

HAMEVASER

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Report From the Jerusalem Conference

The message of freedom has gone fourth from Jerusalem. The capital city of Israel recently hosted the Third International Conference on Soviet Jewry, a gathering of Soviet Jewry activists from 31 countries. Of the almost 2,000 delegates in attendance, there were some 125 representatives from the Greater New York area, including four New York City borough presidents, four area district attorneys, and a Justice of the Appellate Division.

The International Conference, convened from March 15-17 to dramatize the increasingly difficult plight of the Jews of the USSR, offered an opportunity for politicians, attorneys, scientists, academics, students and Soviet Jewry activists from around the world to compare notes and discuss ideas for new initiatives. In formal sessions, delegates heard major addresses by U.S.

Ambassador to the United Nations Jeane Kirkpatrick, Israeli Prime Minister Menachem Begin, and the former President of the European Parliament, Simone Veil. In workshops, participants focused their attention on different aspects of the Soviet Jewry issue, including the plights of the refuseniks and Prisoners of Conscience, Soviet anti-Semitism, and the quest for a Jewish identity in the USSR.

Delegates to the International Conference were welcomed at a reception at the Knesset, Israel's Parliament. They heard a moving speech delivered by civil rights leader and long-time Soviet Jewry activist, Dr. Bayard Rustin. The group also traveled to the Old City of Jerusalem for a public protest at the Western Wall. The torchlight rally there was marked by a spirited address by GNYCSJ Vice-Chairman Rabbi Haskel Lookstein.

Hamevaser Elects New Governing Board

After a brief deliberation, the 1982-83 governing board of Hamevaser, lead by Adam Karp, elected a new Editor-in-Chief for the 1983-84 year. Shalom Stone, a three-year member of Hamevaser's staff and last year's Associate Editor, was chosen by a 7-1 vote.

Shalom, a HAFTR graduate who hails from Far Rockaway, is an English major heading for law school. He spent his freshman year in BMT, as Hamevaser's Israeli reporter, and was News Editor in

the 1981-82 season. He is now in Rav Romm's shiur.

Moshe Orenbuch, also a HAFTR graduate from Far Rockaway, has been chosen as Associate Editor. Moshe was News Editor this past year, and has written numerous articles. He is an accounting major, and learns in Rav Schachter's shiur.

Daniel Lehmann, recently elected Vice President of the Yeshiva College Student Council, will return to the Governing Board (continued on page 6)



Left to right (standing): Isaac Corre, Larry Yudelson, Ari Goldsmith, David Berkowitz, Saul Rube. (Sitting): Jonathan Schmeltz, Alan Stadtmauer, Shalom Stone, Moshe Orenbuch, Daniel Lehmann, Steven Cohen. Board members not pictured are: Jacob Pleeter and Norman Saffra

Israel Affairs Committee Presents Lecture Trilogy on Mid-East Conflict

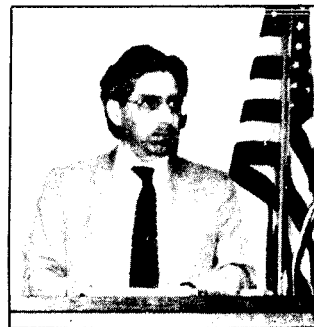
by STEVEN F. COHEN

The Israel Affairs Committee hosted a series of distinguished guests in a three-part lecture series on the situation in the Middle East, and this Arab/Israel conflict. The three speakers, each a representative of his country to the United Nations, were Ambassador Amre Moussa, of Egypt, Mr. Carl Gershman of the U.S. delegation to the U.N., and Ambassador Yehuda Blum of Israel. The series was aimed at promoting and strengthening understanding of the complex situation which exists in the U.N. today regarding Israel and her neighbors.

Ambassador Moussa, who spoke on Monday evening, April 25, was greeted warmly by 150 students and attendants. Opening remarks were offered by Rabbi Dr. Israel Miller, I.A.C. chairman, Phillip Machlin, and YCSC President, Avi Schneider.

Mr. Moussa spoke of the need for both Israel and Egypt to honor their commitments to treaties and promises signed and to promote mutual understanding. Although condemning Israel's activities in the Shalom HaGalil campaign, Mr. Moussa insisted that a condition of normalized relations between countries includes the right to differ and disagree. He called for continued dialogue and strengthened communication as the only hope for success in the beleaguered negotiations on the continuing peace process.

In reference to the Palestinian issue, the ambassador stated that the Palestinians constitute an integral part of the peace process and that no country may claim its security at the expense of another's. He claimed total commitment to peace and to working with Israel. "Occupation of territories must be stopped," he declared, "and the rights of



Ambassador Yehudah Blum

all peoples recognized."

Mr. Moussa insisted that Israel and Egypt maintain a healthy relationship in spite of their disagreements. While calling for renewed negotiations and direct talks, he failed to answer how such talks might be accomplished in the noticeable absence of the Egyptian ambassador at the Egyptian embassy in Tel Aviv. He claimed that Israel violated the spirit of peace in the actions taken in Lebanon but did not answer posed questions regarding the spirit of his condemnations of Israel in the U.N.'s General Assembly.

Demanding that territories be returned and the right of self-determination be granted to the Palestinians, Mr. Moussa sighted the Arab Claim of historical rights to the land as equally strong to Israel's. Egypt, he said, has negotiated with Israel, but not as a "separate peace." He asserted that the fate of the Palestinians and other Arab nations is directly connected to the Israeli/Egyptian treaty.

Mr. Carl Gershman, who serves as (continued on page 6)

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The Open Approach

We would like to take note of the excellent job done by the Israel Affairs Committee this semester. Its main event, the Peace in the Middleast three-part series was not only executed professionally, but demonstrated a new and refreshing open-minded approach to the issue. By having speakers from Egypt, the U.S., and Israel speak on the subject a greater perspective was reached on the topic. A special "Yeyasher Kochachem" must go to Ephraim Zayat, the U.S., and Annie Fialkoff—SCW Chairman, and Philip Machlin—YC Chariman and founder of the committee.

We hope they continue to offer such stimulating and controversial programs in their future years.

קרן אוהבי שלום OHAVEI SHALOM TZEDAKA FUND

In eternal memory of
Rabbi Solomon P. Wohgelerntzer
ז"ל

For our unfortunate
brethren in Israel
and Religious Refusniks
in Russia

Judah Wohgelernter
YU Representative

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500 West 185 Street
New York, N.Y. 10033
927-1562

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The Words of the Bible, Written on the Furst Hall Walls

by SHALOM CARMY

I must record my puzzlement about the publicity for Prof. Harold Davis's lecture, sponsored by the Psychology Club, on April 21. The title of the lecture (in Hebrew letters, and with a frummet of the frum hyphen separating *yod* and *heh*) was *EHYEH ASHER EHYEH*, followed by the English explanation: *I Will Be What I Will Be: The essential ethic of psychoanalysis*.

What does the title mean? God employs the phrase "Ehyeh asher Ehyeh" to define His essence to Moses (Shmot 3:15). But the subject-matter of psychoanalysis is most definitely not God, but man. To headline a lecture on "the essential ethic of psychoanalysis" with the Biblical definition of God is to imply that God and man are identical, that the attributes which Biblical religion assigns uniquely to God can be applied to man, or men, as well.

Now the view that god and man can be identified is not a new one. Christianity has maintained for two thousand years that, in one particular case, that of Jesus of Nazareth, there indeed was a human individual who possessed divine attributes. Certain movements in liberal Christianity, such as the so-called "death of God" movement in the 1960's, sought to extend the identification of God and Jesus to the identification of God and "man" in the abstract. These matters should be known to anyone professing an interest in modern intellectual history. From the Torah prospective, however, it requires little reflection to realize that deifying man is tantamount to *avodah zarah*, and the use of Biblical verses describing the unique ontological conception of God's essence to define man, or men, is blasphemous.

It is not, of course, my responsibility to ascertain Prof. Davis's theology. We live in a free country, and Prof. Davis has the right to believe in the divinity of man in the abstract, in the power of psychoanalysis to arrogate to itself divine attributes, or whatever; he may believe in Jesus, Freud, John and Yoko, even in *Ba'al Peor* or Aphrodite. The question is whether it is indeed impossible to deliver an introductory lecture on psychoanalysis without a blasphemous title. One might, for example, have retained the English title, but replaced the reference to the Jewish God with a more appropriately humanistic one to Popey the Sailor Man.

Moreover, I suspect that Prof. Davis might very well have chosen to modify his title, had he been informed of its offensiveness to believing Jews, and of the presence of quite a few such Jews on campus. This, of course, raises a question about the sensitivity of those who organized the meeting, and apparently failed to make clear to Prof. Davis the obnoxiousness of the title. This leads me to a second puzzlement.

On the evening before the lecture, I overheard a student, evidently one of the organizers of the meeting, urging another to make sure that Prof. Davis wore a *kippah* for the lecture. Why is it important that an individual who is not a believing Jew, who is in fact delivering a lecture with a title offensive to believing Jews, cover his head during the lecture? Was the lecture held in a *Shul*? No. Was the good professor intended to emulate a politician running for office, who woos the ethnic voters by adopting their ever so quaint folkways? Perhaps; but in that case, I'd have expected the ordeal of the skullcap to be followed by the ritual of the blintze, sealed with a knish. Are we to understand that the "Jewish" nature of our existence, as students, professionals and thinking individuals, is basically a matter of appearances, of putting on the right hat at the right time, of being, as Saint Paul

OP-ED

Moussa, Marines, and Messiah

by ARI WEITZNER

Whenever I read an anti-Zionist/Semitic article written by Flora Lewis or James Reston in the New York Times, I usually find myself muttering under my breath or even shouting at the newspaper. I conjure up images of myself shaking Reston by the lapels and making sure he understands my position and what I feel about his. Anyway, upon listening to His Excellency, A.M. Moussa's address to the Y.U. Student Body recently, my Zionist zeal began smoking again, and I realized that although I couldn't shake Moussa's lapels, I was going to give him a piece of my mind.

Moussa, in his address, said that Israel violated the spirit of the peace process with its incursion into Lebanon. Meaning, with the Egypt-Israel treaty ushering a new era of peace in the region, it simply is wrong and contrary to peace for Israel to launch a campaign which results in needless bloodshed on both sides.

Now I say—give me a break. *Surely*, if Israel perceives a threat to its security it has every right—no, the obligation—to defend itself and launch a counterattack on the enemy. What is Israel supposed to do when terrorists shower its northern towns with missiles and bombs—sit back and enjoy the show? I have never heard of such a thing, when a country may not defend itself against a terrorist threat to its civilian population.

Moussa answered this question by saying that the border had been quiet for a few months, and therefore Israel really had no justification in attacking. When I heard that, I was in a state of disbelief. Is Moussa trying to tell me that Israel had to wait for another terrorist attack in order to justify a retaliation? Once any terrorist attack occurs, it only makes sense that Israel reserves the right to decide when it will launch a counterattack—it could be immediately, in a week or in months. But just because Israel, for its own reasons, decides to delay the counterattack, that surely doesn't mean that Israel has forgotten or forgiven the original

attacks! That is clearly ludicrous. What Moussa is really doing is criticizing Israel's self-restraint!

