס' והרא"ש דקבלת המצות עיקר, ומעכב בדיעבד, ופליגי אהרמב"ם כמו שכתב הדרכי משה וב"ח (סי' רסח) ומבואר מדבריהם דהודעת המצות וקבלת המצות אחת היא.

R. Yitzhak Ralbag, "Qabbalat mitsvot be-gerut," p. 67:

הרמ"א זיהא את הודעת המצות וקבלת המצות כדבר אחד, וכן הבין הרמב"ם בדברי הרמב"ם, והגיע למסקנא שאין הודעת המצוות וקבלת המצוות מעכבים בגירות.

R. Shalom Yifrah, *Minhat shalom: Ketubbot (Benei Beraq, 2002)*, pp. 94, 95:

הכי איתא להדיא בריטב"א ז"ל שכתב וז"ל: ואע"ג דגר בעלמא בעינן שיודיעוהו קלות וחמורות ההוא למצוה ולא לעכב, והכא דלאו בר הודעה הוא אינו מעכב עכ"ל, הרי לן דשפתיו ברור מללו דענין קבלת המצות אינו אלא למצוה ולא לעכב . . . הרי לן דשיטת הר"ן והשיטה ישנה והריטב"א והנמו"י והרמב"ם ז"ל דא"צ בקבלת המצות בכדי שהגירות תחול.

See also R. David Zvi Hoffmann, *Melammed leho'il* (New York, 1954), vol. 2, no. 87:

ואיך יקבל המצות אם אינו יודע המצות.

46. See R. Hananyah Yosef Eisenbach, *Ma'aneh yosef* (Jerusalem, 1981), p. 74. Maimonides uses the language of *qabbalah* in *Hilkebot Issurei bi'ab* 13:4, 14 and 14:5.

47. *Hemdut shelomoh, Yoreh de'ab*, nos. 29-30.

48. *Or torah (Tammuz 5768)*, pp. 840-841. Abergel, *Dibrot eliyahu*, vol. 7, no. 59, writing to Amsalem, expresses complete agreement with his position.

the punishment for transgressing them. Karo reformulates the halakhah so that only one thing is being referred to, namely, the reward and punishment associated with the commandments. Why did he alter Maimonides' formulation? I think it is clear that he understood Maimonides' words שלא הודיעהו המצות to mean that lack of acceptance of the commandments does not invalidate a conversion *ex post facto*. Since he disagreed with this (as stated in *Yoreh de`ab* 268:3), he changed Maimonides' language.<sup>50</sup>

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*Sagi and Zohar deserve credit for attempting to tackle an issue that is of vast practical significance in modern times.*

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All that has been said so far does not mean that any *rishonim* repudiated the *Demai* text, which states that a convert cannot reject any *mitsvot*. There is a difference between conversion without acceptance of *mitsvot*, which some *rishonim* validate *ex post facto*, and conversion while explicitly *rejecting* the binding nature of *mitsvot*. Sagi and Zohar have provided no evidence that any *rishonim* believed that the latter case, too, would be a valid conversion.

49. Sagi and Zohar, p. 201, and also Broyde and Kadosh, p. 93, translate these words as follows: “[If they] did not inform him of the commandments and the punishment for transgressing them.” This is incorrect. Karo does not refer to two separate things, namely, 1: Inform the potential convert of the commandments, 2: Inform him of the punishment for transgressing them. Karo is speaking of one thing, and one thing only, namely, informing the convert of the reward and punishment to be received for following or transgressing the commandments. Thus, Broyde and Kadosh, p. 93, are also mistaken when they claim that in this paragraph the *Shulhan arukh* waives notification of the commandments, but not acceptance, as this paragraph has nothing to do with either of these things. I must also express disapproval with the way Broyde and Kadosh discuss Sagi’s and Zohar’s analysis of the *Shulhan arukh* (p. 93). They make it seem that Sagi and Zohar have come up with a fraudulent “internal contradiction” in the *Shulhan arukh*, and then point out their supposed error. In truth, as Sagi and Zohar state, it is not only they who see a tension between the two *halakhot*, but also R. Meir Posner and R. Shlomo Lipschitz, both of whom attempt to explain the difficulty. Many other traditional scholars have also attempted to explain what they see as an apparent contradiction. Therefore, I don’t see how it is possible to criticize Sagi and Zohar for discussing a point that was raised by so many earlier traditional scholars

50. After coming to this conclusion, I found that Rosenthal, “*Be-hilkehot gerut*”, pp. 28-29, says the same thing. Alternatively, some have claimed that Karo’s reformulation of Maimonides’ words is what he understood Maimonides to be saying. But this interpretation is extremely unlikely as the reformulation ignores Maimonides’ explicit words that a proselyte who was not informed about the commandments is still a valid convert.

51. See Moshe Zemer, “Tha Rabbinic Ban on Conversion in Argentina,” *Judaism* 37 (Winter 1988), pp. 84-96.

52. *Dibber sha’ul* (Jerusalem, 1991), *Yoreh de`ab*, no. 3.

There are a few other points I would like to clarify.

1. Sagi and Zohar write: “Facing a rash of intermarriages in the 1920’s, the rabbinical leadership of the Syrian Jewish community in Argentina resolved in 1927 to totally forbid *giyyur*” (p. 87). Sagi and Zohar then state that this enactment was adopted in 1935 by the rabbis of the Syrian Jewish community in Brooklyn, and later by other Syrian communities.