Another question I posed to the ambassador: We have all heard Sadat's claim that the reason he went to war with Israel in 1973 was to regain his posture and prestige in the Arab world (which he had lost in his defeat in 1967), and only then could he confidently pursue peace with Israel. In other words, he felt it would be impossible to negotiate peace in a state of humility and defeat. Well, if that was true, why the hell was he celebrating that same war, if the war was largely of political nature? (Ironically Sadat was assassinated viewing the parade!) What are we supposed to think, when a person with whom we sign a treaty, goes ahead and calls for celebration of a very recent war in which many Israelis died?

Furthermore, the whole thing doesn't make sense, because what if Egypt defeated the Israelis and drove them into the sea—would Sadat negotiate peace then? Furthermore, what kind of sick country celebrates war?! Granted—a war of independence is something to celebrate...but a war of aggression? Furthermore, Sadat has to be joking when he says he regained prestige and honor in the Arab world after the 1973 war. Among war historians, Egypt probably suffered the greatest humiliation, when its entire 3rd army was completely encircled by Israel in the Sinai, and was at the mercy of Israel for food and water. In fact, the only thing that did save the 3rd army from starvation was extremely heavy pressure by the U.S. on Israel: Some victory. (By the way, the man largely responsible for that encirclement was Ariel Sharon, acting against orders.)

Moussa defended the celebration of the 1973 war, saying that the war was in fact the *beginning* of the road to peace. Well, I don't know, but in this man's world, it seems to me that the road to peace is not through war. It just doesn't make sense.

I'd like to discuss some more recent events in the

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From the Editor's Quill

SHALOM D. STONE

Hindsight and Foresight: A Tale of Presidents and Precedents

In one of Charles Schultz's immortal cartoons, Snoopy is seen, tennis racket in hand, lamenting the point he should've won, the game he should've won, etc. In the last frame, Snoopy says, "Unfortunately, we're not playing 'Should've's'."

Many people spent their whole lives looking back over their shoulders, saying "I should've, I should've..." A certain amount of regret is only natural. But once the game is over, second thoughts are a waste of mental energy. One could spend endless hours going through lists of if/then scenarios in the past tense and succeed only in giving oneself a massive headache.

The Monday morning quarterback who thinks he has proven his knowledge of the game by second-guessing yesterday's defense has only proven that hindsight is a fool's criticism.

Hindsight's value is in its relation to the future. If we learn from bum deals and gopher pitches to reassess our original pros and cons for the proverbial next time, then hindsight has served a commendable purpose.

Unfortunately, not everybody is smart enough to learn from his mistakes. Take Nixon, for example. In the first few lies after the Watergate break-in, he *should've* seen that each lie was sinking him deeper and deeper into the morass. Every time he lied Congress waved the implications in front of his nose. But Nixon didn't learn from his first few mistakes, and it is now

left to historians to say, "He should've, he should've..."

History, in fact, is very similar to hindsight, if only on a larger scale. It is organized, methodical hindsight—with a very important purpose.

John F. Kennedy was an avid student of history. He "saw the missile crisis in a worldwide tapestry of what had been, what was, and what would be. The lessons of history were always at the forefront of his mind. He called *The Guns of August* his presidential handbook, because nowhere else was there such a clear story of ignorance leading to misjudgement and then to catastrophe." (*Hugh Sidey, Time Magazine; Nov. 8, 1982.*)

With the lessons of history and its greatest leaders to guide him, Kennedy dealt with the Cuban missiles swiftly and logically. The "Crisis", as it is known, passed without a shot, and history had another leader to record.

Just as hindsight's analysis of the past helps us with our insight in the present, so too insight in the present guides our foresight of the future. It is foresight that brought man its greatest accomplishments; Men have seen things "before their time" and brought the future into the present.

In Isaac Asimov's sci-fi classic *Foundation*, scientist Hari Seldon combines his flair for hindsight and insight with a knowledge of psychology and sociology, and turns foresight into

scientific prophecy.

Every incident in the present is motivated by its past, and affects its future. Hari Seldon can predict the future of the universe because he understands the patterns of our past.

Hindsight, insight and foresight are as important to education as they are to politics, history, and science fiction. The past is examined, the present is evaluated; Where do we go from here?

President Albert Shanker of the American Federation of Teachers gave his opinion this week. Citing serious problems in the national education system, he called on the teaching community to "rise to the challenge." He proposed a national summit of business, education, and military leaders to discuss our nation's needs in regard to education.

Such foresight is not unusual among academics, yet even President Reagan has a suggestion. If, as Mr. Sidey contends, the President lacks Kennedy's appreciation of history, he has at least managed the foresight to "encourage a substantial upgrading of math and science instruction." (State of the Union Message, 1983).

Nor is Reagan the first president to recommend that. President Eisenhower told Congress in 1958, "National security requires that prompt action be taken to improve and expand the teaching of science and mathematics."

And what has our own President Lamm to say? What is the future of Y.U.? Who knows. But the rumors abound. New rebbeim here, new professors there. Improvements here, renovations there.

But rumors don't help anyone. If we

wait until the school's flaws become cracks and pitfalls, we will be very sorry. A little foresight is in order.

What's in Y.U.'s crystal ball?

—The new Max Stern Scholars program, designed to attract more talented students to Y.U.

—A new Student Council, committed to working for solid improvements around the school.

—A new *Commentator* board, which will hopefully restore the quality and dignity of the past.

—A new gym (albeit *sans* swimming pool).

—Anyone who has seen the course catalog knows that a lot of new courses have been added. A special *ישר כבוד* goes to the administration for the improvements.

That's the rose-colored crystal. The darker side of things well, I'll save my few thoughts on that until October. Perhaps by then I'll have even less to say on the subject. Until October...

A short good-bye:

Although there are many people in the Class of '83 that I will personally miss, I would like to say farewell to two graduates that the school will miss.

First, Adam Karp, who as both Editor-in-Chief and roommate, was there when he was needed and did a quiet, remarkable job.

Second, Alan Mayer, who brought to Y.U. in his own inimitable style, some much-needed character, culture, and pizzazz. Au revoir.

SOY This Year: Reflections

by JOSH EINZIG,
President SOY

The articles of the year's closing newspaper issue offer the writers an opportunity to reflect upon and evaluate the years activities and accomplishments. An article appeared in last year's Hamevaser which articulated the need of strengthening the Rebbe/Talmid relationship in the Yeshiva. Talmidim look upon their Rebbeim as leading examples but found the leadership lacking in some cases. This year SOY set out to open up the *מעין חיים* of Torah and bridge the gap existing between the talmidim and Rebayim. We realize the great abundance of our Torah resources and determined to use them to their fullest.

Our programming revolved around the desire to present the talmidim with every possible opportunity to gain exposure and *yedios* from our Roshei yeshiva, Rabayim and leaders. Under the direction of Chaim Book, we had the *z'chus* of hearing *divrei Torah* and *divrey hitor'rut* from administrators, Rebayim and recent musmachim in the rejuvenated parshat hashavua shiur given weekly during club hour. This year we were also able to correct a long standing ailment in our buildings and provide all dormitory rooms with proper *muzozot*. David

Mond directed the mezuza campaign as well as coordinating the refilling drive. The mitzva of tsitsis was also opened up to the Yeshiva with our tsitsis drive, organized under the sole direction of Moshe Hecht.

Among our highlighted programs, we continued the annual chagigot of Chanuka and Purim but expanded to include Simchat Torah. The *avira* of the Yeshiva was never felt so strongly as with the participation of the hundreds who attended the chagigot. "עם הדרה מלך, כבוד" The simcha reached unprecedented levels with the *z'chus* of having our Rov, HaRav Soloveitchik join us for the Chanuka Chagiga. Thanks are due to Yakir Muskat, Chaim Book, Arnie Kanarek and Kenny Brander for these successes.

In the ongoing tradition of providing access to the vast writings of *חז"ל*, SOY sponsored the annual Seforim sale which opens up the opportunity to increase our personal and collective libraries at reasonable prices. The seforim sales allow us to expand and replenish the Batei Medrash of the yeshiva with the most up-to-date as well as traditional texts and meforshim. A big Yasher Koach is due to Shlomo Huttler, Alan Berg, Moshe Hecht and David Silver.

Yeshiva life and learning Torah are full time experiences, including Shabbos.

SOY sought to apply the momentum of the weekday limud to *Kidushat Shabbos*. The three SOY shabbatot brought together the Rebayim and talmidim in an atmosphere of *ruchniut* and *limud*. The continuity of the limud and hatmada during Shabbos was a vehicle to promote a self-perpetuating momentum, strengthening the yeshivas *avira* by the full time and uninterrupted Yeshiva experience.

The benefits and potentials of Torah programs are so great that SOY was able to open its doors to the greater N.Y. community and allow the wellsprings to flow out from the Yeshiva to provide and promote Torah growth to those beyond the Yeshiva itself. SOY initiated an innovative and unique program with the institution of the Torah Homework Hotline. Directed by Rabbi Kahn, Moshe Sherman, Arnie Kanarek, and their volunteers on the phones, elementary and high school children in the N.Y. area could call up and receive hadracha and answers in any area of limudei Kodesh.

Limud Torah is a mitzva that extends beyond the limits of our Yeshiva years and pervades the entire life of the Torah Jew. SOY participated in perpetuating limud Torah by introducing a series of Shiurim offered specially for alumni who currently attend graduate schools and are on vocation during the winter break. The shiurim delivered by Rav Willig, Rav Schachter, Rav Parnes, Rav Tendler,

Rav Ginsberg and Rav Blau offered our alumni the chance to continue their learning and maintain their kesher to the Yeshiva.

Yeter al Kach, SOY will be proud to present two new volumes of our publications, Geshet and Beis Yitzchak under the editorship of Alan Brill and Rabbi Moshe Sherman, respectively, in the near future. We also offer the wider Jewish community our publications on Kashrut and on Festivals and Fasts, administered by David Silver.

I would like to offer my personal gratitude to Rebbe, Mori, HaRav Schachter a leader and Talmid Chacham who gave me invaluable hadracha and inspired me along the derech of Torah. To him I will be forever indebted and forever a Talmid. I extend my sincere thanks to special friends, Shlomo Huttler and Moshe Sherman for all their help and assistance both in official and personal capacities.

In leaving the office of president, I congratulate the entire board of SOY on a successful year and extend my thanks to them and to all those who worked on the projects, those whom I have named and those who have requested to go nameless. I leave the office regretfully but comforted in knowing that a most competent new board is poised and ready to continue the programs and to promote the goals of serving the talmidim of Yeshiva.

Dividing the Jewish People

by RAV DOV AHARONI-FISCH

B'mumo posel. "He delegitimizes others by attributing to them his own inadequacies." Such is the theme of the Talmudic account of a man who called others "slave" only to be revealed a "slave" himself, descended from slaves.

Such is the theme of the contemporary polemic between Observant Judaism and the deviationist camps, as we hear the self-righteous spokesmen of Reform and Conservatism charge the Observant community with "dividing the Jewish people."

Let it be clear. There is one Jewish people. "And who is like thy people Israel, one unique nation on earth?" And, whether a Jew calls himself "Orthodox" or "Conservative" or "Reform" is not relevant to his being Jewish. If he was born of an authentically Jewish mother or was converted to Judaism according to Halakha, he is a Jew. Period.

But, in the twentieth century, there are Jews.

And there are "Jews."

To appreciate the current situation it is useful to go back a century and a half to post-Napoleonic Germany. It was in the early 1800s that Napoleon began to spread certain French ideals of equality throughout Western Europe. In parts of Germany, like elsewhere in his orbit, he succeeded in overturning the Old Order and replacing it with a new French model, which gave Jews a new entry into

their surrounding Christian culture.

When Napoleon was overthrown and the Age of Metternich saw Jews thrust back into the ghettos of yore, many desperate Jews attempted to abandon their religion and practices in a manner which would show surrounding Christian society that Judaism was not all that different, not all that alien, not all that un-Christian. That Jews could blend in.

In its most hapless form, this desperation saw the founding of so-called "Reform Judaism" in Germany. Synagogues were converted into "Temples" modeled on neighboring liberal Protestant churches. Organs were introduced to make the services more contemporary. Church-style "decorum" saw rulings introduced forbidding people from dancing on Simchat Torah, from rattling "groggers" on Purim, from kissing the Torah scroll, and from moving their bodies during prayer. Some temples transferred their Shabbat services to Sunday; some abandoned the mitzvah of circumcision; all abandoned the Jewish claim to Israel—professing that Germany was their Zion. (Indeed, Abraham Geiger, their ideological George Washington, mocked Jerusalem as a vanity and those who aspired for its restoration as fools.)

It didn't work.

They made "improvements" which improved nothing. In a sense, it is glorious for an observant Jew to live 150 years after the experiment's failure. They

had always mocked the "antiquated Orthodox" with approximately these words: "You are out of touch with the modern world. History will judge between our two camps and will rule that we were the progressive visionaries in step with the future who saved Judaism from your obscurantist clutches."

History has judged. Today they rattle the "groggers." Today, their newer temples are moving the organs out and are bringing the yarmulkas back in. Today, they date Shabbat on Saturday. Today, they circumcize their children. Today, they support Israel. Today, they have come to recognize that, no, Germany was not the new Zion.

All the while, Orthodoxy has maintained its steady course, finding itself more "in synch" with the surrounding culture than the "progressives of history."

So history has judged as only history can. And that is why we must respond to the deviationists. Because history has borne out the Torah approach and has even seen the deviationists scramble in our direction. We have a clear view of history, and we are in step with the future. And that is why we may not silently abide new deviations from the eternal truth of authentic Torah Judaism.

The debate, then, is not over *mekhitot* or women rabbis. Nor is the debate over patrilineal descent. Rather, the debate is ultimately over eternal halakha. For, he who is in step with halakha not only walks with G-d but walks in the beat of history and in rhythm with the future.

What has the move to patrilineal descent wrought? On its surface, two columns in the *New York Times*. On a profoundly deeper level, two columns in Jewish history.

When my daughters come home with their boyfriends in twenty years, I shall have to go to a computer in Bar Ilan and inquire, as of *Urim V'Tumim*, whether or not these boys are acceptable. And their parents, too, will feel compelled to do the same. "Is the Aharoni-Fisch/Yellin family Jewish?" they will have to ask. Were any converted by Reform/Conservative clergy? Did any descend from Jewish fathers married to non-Jewish mothers?

That will be the fruits of Alexander Schindler's wisdom and the CCAR's resolution.

We will divide the Jewish people into two camps, neither of which will be able to marry into the other. The Jews and the

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Long Time Passing

by ALAN MAYER

I'd like to wrap up my college years, snugly in a box and seal it with an eloquent catchy phrase that would sum it all up; then I could store it away neatly in my closet to be looked at at my leisure. I cannot. It all seems to slip through my fingers when I try to define my past four years, and leaves me with a clouded image of things that were and those that never had the chance.

The moment which every Senior awaits with great anticipation is upon us. The graduation platform has begun to take shape and the rosebush threatens to bloom once again on the eve of that hallowed day. Somewhere, at some point in time, as we sit stifled and sweating in our hot black gowns listening to somebody speaking, it will be all over. At that point, this life that we have all created will crumble, and its illusory quality will be revealed. We all must have known what would happen from the very outset, and yet in spite of it all we began a life together. We talked and played and fought and grew with each other. We buried our old selves along the road and found that which we are today.

A day does not pass when I am not confronted by ghosts of what I was and what I dream. I find them reflected in the eyes of old friends and professors that I have nothing to say to anymore; they stare at me from old crumpled pages of poetry stuffed in the back of a drawer. They confront me as I walk through old classrooms and offices. They clutter every room of the Student Union Building and old dorm rooms. Walls which I painted with my own hands now shut me out as if I were a stranger to them.

Then there are the wells from which my thoughts, feelings and beliefs have sprung, one for every corpse—the two are

inextricably linked.

All these joys, sorrows, and memories come to an end with a small hoorah, some clowning around and the receipt of a small piece of paper. Suddenly it is all over. Dreams die. Friendships that once meant so much dissipate and finally disappear under the strain of time. We scatter, each one to his own life, leaving this illusion to the next generation and their dreams.

We will go on with our plans, some to graduate schools, others will start working and once again we will build our castles in the air. Whether the illusion is High School, College, Grad School, a career, or a wife and kids we humor ourselves with the belief that finally this is the real world, "now we are not kidding ourselves." Yet when they are all over we will once again try to wrap them up nice and neatly to store it safely away. Once again we will find them to be illusive will-o'-wisp that haunt us and tempt us from our paths.

What then is there left but the moment in which we exist as we live through it, that undefinable point in time which we call the present; the only reality we can truly perceive and relate to. Yes, they are castles and dreams in which we live, built on goals and beliefs that, in the end, may or may not be of any importance, but which are nevertheless relevant to us at the time. It has substance, and while it will inevitably fade it still forms the foundation on which our next life will be built. Our past must be put into proper perspective as a part of our life that related to us at a certain point in time, and was as real then as life is now. All that we can do is to seize the moment and live this moment in life for all that it is worth—it is all we have. This, too, shall pass.

Yom HaShoa Memorial Services

By ADAM KARP

April 10, Yeshiva University commemorated *Yom Hashoa* tonight, with a memorial service dedicated to the memory of the six million who died at the hands of the Nazis.

After an introduction by Alan Frenkel, chairman of the JSSSC Holocaust committee, the program continued with the dramatic reading of several stories by Yaffa Eliach read by Adam Charnoff and Eddie Shauder, President and Vice President of the Yeshiva College Dramatics Society. These readings painted a picture of what ghetto life was really like.

Hon. Naphtalie Lavie, Consul General of the State of Israel, then addressed the audience. Hon. Lavie was imprisoned in Buchenwald, and after he was freed he went to Palestine. He talked about the effect that the hell of the concentration camps had on the survivors, and on the State of Israel.

He asked why there is both a positive commandment to remember what Amalek did to the Jews, and a negative one of not forgetting as well. He quoted the *Sifra* which says that there are two parts to the commandment: 1) to remember what Amalek did to us; 2) to make sure that *others* do not forget.

Lavie then offered his own explanation. One of the requests in *Avinu Malkeinu* is that God should be kind to us because of the people who died by fire and by water. According to Lavie, fire and water do not necessarily refer to death. While fire destroys both the body and the soul, after drowning the body is intact, but the soul is lost. The positive commandment of remembering is to remember the people who died by fire whereas the prohibition of not forgetting is to remember the people who survived; although they emerged from the hell, something was still missing. These people could not find rest after their release. They were the ones who built the

BOOK REVIEW

When Bad Books Are Written By Good People

By STEVEN COHEN

If books were judged according to the intentions of their authors, Harold Kushner would have a classic achievement to his credit with his recent best-selling book, *When Bad Things Happen to Good People*. In the span of a mere 148 pages, he attempts to define and explain in the intricate concept of evil in our world. Unfortunately, as the saying goes, "the road to hell is paved with good intentions." Kushner wouldn't agree, though he doesn't believe in any such concept, neither of Olam Habanor of any concept of divine intervention or retribution.

In fact, he systematically discards almost every major tenet of our faith, from *Hashgacha pratit* to *T'chiat Hameitim* and points between. All this he accomplishes unhesitatingly, without any explanation at all, other than his all-pervading, poignant accounts of tragedy. Lest we take him to task, he attempts to let himself off the hook from the outset by denying any attempt to formulate any solid philosophies or theological ideas. Subsequently, Kushner gives a readers digest overview of the Book of Job, doing it little justice.

He makes little or no attempt to consider the conclusions of Chazal who have dealt with the topic of evil in the world for thousands of years. According to Kushner, God is neither responsible for, nor in control of, what we perceive of as evil. Evil is chaos, a remnant of the *tohu vavohu* of creation out of which God fashioned order (but *not* "yesh meayin"). Chaos occurs randomly without reason or purpose, and without reason or purpose, and without control. It just happens. All the victims are, therefore, innocent bystanders. There is no such thing as reward or punishment, because God doesn't have control over that, either.

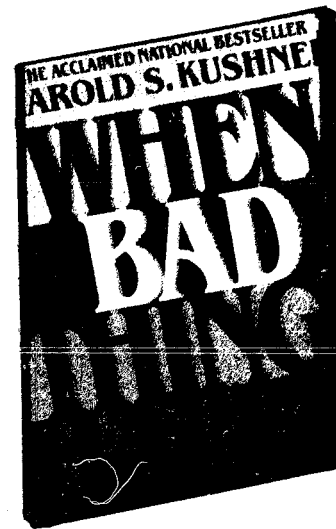
In formulating his conclusions, Kushner has, in effect, thrown the baby out with the bathwater. If God can't do all the things we believe he can, what can he do? What role does God play? A small one if Kushner is correct. His concept of God is so watered down and

Land of Israel. Without these survivors the State of Israel might not exist today.

The Holocaust is unparalleled in history. In every other war people were killed because of border disputes or fanaticism. Genocide, however, was only experienced by the Jews. Lavie then said that people who sat by and did nothing during the Holocaust should not accuse the Jews of the same crime in Lebanon.

The Editor-in-Chief and Governing Board of *Hamevaser* extend their heartfelt condolences to Larry Wachsmann on the loss of his father, Joseph B. Wachsmann.

המקום ינחם בתוך שאר אבלי ציון וירושלים.



diluted, that it seems he retains his belief as a mere memento of traditional sentimental value.

If his view seems so heretical and sectarian, why do I bother to give him an A for effort? The truth is that Kushner attempts to give a simple and meaningful explanation of suffering to all people who have experiences it, whether it come as mental or physical pain, torment or anguish. His intentions are good, but his results are less than commendable. By denying God's omnipotence, he removes the only semblance of comfort and consolation that a religious and traditional Jew can accept.

The Mourner's Kadish extols the greatness of God to give strength to our faith especially in times of trial and tribulation. Kushner denies us that comfort of divine purpose and leaves us feeling alone, helpless and very vulnerable.

God is righteous in spite of the apparent paradox of evil. Denying His power doesn't solve the paradox and does not answer all the questions. Such a complicated and deep rooted issue cannot be easily explained in such a superficial book, no matter how sincere the author may be.

Perhaps the most serious offence of the book is that by writing such a study under the guise of Jewish technology, Kushner has misled and misrepresented all of *Klal Yisrael*. True, his title of "rabbi" does not appear on the cover, but his Jewish vocation fills the pages and gives the impression of presenting an acceptable, viable Jewish viewpoint. It is not. It is a far cry from anything taught by *Torah She'bichtav*, *Torah she'be'al peh*, *musar* or *machshava*.