What is not often realized is that the Argentine decree did not entirely forbid conversion. Rather, it stated that there were to be no conversions carried out in Argentina. This was done to prevent Jews from getting romantically involved with non-Jews on the assumption that if they chose to get married the non-Jewish partner could get a quick conversion.<sup>51</sup> Yet the Argentine decree did not close the door entirely. It allowed that anyone who wanted to convert could go to Jerusalem where “perhaps they will accept them,” as put by R. Saul Sithon, the one responsible for the decree.<sup>52</sup>

In Jerusalem the conversion would be carried out by the leading *beit din* (sometimes identified

as the “*beit din ha-gadol*”).<sup>53</sup> In an era before airplanes, anyone willing to undertake such a journey showed that he or she was serious about converting. After such a conversion in the Holy Land, the convert would indeed be accepted in the Argentine community.<sup>54</sup>

2. On p. 241, the authors refer to R. Abraham Dov Ber Kahana Shapiro of Kovno as “Ultra-Orthodox.” I understand the desire to label him as such, because his view of conversion and *qabbalat ha-mitsvot* is very stringent. Yet the truth is that Shapiro was the closest thing to a Modern Orthodox leader in Lithuania. To be sure, he was not like the typical German rabbi, but he supported secular studies and gave his backing to schools that had a *Torah im derekh erets* curriculum. It is not for naught that many in the yeshiva world regarded this great *poseq* and rabbinic leader as a quasi-*maskil*.<sup>55</sup>

3. In order to show “a striking instance of identification of proselyte immersion with birth of a Jew,” Sagi and Zohar, p. 275, cite “the highly regarded first edition” of the *Mishneh torah*, *Hilkehot milah* 1:7, which states that a non-Jew who converts while already circumcised should undergo covenantal blood-letting on the eighth day after his conversion. This is a nice theory, but unfortunately the

evidence is lacking, as there is no question that the words “on the eighth day after his *giyyur*” are mistaken. They do not appear in any of the best manuscripts, and this includes the Yemenite manuscripts and the Huntington manuscript that has Maimonides’ attestation.

4. Sagi and Zohar cite the view of R. Moses Hakohen that “acceptance of the commandments” does not signify intent to actually fulfill them. Rather, it means “that he accepts all the commandments of the Torah in the sense that, if he transgresses, he will be liable for such punishment as he deserves” (p. 230). As summarized by the authors, this means that proselytes are required to acknowledge that “the Torah’s framework of reward and punishment will apply to them as it does to all Jews.”

Sagi and Zohar see this as an opinion that is very valuable in our day, as a way of countering the increasing stringencies in matters of conversion. Yet I wonder where Hakohen’s view leaves the typical non-observant convert. Hakohen is speaking about someone who doesn’t observe *mitsvot* but recognizes that he will receive punishment for this lack of observance. Are there really any such converts? Isn’t the typical non-observant convert one

53. See R. Abraham Isaac Kook, *Da`at kohen*, no. 154; Shabtai, *Divrei hizqiyahu*, *Yoreh de`ab*, no. 1; and the 1938 letters from the Sephardic *beit din* of Jerusalem and the Aleppo *Beit Din* of Jerusalem in Sithon, *Dibber sha`ul*, introduction, pp. 17, 19.

54. Despite the current practice in the Syrian community, the original 1935 Brooklyn decree mentions nothing about conversions carried out *not* for the sake of marriage. The 1946 decree reads: “Our community will never accept any converts, male or female, for marriage.” The implication seems to be that, as with the Argentine decree, a convert would be accepted if the conversion was done for spiritual reasons. See the text of the decrees in Sarina Roffé, “An Analysis of Brooklyn’s Rabbinical *Takana* Prohibiting Syrian and Near Eastern Jews from Marrying Converts,” (unpublished MA thesis, Touro College, 2006), appendix. See also *ibid.*, pp. 27 n. 43, 37.

55. With regard to Shapiro, the authors write that he agreed that “if a court did accept an inappropriate candidate and he did undergo *giyyur*, he thereby became fully Jewish and his *giyyur* cannot be invalidated *ex post facto*” (p. 243). I have no idea where they get this assumption, which although true with regard to R. Isser Yehudah Unterman (whom they cite) and also other decisors, is never stated by Shapiro. Rather, Shapiro writes that he is not sure what the *halakbah* is with regard to one who converted while fully intending to violate commandments *le-te`avon* (that is, out of desire rather than out of principle). See *Devar avraham* (Jerusalem, 1969), vol. 3, no. 28.

who rejects this basic point? That is, the non-observant convert does *not* believe that he will receive divine punishment for violating the commandments. Since that is the case, it does not seem that Hakohen's position has any applicability to the current conversion controversy.

I have by no means exhausted all that can be said about Sagi's and Zohar's fascinating book. While it is true that some of their readings can

be challenged, they deserve a great deal of credit for attempting to tackle an issue that is not merely of scholarly interest, but also of vast practical significance in modern times. We are faced with a situation where the Jewishness of thousands of converts is being challenged, and most people have no clue as to what the basic issues are. For those who wish to understand what all the fighting is about, *Transforming Identity* is a great place to start.