Any attempt to formulate a simple philosophy on such an immense topic and use it to replace a time tested, perfectly balance and comprehensive theology is a travesty and an affront to the very God whose world he attempts to describe.

Geula Cohen on Yom Ha'Atzmaut

by JONATHAN SCHMELTZ

As the final echos of Yeshiva College's Yom Haatzmaut celebrations faded, the Israel Affairs Committee hosted one of Israel's most outspoken members of the Knesset, Geula Cohen. Mrs. Cohen, the driving force behind the *Techiya* Party, addressed a crowd of 150 while on an unofficial visit to the United States.

Mrs. Cohen's career in politics stems back to the British Mandate era. While serving as a radio announcer for the underground organization, *Lechi*, she was arrested and imprisoned by the British regime. Though sentenced to nine years, she served only one and a half before escaping.

She became active in Israeli politics in 1973 as a member of the *Chairut* Party. Unable to reconcile herself to the Camp David Accords, she withdrew from the *Likud* to form the nationalistic *Techiya* Party.

"With the evacuation from Sinai I went to the desert both politically and physically and I still feel a burning within me," she remarked, referring to her position against the withdrawal from Sinai, which led her to take up residence in the desert town of Yamit before its return to Egypt.

"The mistake we made in Sinai will not be repeated in Judea and Samaria," she insisted, calling for annexation of the area. The audience responded enthusiastically and welcomed Mrs. Cohen's declaration that the only illegal Jewish settlements were Brooklyn, Manhattan, Paris, London, etc.

When questioned about the current discussions on freezing new West Bank settlements, Mrs. Cohen answered that any attempt to freeze settling of the region would cause the government to collapse; She and the other two members of her party in Knesset, along with Rabbi Druckman, would quit Likud, leaving Prime Minister Begin's coalition without

a majority.

Mrs. Cohen pointed to Israel's 35th Independence day. "We must think of the process of history. Israel and Judaism have been an ongoing process. We must think of the past, present, and most of all, the future. The problem with the *Peace Now* movement is that they look at now and not tomorrow."

Mrs. Cohen stressed the importance of Aliyah and building Israel. "Israel is not



Geula Cohen

just my land, but yours also. While I was in jail, I thought not of myself, but about our land." This was her constant message to the audience.

Mrs. Cohen mourned the losses of building the nation over the past 35 years. Its four wars were, as she put it, just one long struggle. She recalled that over the past week, three sirens were sounded in Jerusalem: one for those who perished in the Holocaust, one for the soldiers who died in defending Israel, and a final siren for Independence.

In describing herself, she said, "I am the daughter of a 4000-year-old nation and a 35-year-old state called Israel, but I remain 18 years old in strength."

Board have been expanded. "We could conceivably have had a governing board of 18, maybe 20 people," the new Editor remarked. "It's great to see their interest and enthusiasm, but I decided that we needed a more manageable group, so we cut the board to 10. The Technical Board will be encouraged to attend all board meetings, however, and I think their input will be quite valuable."

Seven members of this past year's governing board will not be returning: Editor-in-Chief Adam Karp and Senior Editor Michael Chesner will be attending AECOM; Alan Mayer, Executive Editor, will study architecture at the Harvard Graduate School of Design. Managing Editor Elliot Herskowitz will attend NYU Business School; Feature Editor Avi Maza will be working at the prominent accounting firm of Ernst and Whitney; Elliot Schwartz, *Hamevaser's* Copy Editor, will be enrolled in the Semichah and Kollal programs at RIETS; Mark Lefkowitz, former News Editor, has moved on to become Associate Editor of *Commentator*.

Best of luck to both the new and former members of *Hamevaser*.

Lecture Trilogy on Middle East

(continued from page 1)

senior aid to the Honorable Jean Kirkpatrick, was the keynote speaker of the second lecture in the series. He described the General Assembly of the U.N. in terms of a great arena for frivolous and trivial nonsense. The real issues are ignored and petty grievances and preoccupation are addressed with great attention.

Mr. Gershman described the situation of the unaligned block and the adverse attitude they take towards Israel. "This condition of the U.N.," he maintained, "encourages harmful treatment of issues and discourages pragmatic and rational policies in dealing with political problems." According to Mr. Gershman, the Arab/Israel conflict has been heightened and dramatized by the distorting and perverting natures of the debates in the U.N. It is exceedingly difficult, if at all possible, to achieve productivity or constructive solutions. Mr. Gershman confided that the U.N. tends to ignore the true crimes of today's world while indulging their blatant obsession with the Mid-East issue.

Baseless rumors, such as the inciteful claim of poisoning of Arabs in Judea and Samaria, get more attention than documented proofs of Soviet use of chemical warfare in Afghanistan. Citing proof of the pervading rhetoric which dominates the U.N. Security Council as well as the General Assembly, Mr. Gershman read aloud from a letter received by Security Council from the Organization of the Islamic Conference. The letter, replete with gross irrationalism and exaggeration reflected "that kind of mentality" so commonly found in the U.N. today.

The Arab and non-aligned blocks have chosen as their goal the complete isolation and delegitimation of Israel. The clearest example of this is the recent attempt to oust Israel from the General Assembly. Mr. Gershman assured the audience that the U.S.A. is not swayed by the false claims and accusations of a crazed mass of political demagogues. He reaffirmed the U.S.'s commitment to Israel as a true friend and ally and the sole stable and reliable country in the mid-east region.

In spite of the U.N.'s decline to a forum of travesty, Mr. Gershman spoke of an optimism regarding the crisis situation in the Mid-East. The real achievement will not be accomplished in the U.N., he forsook, but by rational-thinking negotiations. He voiced a great confidence in and assurance of the success of the Israel/Lebanon talks.

The final speaker of the series was the Honorable Yehuda Blum, Permanent Israeli Ambassador to U.N. Mr. Blum spoke to the enthusiastic crowd of 200 of the Israeli role in the U.N. He insisted that Israel does not feel at all frustrated in her dealings at the U.N., as frustration, as he put it, "is a result of expectations, and Israel expects very little from the U.N."

Mr. Blum reinforced Mr. Gershman's analysis of the U.N.'s neurotic obsession with Israel. Of the 88 meetings of the

General Assembly last year, 49 dealt with Israel. The remaining 39 meetings failed to deal even superficially with the crises in Poland, Kampuchea or Afghanistan. He outlined the perversion of the U.N. in terms of propagandist terminology, referring to the Israel/Arab conflict as *the* Mid-East crisis, when in fact, the Mid-East is embroiled in over 31 individuals conflicts unrelated to Israel.

Mr. Blum emphasized that in spite of the futility and frustration common to the U.N., membership in that organization is an attribute of independence. It would be a great victory for Israel's enemies if Israel were to withdraw from the General Assembly.

When asked about the peace settlement with Egypt, Mr. Blum pointed out that the treaty with the Egyptians



Mr. Carl Gershman of the U.S. delegation to the United Nations

greatly strengthened Israel's security. Without the treaty, Israel would not have been able to concentrate her efforts on the northern border, but would have had to provide military arrangements in the south as well. Though giving up Sinai was a great sacrifice, Mr. Blum made the crowd aware of the resulting advantages Israel has felt. Nonetheless, the ambassador declared that the dismantling of towns and villages will never be repeated. Kiryat Arba will never be evacuated, nor will Israel relinquish the Golan Heights.

Mr. Blum spoke extensively of the Arab political ploy of making an issue out of the Palestinian problem. This "crisis" seems to have appeared suddenly in 1979, never having been recognized as an issue previously. He pointed out that Jordan is, in fact, a Palestinian-Arab state, dominated by Palestinians in population, business, and professions. The PLO was set up as a front by the Arab nations with the express objective of destroying Israel. The Palestinian issue, seen as a major vehicle for procuring world sympathies, was adopted as a Trojan horse to achieve their goals. The Arab refusal to recognize Israel's right to exist attests to the fact that a peace settlement and establishment of a Palestinian state is not their ultimate goal.

The lecture ended with a standing ovation, followed by the singing of Hatikva.

Hamevaser Elects New Board

(continued from page 1)

Board as Executive Editor after a year as Coordinating Editor. Danny is a philosophy major and a Bach fan.

Jacob Pleeter, an economics and accounting major, will take the job of Senior Editor, having been Feature Editor last year.

Norman Saffra, a pre-med major, who moves from Coordinating Editor to Managing Editor, rounds out the returning members of the board.

The newcomers include:

Alan Stadtmauer, a mathematics major, who will be Feature Editor; Larry Yudelson, a philosophy and computers major, also Feature Editor; Steven Cohen, an economics major who has taken the job of News Editor; David Berkowitz, the new Coordinating Editor, who is an accounting major; and Isaac Corre, a history major, also Coordinating Editor.

Due to the large number of applications for *Hamevaser* positions this year, the duties of the Technical

A Question of Devotion

By AVI BACHRACH

As the Jewish people stood before Mt. Sinai, God proclaimed to them, "If you heed my words you will be for me a treasure." The Mechilta explains the words "you will be for me" as meaning you will be acquired by me. Apparently, a Jew is to fulfill the Mitzvot in much the same way as a slave follows his master's orders. In this way, the Torah demands total submission by not allowing a person the freedom of harboring any doubt or uncertainty regarding the Mitzvot.

It is imperative that we understand this concept of Avdut; enslavement to God. The Torah divides the Mitzvot into two categories: *Chukim* and *Mishpatim*. Simply explained, *Chukim* are Mitzvot which we do not understand as supposed to *Mishpatim* which are logical and purposeful. The classical example of a *chok* is *Parah Adumah*. The Torah alludes to it saying, "This is the Chok of the Torah." The *Or Hachayim* wonders why *Parah Adumah* is referred to as the *Chok of the Torah* and not the *Chok of Tumah or Taharah*. He answers that the Torah is teaching a basic concept within

Judaism, i.e. that the entire Torah should be regarded as a *Chok*. The fulfillment of a *Mitzva* without reason bears witness to one's absolute faith in God and points to a firm resolution to abide by God's will. Acceptance of the *Torah* in this manner constitutes *Avdut*. With an *Avdut* type of commitment, even the *Mishpatim* are treated as *Chukim*. Just as the fulfillment of *Chukim* remains independent of situational factors, so too does the *Eved Hashem* view *Mishpatim*. Perhaps, the need for the acceptance of *Mishpat* as *Chok* is more prevalent today because rational, social, and moral laws have been corrupted and distorted by our modern, secularized society.

Na'aseh V'nishmah are the words used to describe the Jewish people's sentiments upon accepting the Torah. By giving priority to the *Na'aseh* over the *V'nishmah*, they affirmed their absolute commitment to the Torah, its mitzvot, and its value, even before they were informed of its content or were aware of its meaning. The *Bais Halevy* points out that *Avdut* is the binding obligation to

comply with the unknown. The *Kinyan of Avdut* requires a slave to perform all of his master's commands. However, a mere verbal commitment is not binding on the unknown. The Jews of Mount Sinai understood the complete devotion expected of them and accepted the commitment by declaring *Na'aseh* before *V'nishmah*. Thus, although we ask to understand the *Torah*, and strive to that end, ultimately we accept it on faith as divine wisdom. Only those who lack the courage of commitment continue to belabor the "why".

Among these lines, the concept of *Avdut* can provide constructive insight into *Yitzchak Avinu's* personality. *Rashi* points out that only *Yitzchak's* prayer was answered by God when he and *Rivka* prayed for children. The reason for this, as the *gemorah* explains, is that the prayer of a *tzadik ben tzadik* can not be compared to that of a *Tzadik ben Rasha*. Apparently, *Yitzchak* possessed the innate quality of *z'chut Avot*. However, the language of the *drasha* indicates that something within *Yitzchak's* personality caused God to find his prayer superior. *Yitzchak*, as a *tzadik ben tzadik*, had a special commitment to God based on pure and absolute faith. It is true that we

did not have to overcome the tremendous obstacles which faced *Rivka*; nevertheless, his greatness was in the level of *Avdut* which he achieved. *Yitzchak* was drawn to the service of God by an appreciation of the inherent worth of that service. He realized the truth of God's way without having to explore or experience another path. Indeed, *Yitzchak* accepted the example of his father. He knew no other way of living nor did he care to find out. At the time of the *Akeidah*, *Yitzchak*, like his father, abdicated the element of reason in his worship of God. Therefore, it was *Yitzchak*, the *Eved*, whose prayers God answered.

In our efforts to bring Jews closer to God, we must not forget the *ben tzadik*. It is our responsibility to help him achieve his potential, that is, to help the *ben tzadik* be a *tzadik*. We must take part in programs that aid and assist those who are already committed to *Torah* in order to strengthen their commitment. Such programs do exist at Yeshiva and all the Bnei Yeshiva should readily participate in them. In this fashion, we shall strive to reach the level of *Moshe Rabbeinu*, the *Eved* par excellence, whom God referred to as *Moshe Avdi*.

Moussa, Marines, and Messiah

(continued from page 1)

urges, "all things to all men?" I should hope not.

These puzzlements impel me beyond a muttered "alas" at one unfortunate occurrence, to more serious questions about the education we are offering here at Yeshiva, and its consequences for the prospective Orthodox community. Is it possible, one wonders, that any of the *bnai ha-yeshiva*, who are spending so much of the day learning Torah, and who have often been doing so for their entire school careers, should fail to recognize, in the application of *Ehyeh asher Ehyeh* to man, something completely alien to our thinking and experience? If it is possible, what does this tell us about our way of educating ourselves?

The answer to this question was offered long ago by Rabbenu Bahye ibn Pakkuda, in his classic *musar sefer*, the *Hovot haLevavot*. In discussing why every God-fearing individual is obligated to investigate his beliefs philosophically, to the extent of his ability, Rabbenu Bahye warns us:

So too he who relies upon others regarding his belief in God's unity. There is no certainty that he will not come to associate [God with some other entity], and if he hears something of the words of the deniers and their arguments, it is possible, that his outlook will change, and he will deny God's unity, *without being aware of what he is doing (my emphasis: SC)*. And therefore Hazal has taught: "Be sedulous in studying Torah to learn what to reply to the Apikoros."

(*Sha'ar ha Yihud*, ch. 2)

We at Yeshiva are blessed with the opportunity of a liberal arts education so that we may develop the critical, intellectual, and imaginative tools that we need if we are to maintain our perspective upon the values of the surrounding culture. People who fail to benefit from these gifts, suggests Rabbenu Bahye, are sitting ducks for all sorts of false and pernicious ideas.

What would Rabbenu Bahye have to say about the implications of such insensitivity for the Orthodox community? The study of psychology is undoubtedly, for the religious individual, exciting and crisis-ridden. Think of such areas as moral experience, sexuality,

death, etc. Do we want our concept of moral agency and freedom to be that of secular society with a perfunctory veneer of halakhic insistence on free will, or must we strive for an integrated outlook which incorporates whatever psychology has to offer that is of value, criticizes what is not, and ultimately roots itself in man's relationship to God? Shall we go about our sexual existence as if we were agnostics who happen to observe *hilkhot niddah*, or must we strive for a sexual existence that is part and parcel of a life devoted to *ve-ahavta et haShem*? Shall we die in the secular hospital, tube-filled, drugged and distracted, or ought we to fulfill with dignity the halakhic requirements of setting our spiritual affairs in order?

Anyone aspiring to confront such matters authoritatively must be a person of great intellectual depth, spiritual resources and personal courage. Our students who devote themselves to the study of psychology are the pool of talent, the professionals of the future: i.e. they will be called upon, as psychologists, Rabbis and educators, to influence other people's lives. Believing Jews will entrust to such individuals their more or less troubled souls because they assume that these professionals have gained a mature understanding of the problems of living from a Torah perspective and integrated that understanding with a grasp of the methods, insights and discoveries of modern psychology.

Are we satisfied with the education we are offering our future guides in those areas? Is it enough that one wear the *kippah*, and know all about placing the hyphen between the *yod* and the *heh*? Should we be satisfied that students who fail to react sharply and spontaneously to formulations so clearly antithetical to Jewish belief will succeed in dealing creditably with the most subtle ethical, logical and metaphysical challenges that await them in later life?

The answer is obviously no. If we want to form an intellectual community of which Rabbenu Bahye would approve, we must make it more than one where Torah and various academic disciplines are studied under the same roof, but rather a place of Torah and wisdom (*Torah ve-hokhmah*). And if we want to do better, we had better start to try.

Words of the Bible

(continued from page 1)

Middle East. As you probably know, there has been an unprecedented buildup of Russian missiles and heightened Russian presence in Syria. One would think, therefore, that President Reagan would reassure its ally, Israel, and counter the Soviet threat by providing Israel with arms and other support. This is only logical, since President Reagan's foreign policy is based on the assumption that in order to be successful, one must deal or bargain from a position of strength. Only from a position of strength will others respect your words. Instead, Reagan decides to suspend an important arms shipment to Israel, in violation of a promise never to use arms as political leverage. Not only that, but the suspension of the arms shipment came only days after Israel decided to share with the U.S. those priceless war lessons it learned during the war in Lebanon (including "How to Destroy 80 Migs Without Losing a Plane" and the famous "How to Make the Soviet Air Defense System Worth 5 Cents").

One last thing (finally!). You see, it simply doesn't make sense to keep an embassy in countries which cannot ensure, to a certain degree, its sanctity and protection, including the lives of those who work and/or live in it. Why should the U.S. risk the lives of its citizens? Again, it only makes sense to establish an embassy in hostile countries if the host country can at least respect and protect the embassy (e.g., our embassy in Russia). Had Reagan followed my advice, he could've allowed his ill-fated peace initiative to die; he should realize that the Arabs are more fearful of the P.L.O. than of Israel or Russia, and that no matter how many AWACS of F-16s we give them, they won't lift a finger to support the peace plan. The Palestinians would realize that the P.L.O. is not helping their cause at all, and would find the peace they seek in their existing homeland, Jordan. Israel would maintain its military superiority in the region, with God's help, and keep the Arabs relatively docile. As it looks today, the Messiah will have to come for all this to happen.

Ari Weitzner is a Junior, and an unacknowledged expert in Mid-East affairs; several of the ideas expressed in this article were contributed by Simmy Weber.

BEHIND THE IRON CURTAIN:

IDA NUDEL

Arrested:
June 2, 1978

Charge:
Malicious Hooliganism

Sentence:
Four years internal exile



"NO MATTER HOW I AM TORMENTED, HOW WEAK I AM, HOW LONELY OR SENSELESS MY PRESENT LIFE, I DO NOT REGRET OR RENOUNCE ANY OF MY ACTIONS. WE BELIEVE OUR SUFFERING IS NOT FOR NOTHING, AND THIS BELIEF KEEPS US FROM DESPAIR. I BELIEVE THAT SOME DAY I WILL WALK UP THE STEPS OF AN EL-AL AIRCRAFT, AND MY SUFFERING AND MY TEARS WILL REMAIN IN MY MEMORY ONLY, AND MY HEART WILL BE FULL OF TRIUMPH. I GRANT THAT IT WILL HAPPEN SOON."

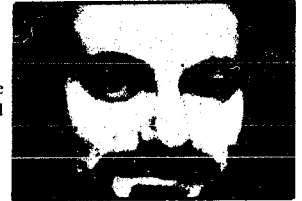
—Ida Nudel

ALEKSANDR PARITSKY

Arrested:
August 28, 1971

Charge:
Circulating fabrications known to be false which defame the Soviet State and social system.

Sentence:
Three years in a labor camp



"...WITH A RECORD AS A REPEAT VIOLATOR, I'LL BE SENT (AFTER A TRIAL) TO A CLOSED PRISON. THAT'S WHAT MY PROSPECTS ARE. THAT'S HOW IT IS—THERE IS NO FUTURE. BUT, MY DEAR ONES, I WANT YOU TO KNOW THAT THIS PROSPECT DOES NOT FRIGHTEN ME IN ANY WAY. I AM PREPARED TO GO THIS PATH WHICH HAS BEEN OUTLINED FOR ME BY GOD."

—Aleksandr Paritsky, in a letter to his wife and children.

DR. VIKTOR BRAILOVSKY

Arrested:
November 13, 1980

Charged with:
Circulation of fabrications known to be false which defame the Soviet State and social system.

Tried:
June 17, 1981

Sentence:
Five years



"VIKTOR WAS ARRESTED BECAUSE HE WANTED TO REMAIN TRUE TO HIMSELF; HE DID NOT WANT TO DETERIORATE SPIRITUALLY OR TO SUBMIT TO THE ORDER THAT HE BAN HIS SCIENTIFIC CALLING. HE WAS ARRESTED BECAUSE HE REMAINED A PURE AND HONORABLE MAN."

—Irina Brailovsky

VLADIMIR SLEPAK

Arrested:
June 1, 1978

Charge:
Malicious Hooliganism

Sentence:
5 years Siberian exile



"OF COURSE LIFE HERE IS VERY DIFFICULT FOR US. BUT WE KNOW AFTER ALL WE'LL BE IN ISRAEL, WITH MY OWN PEOPLE, AND THIS HELPS US TO ENDURE EVERYTHING."

—Vladimir Slepak in a letter to the West.

Litigation Before Secular Courts

(continued from page 12)

forbidden to go before non-Jewish judges, even when their laws will agree with the laws of the Torah.

It is noteworthy to point out that the Or Zarua (Hilchot Arkaot Siman 3) holds that if there is kabbala by Arkaot their judgement is valid. However, even he admits that the prohibition of Arkaot still exists, and these litigants have transgressed this prohibition.

In today's modern society it seems somewhat impractical to have a blanket issur prohibiting Jews from going to secular courts. The halacha has always provided for certain dire circumstances when a Jew is allowed to bring his case against another Jew to a secular court. When the defendant will not, and cannot be forced to come to a Bet Din, or listen to the ruling of the Bet Din, then the plaintiff may resort to Arkaot. This law is quoted both in the Rambam (Sanhedrin 26:7) and in the Shulchan Aruch (Chosen Mishpat 26:2).

It is important to determine when this heter begins. How much of an effort must

be made before one can resort to Arkaot. The Kambam and the Ramban disagree in this matter. According to the Ramban, first the case must be decided on by the Bet Din according to Jewish law. If the decision of the Bet Din can not be implemented then the case may be taken to Arkaot. It is as though the Arkaot are only implementing the prior decision of the Bet Din. The Ramban bases this opinion on the idea of *Avid Inish Dina L'Nafshei* (Baba Kama 27b), that a person may take the law into his own hands in order to protect his property.

The Rambam does not require the litigant to go as far. According to both the Rambam and the Shulchan Aruch the plaintiff must only get the permission of the Bet Din to take the defendant before Arkaot.

The prime force behind the opinions of both the Rambam and the Ramban is similar. We must not elevate the Arkaot above our Torah. Both according to the Rambam and the Ramban going to Arkaot after first having gone to a Bet Din does not show regard for the legitimacy of Arkaot. It is the *choosing* of

Arkaot over the Bet Din that lends the forbidden credence to Arkaot.

To sum up, the prohibition of Arkaot is clear cut. It is only in isolated cases where one is allowed to go to Arkaot. Even in these cases there must be some prior experience with the Bet Din.

May we soon, with the help of God, restore the total and absolute system of Torah law for all Jews. Then Hashem will fulfill his promise to us as stated in the Midrash (Midrash Tanchuma—Parshas

Mishpatim). "If you will judge without resorting to the nations of the world, I will build for you the Bet Hamikdash; and the Sanhedrin will sit there, as it is written, 'And I will return your judges as of old...for my salvation is soon in coming.'"

I would like to acknowledge and thank Rabbi Simcha Kraus who generously allowed me to use his article in the RJJ journal as a basis for my article.



2543 Amsterdam Ave., at 186 St.
568-4855

8 PRISONERS OF CONSCIENCE

ALEKS I MURZHENKO

Arrested:
June, 1970

Charges:
Treason
Anti-Soviet agitation and propaganda
Anti-Soviet organization
Stealing of State property

Sentence:
14 years (to June 1984)



"YOU ARE DECIDING MY FATE. MY LIFE. THE FOURTEEN YEARS OF IMPRISONMENT DEMANDED BY THE PROSECUTOR MEANS THAT I AM CONSIDERED INCORRIGIBLE AND GIVEN UP FOR LOST. I HAVE NEVER PURSUED CRIMINAL AIMS. I ASK THE COURT TO SENTENCE ME TO A TERM WHICH WOULD LEAVE ME SOME HOPE FOR HAPPINESS, FOR MY FUTURE AND THAT OF MY FAMILY."

- Murzhenko's testimony at Trial

SEMYON GLUZMAN

Arrested:
May 11, 1972

Charges:
Anti-Soviet agitation and propaganda (Article 70)

Sentence:
7 years strict regime, 3 years exile (to May 1982)



"MY WIFE AND DAUGHTER PROVIDE MUCH WARMTH, CHASING AWAY THE COLD OF THE PRISON CAMP FROM MY BONES. I STILL SUFFER FOR MY FRIENDS IN THE CAMPS, WHERE THERE ARE NO RIGHTS, NO LOVE, NO MUSIC AND NO PEACE. LETTERS FROM THE WEST PERSUADE ME THAT EVIL AND INDIFFERENCE DO NOT RULE THE WORLD. THAT PRISONERS IN MENTAL HOSPITALS AND CAMPS ARE NOT FORGOTTEN."

- Semyon Gluzman

GRIGORY GEISHIS

Arrested:
July 14, 1980

Charges:
Draft Evasion

Sentence:
2 years, labor camp



"I WANT TO LIVE AS A JEW IN ISRAEL. I AM PROUD OF MY ACTIONS AND I STAND BEHIND THEM."

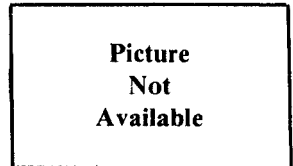
Grigory Geishis at his trial

VLADIMIR KISLIK

Arrested:
March 19, 1981

Charge:
Malicious hooliganism

Sentence:
Three years in a labor camp



"IT IS UNCONSCIONABLE THAT THE USSR, WHICH CLAIMS TO BE COMMITTED TO THE ADVANCEMENT OF SCIENCE, SEEKS TO PREVENT SCIENTISTS LIKE DR. KISLIK FROM CONTINUING THEIR WORK AND IN FACT PERSECUTES THEM FOR IT. THE DEFENSE OF KISLIK IS THE DEFENSE OF SCIENTIFIC FREEDOM."

Dr. Peter Pershan (Harvard University)
Committee of Concerned Scientists

A Voice for Pluralism

(continued from page 12)

been isolated from their different sources to form one ideology. This process of coopting the traditional ideologies is destructive. There is no longer any dialogue possible. Instead of the mutual creation of opposing views, there is stagnation. For Burg, this is the major purpose of Peace Now: to provide an alternative ideology to Gush Emunim. By creating an opposition to the prevalent ideology, Peace Now is strengthening Zionism.

He also sees the peace movement as a way to bridge the gap between the religious and the secular forces in Israel. He sees Netivot Shalom, created this past year, as a very hopeful step in that direction. Inspired by Rav Aharon Lichtenstein and Rav Amital, the roshai yeshiva of Gush Etzion, it is a response to Gush Emunim, which, because of its single-minded worship of the land of Israel, they see as bordering on *avoda zara*. Burg thinks that Netivot Shalom could enable the NRP to escape the

extreme nationalism into which it has fallen.

On a more personal level, Burg is critical of the interaction between Church and State as it now stands in Israel. It has reduced Judaism in Israel to being solely a matter of *kiyum hamitzvos*. As a result, among the secular community there is now an almost instantaneous rejection of anything religious. People do not want *shmirat Shabbat* shoved down their throats; the banning of flights on Shabbat and similar religious coercions are accelerating the process of running away from religion.

Burg attributes the problem to lack of options. In Israel, the Orthodox dominate because there are no alternatives. He admires the fact that in America we have created a compromise in the positive sense. He came to America with a negative attitude towards the non-Orthodox, having been taught that "Conservative, Reform, even some Orthodox" compromise because it is easier to ride on Shabbat. What he saw

instead was that Americans who observe do so for positive reasons. When he asks them "who are you?" they respond, "I'm a Jew." This sense of a positive Jewish identity is lacking in Israel among the non-observant.

Burg thinks that Americans can help change this situation. In Israel the Rabbi is not part of the community; he is part of the black-hat establishment, unable to affect the non-religious. If Americans were to go to Israel and start communities centered around Rabbis, Burg thinks they could "save a lot of souls." He was very happy to hear that a

person in the audience was planning on doing just that after receiving ordination from JTS.

Avraham Burg may be part of a growing element in Israeli society - an element that is committed to Judaism, yet unwilling to confine themselves to the dogmatic beliefs of either Gush Emunim or Agudah. Whether these people will stay within the bounds of Torah, or drift into the Conservative and Reform movements, depends upon the response these searching people receive from the Orthodox community.

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Apologies to
Harry Shualy
-The Editor

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Rabbis And Researchers:

The Association of Orthodox Jewish Scientists Meets

By LISA SCHIFFREN

Evolution was but one of several controversial topics debated at the Association of Orthodox Jewish Scientists' mid-winter conference in New York last February.

More than 150 Orthodox Jewish scientists from many different disciplines gathered to exchange ideas, listen to lectures, and socialize. Throughout, they took stands aiming towards the resolution of apparent challenges of scientific theory to Orthodox Judaism, which is one of the group's goals according to AOJS general secretary Dr. Nora Smith, a psychiatrist.

Rabbi Dr. Moses Tendler gave the keynote lecture, entitled "Evolutionary Theories Under Fire." Professor of biology at YU and Rosh Yeshiva at Riets, Tendler disassociated the Orthodox perspective on evolution from that of the fundamentalists. "The Church," he said, meaning fundamentalists, "is especially threatened because evolution destroys the idea of the uniqueness of man. It makes it less possible he can be a god."

In contrast, he asserted, Orthodox Jews have no compelling need to maintain a thick wall of separation between the human animal and all others. Humans are among the animals, though they are a species into which "God has blown a Divine breath," he said.

But this does not imply Orthodox acceptance of evolution. "Where do we stand on the so-called proofs?" he asked rhetorically. "If they are proofs then we must live with them." Tendler made clear his belief that the evidence is quite weak. Like many critics of evolution, he asserted there were serious gaps in the fossil record, which failed to show any sign of "transitional" species. If evolution is a gradual process of species

development taking place over millions of years, he said, there should be evidence of such transitional species.

Such well-known natural scientists as Stephen Jay Gould and Niles Eldridge have sought to demolish the concept of gradualism and replace it with that of "punctuated equilibrium", a hypothesis which states that there were short, rapid periods of great adaptational change followed by long periods of genetic stability, which would explain the lack of "transitional" evidence and the abrupt appearance of many species in the fossil record. Tendler maintained the intensity of this "gradualism versus suddenness" conflict between purely secular scientists revealed contradictions which would seem to preclude unquestioning acceptance of much evolutionary theory. Gould has noted in public statements, however, that the ferment is centered on the hows of evolution, with few scientists questioning its basic existence as a process.

Tendler acknowledged that "the evolutionary model enables us to deal with the massive amounts of detail" in a systematic way. "Realizing the connections in nature is helpful," he said. But he emphasized "it is not good science to accept as gospel so fragmented and incomplete a theory as evolution as it now stands." Like some judges who have ruled on the teaching of evolution in schools, the biologist-rabbi admonished that evolution is a theory, even a useful one; he parted company with the consensus among life scientists that it is a well-proven one.

While he deemed creationism with its fundamentalist corollary of a 5,000-year-old-universe scientifically groundless, Tendler expressed interest in

hypotheses of "orthogenesis", or "guided evolution", which suggest evolutionary change guided by a superior force. Unlike many hassidic rabbis, such as Lubavitch leader Menachem Schneerson, Tendler did not find evolution *per se* offensive to Judaism—merely its implication of randomness in the universe and its sweeping assertions in the face of what he considered incomplete evidence.

Though Tendler's lecture drew the largest audience, the presentation on "psychological and religious aspects of infertility and childlessness" drew the most intense audience response. Given by Dr. Norman Fertel, a gynecologist, and Esther Feuer, a registered nurse and marital and sex therapist, it provoked numerous suggestions for more straightforward sex education in the yeshivas and religious girls schools.

Feuer, whose work as a sex therapist is uncommon in the Orthodox community, said infertility was a special cause of grief in that community, which attaches unwavering primacy to a full family life. The woman often takes on the greater share of this burden, she added, when obliged to submit to numerous invasive medical tests. In contrast, the husband frequently refuses to consider the problem could equally well be originating with him. Feuer called for better education among rabbis and the help of sympathetic Orthodox doctors as the first steps necessary to improve this situation.

Other talks included "Halacha and Technology" by Dr. William Low, a physics professor at Hebrew University (who spoke recently at YU); "Sovereignty and Halacha: The Case of the West Bank" by Rabbi Dr. Michael Schnidman, a political science professor at City University of New York.

Schnidman examined this burning political issue from a Halachic, or Talmud-based legal perspective, explicitly leaving the security aspects to the generals who are still debating it. He averred that while Israel could never justify setting out to conquer the West Bank on religious grounds, once it fell to the Jewish state during the course of fighting Jordan in the Six-Day War, it was impermissible to give it back, due to its historic and religious value as part of Eretz Yisrael.

The eclectic range of topics covered during the week end reflected AOJS's aim to "act as a catalyst in the Orthodox Jewish community and assume a leadership role in researching and resolving modern problems in the practical application of Halacha," said Dr. Smith. She cited topics such as "the psychological consequences of divorce" and "contraception and halacha" as examples of issues AOJS had recently tackled. The group wants to "heighten people's consciousness about modern problems that arise in a technological society for people who are committed to a strict Torah way of life," she said.

In his talk on evolution, Tendler revealed one perspective taken by such people, who would try to resolve these apparent challenges of living a life steeped in both science and Orthodoxy. "We do not believe that there is a real conflict between the laws of nature and the laws of God," he said. "Science and religion do not speak the same language, and it is a mistake to confuse the ultimate truth of Torah with the relative truth of science."

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Lisa Schiffren, a free-lance writer, lives in New York.

Rabbi Izek Borenstein z"l 1909-1983

by BARUCH WEINSTEIN

Rabbi Izek Noach Borenstein, who served for nearly 40 years as a member of the faculty of RIETS, died Tuesday morning, April 19, at Mt. Sinai Hospital after a long illness. He was 74 years old.

Rabbi Borenstein was born in Poland in 1909 and studied under the revered Rav Haym Solovetchik (the Brisker Rav) in Brisk, Lithuania. He was one of more than 400 students, faculty members and rabbis from Mir Yeshiva who escaped Nazi persecution at the beginning of WWII by making a long journey across Lithuania, through Russia and Siberia to Kobne, Japan, and finally to Shanghai, China.

Rabbi Borenstein left Shanghai in 1940 and went to Canada where he helped to establish a yeshiva in Montreal before coming to the United States in 1941. He served on the faculty of Mesifita Tifereth Yerushalayim on Manhattan's Lower East Side, a yeshiva founded by Rabbi Moshe Feinstein, Sh'lita. In 1943 he joined the RIETS faculty.

As a Rosh Yeshiva, Rabbi Borenstein was known for his keen mind and integrity, according to many RIETS



Rebbayim. In fact, the Brisker Rav once said that Rabbi Borenstein was one of the five best students in the yeshiva world of Lithuania during the early part of the 20th century.

Survivors include his wife Guta, his son Rabbi Shmuel Borenstein who teaches at Marsha Stern Talmudical Academy—Yeshiva University High School for Boys in Manhattan, and his three daughters, Mrs. Fay Balsam of Flushing; Mrs. Chaya Hirschman of Chicago; and Mrs. Sima Berlin of Jerusalem.

New Chief Rabbis Elected in Israel

by MOSHE ORENBUCH

Rabbi Avraham Shapiro and Rabbi Moredechai Eliahu were elected recently, by overwhelming majorities, to the respective posts of Ashkenazi and Sephardi Chief Rabbis. The election marked the end of the ten year terms of Ashkenazi Chief Rabbi Rav Shlomo Goren and Sephardi Chief Rabbi Rav Ovadiah Yosef.

The electoral college, comprised of eighty rabbis and seventy public representatives (Knesset members, cabinet ministers, and heads of local authorities), convened in Jerusalem's Hechal Shlomo to elect the chief rabbis. The election followed a Knesset vote not to defer elections to the Chief Rabbinate until March 1984, ostensibly since the original five year terms of the rabbis had already been extended three times.

Rav Avraham Shapiro was Rosh Yeshiva at Yeshivat Mercaz Harav in Jerusalem, where he has been teaching for the last thirty years. Rav Mordechai Eliahu learned at Yeshivat Porat Yosef in

Jerusalem before becoming a dayan in Beersheba. Twelve years ago he was appointed as a dayan to the High Rabbinical Court, and he served at that post until the present time.

Both candidates won their respective elections by large margins. Rabbi Shapiro received 80 votes out of the 136 valid votes cast, compared with 39 votes received by Rabbi Yitzhak Koltitz, his closest opponent. In the balloting for the Sephardi chief rabbi Rabbi Eliahu received 87 of the 136 valid votes cast compared with 49 votes received by Rabbi Eliahu Bakshi-Doron of Haifa.

Both of the victorious candidates were backed by the National Religious Party, which exerted its influence on the thirty Labor Party members of the electoral committee, resulting in these landslide victories.

Rabbi Shapiro was supported by Rav Goren, however Rav Ovadiah Yosef favored Rabbi Bakshi-Doron as his successor. In the actual balloting Rav Yosef was allowed a vote, as a result of his position as one of the ten senior dayanim, but Rav Goren was not allowed a vote.

Dividing the Jewish People

(continued from page 4)

Samaritans. Only, this time, we will have computers.

The Schindler initiative has redefined Judaism according to the Nuremberg Laws: by blood. It has unconsciously accepted the Hitler definition that Judaism is racial, not theological. And its fruits will be that it will set in motion a frightening day, when—once more—Jews are investigated on the basis of pedigree.

Quelle Tragedie!

But is this not the inexorable step of Reform "progress"? Having failed in each new "reform" to solve the problems inherent in their system of myths and compromises, they have finally found themselves compelled to "reform" the final step, the very character of the Jewish people, in order to preserve their ever-disappearing ranks. It is a compelling necessity for them. There are few third-generation Reform Jews and even fewer fourth-generation Reform Jews. So now, to cover their frantic losses, they will define as Jewish anyone with blood which has a Jewish antigen in it.

It is tempting to merely ignore their vanities, but we must not give in to that perilous urge. By watering down their standards, they affect not only themselves but us all. In three years in the rabbinate I have already dealt with three cases of heartbreak in which non-Jews "converted" by them had to go through the grueling process all over again. A man from South America had studied with a Conservative clergyman in Florida who taught him nothing and immersed him in a mikveh while he was wearing swimming trunks. A woman with whom I am now studying was taken for a ton of money by a Reform clergyman in Manhattan who taught her less. A young man learned at age seventeen that his mother had been "converted" by a Reform clergyman who didn't even know where the nearest—or farthest—mikveh was.

Today, they are learning Torah standards of Judaism. And they will live by them. Because they want to. The tragedy is that they had wanted to, all along. They are bitter people. Bitter at the "progressive" charlatans who took their money. And sold them a tainted product.

In a sense, we should realize that the CCAR's law has actually changed nothing. Let us imagine for a moment that the law on Patrilineal descent has not been passed. So, if a Reform Jewish man would marry a non-Jewish woman, how could the future child be Jewish? The mother would have to convert. *But the Reform conversion would be meaningless, anyway!* For all intents and purposes, then, the child is still the offspring of a non-Jewish mother.

In that sense, maybe Schindler's law helps. It spells out what we have been saying all along. Reform has no conception of Jewish standards. And, as they reap their inexorable fruits, they must abandon what minimal standards they had not discarded till now.

In the same way, Conservatism's movement towards ordaining women carries with it awesome implications.

Despite their self-righteous protestations that they are committed to halakha and to its authentic process, they nonchalantly abandon halakha whenever their mood so dictates. And if they have to wait for Saul Lieberman and I. Usher Kirshblum to pass on, they can wait. And, if there are still not enough rabbis to rule as they want, they can always find an Assyriologist to sit on their halakha commission instead of a competent halakha authority.

But, for all their concern for women, they have still not dotted our map with mikvaot. Come to think of it, have they built any?

The paradox, of course, is that—like their "Reform" coreligionists—their "improvements" create problems of even greater magnitude. One can feel only compassion, if not outright pity, for the plight of the female raised in their confused ranks. In her Conservative Hebrew School she is told, long before any social consciousness raises the question, that she is "equal." At age 12 she is counted in the USY minyan, and at age 14 she is called to the Torah at Camp Ramah. Later, at JTS, she studies to be a chazan, maybe even earning praise in the editorial column of the *Jewish Week*. At every step she is reminded: "The Orthodox are male chauvinists. We, however, suffer none of their antiquated hang-ups. Here you are absolutely co-equal."

The innocent girl, now grown to be a mature, incisive, young woman, applies to the JTS rabbinical seminary. And, though she has always been on the man's side of the mekhitza, counted in the minyan, called to the Torah, and trained in chazzanut—she finds herself inexplicably barred from the rabbinate.

Orthodoxy's position is a consistent one, rooted not in contemporary mores nor in male-female politics but in eternal halakha. We neither play games with our women's sensitivities nor take them for fools.

But what of the Conservatives? If she can be counted in a minyan, can be called to the Torah, and can be the chazzan on Yom Kippur—why can't she be a rabbi after twenty years of rising expectations?

The answer: Male chauvinism!

B'mumo posel.

We know it. Their women know it. And they know it.

So, where does all this leave us?

It leaves us where we began. There is one Jewish people and one Torah. Anyone who would drive a wedge into that definition would divide the Jewish people. It is they whose kitchens are off limits to other Jews. It is they whose "converts" are off limits to Jewish canopies. It is they whose new law will stamp future generations as aloof from the Jewish people and who will necessitate the computerization of Jewish pedigree papers.

Their every "improvement" has led to more serious problems. This is the lesson of history. It has judged with complete objective fairness as only history can.

As for us, there are obvious conclusions to be drawn. Our synagogue

OP ED

by DANIEL LEHMANN

Our Yeshiva is dedicated to the study of Talmud. In fact, for many of us it is the central core of our learning experience while at Y.U. This is certainly true for the serious MYP student who spends between 4 and 5 hours every day exclusively involved in the study of Gemara. For him, it is indeed the *raison d'être* of the Yeshiva.

However, despite the fervent dedication by both the RIETS administration and the student body to Talmudic study, there appears to be a lack of sensitivity to the basic skills necessary to make this study a rigorous and systematic one. Here, I speak primarily of the importance of linguistic skills.

It is no secret that the language of the Gemara is Aramaic. While the Yeshiva Program currently requires proficiency in Hebrew, Aramaic is totally ignored. And yet, the bulk of the student's time is spent delving into a text written in Aramaic. I do not want to slight the importance of Hebrew study for it should certainly remain our central priority, but can we claim to be training Talmudists if we don't even teach a cursory knowledge of Aramaic grammar? Can we truly approach the text with sensitivity to its nuance if we have no fundamental background in its language?

The answer I believe is a resounding NO! What we can do in the present situation is merely provide a superficial understanding of the logic employed by the Gemara and the specific concepts discussed therein. But if we are to

produce talmidim for whom the Gemara is a living, vibrant text, we must give a stronger foundation in Aramaic and at the very least encourage students to use a Jastrow and other lexicons more frequently.

In an article appearing in the March 1972 edition of *Hamevaser* entitled, "Rav Chaim Solovetchik Emphasizes Importance of Efficient Learning," the following statement was made:

"In most yeshivot students are not schooled at all in the idiom and language of the Gemara. Either it is assumed that the talmid can puzzle out the Gemara's meaning on the basis of his knowledge of Hebrew, itself limited, or the need for comprehending the exact wording of the text is not recognized to begin with. Rav Solovetchik maintains, on the other hand, that a full understanding of the text is basic to all subsequent logical speculation about the Gemara."

I came to Y.U. precisely because I thought it was different than "most yeshivot," and I hoped that it would encourage a rigorous textual approach to the Gemara which utilizes linguistic (as well as historical) skills to fully understand the conceptual elements. So far I have been rather disappointed. At the very least, our motto of *Torah Umada* should suggest a more systematic and scientific approach to Torah study which places a greater emphasis on the language of texts. Maybe with such an approach our yeshiva can become something different than "most yeshivot" and our slogan will then ring true—there is only one Yeshiva University.

bodies really do not belong in the Synagogue Council of America. Our rabbis really do not belong in the New York Board of Rabbis and other such bodies which make a mockery of the term "rabbi." (In my recent writings, I have ceased using the term "rabbi" to refer to my Orthodox colleagues. It has become a cheap noun, applicable even to *hazeel** cases like Balfour Brickner. I now use the term "rav" in all writing, even if referring to someone ordained by RIETS last week.) I am, furthermore, not certain that we belong in Temple Emanuel on Yom Hashoah either. We don't.

But we must not confuse "ism" with individual. While Reform-as-"ism" and Conservative-as-"ism" must be denounced (and those of their leaders who truly know better must be confronted), we must double and triple our efforts to evacuate their trusting flocks from following them on the path to eternal oblivion.

We must enthusiastically sit with them on the UJA's and Federations because they are our people and are, for all their wealth and secular knowledge, pathetically oblivious to what their clergy are doing to their future. They are the collective fourth son of the Haggadah. They need us at their sides in the secular Jewish bodies; they need our insight and

the authentic Jewish vision which their hapless clergy lack, as the blind lead the blind into the abyss of assimilation. And, by the way, we can gain from them the unique view of the world they have from outside the perimeters of Torah: how can we be strengthening Torah? Are we projecting an image of unconcern with ethical issues? Do we seem to countenance financial dishonesty?

It is, frankly, a joy to work with Jews of a hundred different ideologies in raising money for Israel, clothing our poor, feeding our hungry, visiting our sick, caring for our elderly. It gives us a chance to see, as Rav Kook always taught, that Jews are a great deal better than we tend to realize. That there are so many not-yet-observant Jews out there honestly grappling with the fundamental issues of Jewish existence.

By reaching out to them with a smile and a soft voice, with love and kindness and sincere concern which comes from the heart—maybe that way, too, we can save some future generations from Schindler's legions.

What better response to their dividing the Jewish people than our mobilizing to unite as many as we can behind the eternal Torah, source of the Jewish people!

* (Ed. note: Syrian for "Rachmanut")

Litigation Before Secular Courts

by MOSHE ORENBUCH

The institution of the court of Jewish law, the Bet Din, is one that has been intrinsic to Jewish life throughout the ages. Since the time of Moshe Rabbenu, Batei Din have met to decide cases in accordance with Jewish law. The Rambam (Sanhedrin 3:7) says, "The Shechina is with every proper Jewish Bet Din."

The preservation of the sanctity of the Bet Din is paramount in Jewish life. Understanding this, we may examine the underlying reasons for the laws regarding litigation between Jews in secular courts. In a Braita in Gittin (88b) R. Tarfon said, "In a place where you find gentile courts, even though their law is *the same* as the Jewish law, you must not resort to them, since it says (Ex. 21:1), 'These are the judgements which thou shalt set before them.' This is to say, before *them* and not before gentiles."

However, the Breita presents a second interpretation of this verse. Before *them*, and not before laymen (hedyotos). Obviously since the Braita prohibits going to a court of Jewish laymen the word "Akum" in the Braita must not be literally translated to refer only to idol worshippers per se, but must be extended to any secular court. Later we will deal with the differences between the courts of the gentiles and the hedyotos.

Rashi in Parshat Mishpatim says that, "He who brings Jewish law to be judged before gentiles desecrates God's name and elevates the idols and praises them."

The Poskim also express the stringency of this prohibition. The Rambam (Sanhedrin 26:7) states, "Whoever judges a case in the gentile courts, even if the judgement rendered is in agreement with Jewish law, is a Rasha. It is as though he reviled, blasphemed and rebelled against the Torah of Moshe Rabbenu..." The Shulchan Aruch (Chosen Mishpat 26:1) quotes the language of the Rambam, and takes it one step further. He maintains that even if the two parties agree to go before the secular court, the prohibition still exists.

This prohibition has practical ramifications as well. The Mishan Brura in the laws of Rosh Hashana (Siman 681 Seif Katan 11) enumerates certain criteria that must be inherent in a Shaliach Tzibur for the Yamim Nora'im. According to him someone who participates in a case in a secular court is unfit for the delicate task of Shaliach Tzibur on Rosh Hashana and Yom Kippur.

Generally, the principle of *Dina Demalchuta Dina*—the law of the land is the law—is accepted. Certainly then, in monetary laws Jews who consent to be judged in gentile courts should be permitted to do so. This question can be extended further. The principle in monetary matters that any condition is valid, even if it contradicts Torah law (Tnai Shebemamon Kayam, Baba Metzia 94) should apply, and in turn the litigants should be allowed to have their case judged in a non-Jewish court.

The Bet Yosef in Chosen Mishpat

(Siman 26) quotes a responsum of the Rashba. The Rashba states that *Dina Demalchuta Dina* only applies to the "laws of the kingdom." The Rashba excludes Arkaot, litigation before secular courts, from this definition since the courts reach their own decisions based upon their law texts. He concludes that if you don't follow this (and take litigation before secular courts), you will nullify (chas v'shalom) the laws of the Torah. The Rama follows this opinion and in Chosen Mishpat (369:11) adds that *Dina Demalchuta Dina* only applies for things regarding "Takanat Hamedina," institutions of the state, and not judicial decisions by the laws of the gentiles, for if so, all Jewish laws will be nullified.

Another tshuva of the Rashba, also quoted in the Bet Yosef, illustrates the Rashba's complete and vehement opposition to the practice of litigation before Arkaot. He states that someone who goes to Arkato, "knocks down the walls of the Torah, uproots the roots and the branches of the Torah...he is a Rasha...and belongs to the category of those who uproot the complete Torah." He continues on and exclaims that if we go to Arkato, "of what use to us are all of the holy seforim written by Rebbi and Ravine and Rav Ashi? Let them teach their children the laws of the goyim in the academies of the goyim."

Clearly, the elevation of secular law above Torah law is one that Chazal were violently opposed to. It is this acceptance of the *institution* of Arkaot which is impossible to reconcile with the laws of our Torah.

The question may still be raised

however, that the original Braita that we quoted (Gittin 88b) also included hedyotos in the prohibition extrapolated from the verse "before them." Doesn't this contradict the Mishna in Sanhedrin (24a) that states that the litigants may accept three Roei Bakar—ranchers—to judge his case. This is allowed despite the fact they will not know the halachot, and may even be suspect of theft—a prime reason for disqualification from the judiciary. Obviously kabbala of laymen, when agreed to by both parties, is valid. Why then is kabbala of hedyotos valid whereas kabbala of non-Jews is not?

The Netziv addresses this issue based upon our original posuk, "These are the laws that you shall put before them." He says that all of the laws must be put before them (the judges) in an organized fashion, like a set table. Dayanim must be well versed in the halacha, and we must teach them the halacha. Since there is a prohibition of teaching Torah to non-Jews, they are excluded from this verse, and we are prohibited from allowing them to judge over us. On the other hand, hedyotos—Jews without a background in halacha—are not excluded by this verse, since obviously the commandment of learning Torah applies to them as well. This is a clear difference between hedyotos and goyim.

The Ramban on this posuk agrees with this view and states that even though hedyotos and goyim are grouped together in the Braita there is a basic difference. If the two parties are willing to come before Jewish laymen they are permitted to do so. But they are

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Avraham Burg: A Voice for Pluralism

by LARRY YUDELSON

Israel has a distinction of which we are justifiably proud: it is the only democracy in the Middle East. One consequence of the democratic system is dissent. No matter who is in power, there is always opposition, often from every side. On the one hand, Prime Minister Begin has to deal with Tehiya advocating annexation of the West Bank; on the other, Peace Now is protesting equally adamantly against annexation and colonization. The difference is that Geula Cohen is part of the coalition; Peace Now must dissent through speakers and demonstrations.

One of Peace Now's more prominent and eloquent speakers is Avraham Burg. Although he is very eloquent (in Hebrew; his English is only fair), his prominence is largely due to his father, Dr. Yosef Burg. Dr. Burg has been in the cabinet since 1952 as a member of the NRP, serving in various ministerial capacities, and speaking out for Gush Emunim. The reaction in Israel to his son joining Peace Now is comparable to what would happen in the U.S. if James Watt's son were to join the Sierra Club. Avraham joined Peace Now after serving in Lebanon, and first received attention when he addressed the four-hundred thousand people protesting the war in Lebanon last September in Tel Aviv. This past spring he was one of the people

injured when a grenade was thrown at an anti-Government demonstration.

Avraham was recently brought on a speaking tour of this country by the New Israel Fund, a leftist organization supporting social change in Israel. The evening of Yom Haatzmaut he addressed a group of about thirty people in an apartment on the West Side. The group consisted mostly of Peace Now supporters, people who seemed to be Jewishly committed but not necessarily observant. In addition there were people who are not affiliated with the group, but wanted to hear what Burg had to say; among them were five Yeshiva College students.

Burg admitted at the very beginning of his speech that Peace Now had no one to talk to. "The tragedy is that there isn't any symmetry," between his movements and the Arab's. He doesn't want to talk to the PLO, and he knows that Hussein is unwilling to approach the Israelis. Despite the short-term impossibility of a peace treaty, he feels that his movement has much to do. Raising public opinion against the settlements is one such way. As he has pointed out to poorer Israelis, money that goes into the West Bank is not used to rehabilitate old neighborhoods within the Green Line. A more serious problem that he sees with the settlements is that they are closing the door on future negotiations. He feels that

present day policy goes beyond settling Eretz Yisroel, which he feels is legitimate, to trying to change the definition of the West Bank and annex it. This, he feels, is an unnecessary additional obstacle to peace.

In response to a question on the need to hold onto the West Bank for security reasons, he asked whether an Israel which had annexed the West Bank, and therefore had a population that was 35% Arab, that was therefore semi-democratic, and which continued to spend more and more of its resources withstanding an unending threat of war rather than developing a Jewish culture, could properly be called secure.

Burg first realized this growing threat to Israel's spiritual security when he served in Lebanon. He saw that Israel was relying more and more on physical power, and forgetting its spiritual and ethical power. "As a Jew," he said, "I know that the main source of our power was spiritual." Unfortunately, he says, the mainline approach in Israel is that if we are strong, the Arabs will negotiate—that force is the only language that Arabs understand. To him, this is racism; "this was said about us forty years ago."

Burg sees the continuing occupation of the West Bank as eroding Israel's democratic tradition. When he came back after serving in Lebanon, he found that people were unwilling to face the reality of dissent that he represented. "Everyone said, 'it's OK, it's OK, don't criticize it.'" The country has one of the

strongest democratic infrastructures in the world. Not only did protesters demand the Commission of Inquiry, but the government allowed it. But on a personal level, individuals don't know how to think in democratic terms. They can't deal with pluralism. The worst example of this was the grenade that injured him and six others, and killed a fellow protester.

Burg attributes this growing fanaticism to the change in Zionist ideology that has resulted from the Six Day War. Traditionally, there were three strands in Zionist ideology. The first was the socialist movement. It started the kibbutzim, the settlements, it reintroduced the idea of Jewish labor, an attempt to found utopia with Jewish sweat. The second movement was the nationalistic one advocated by the Revisionists. Jabotinsky and Begin emphasized the land, Eretz Yisrael, territory. The third strand was the religious. It saw the settlement of Eretz Yisrael as the beginning of the Redemption, of fulfilling the hopes of our tefillot, of turning the ancient symbols into reality. These ideologies produced a creative and fruitful dialogue through their conflict.

Since 1967, however, there has been a new situation, a change of direction. There are no longer three distinct ideologies; instead, we have one with three heads. The principles of settlement, territory, and religious symbols have

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