

# HAMEVASER

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## The New York State Get Law: For Better or For Worse?

By LARRY YUDELSON

This past summer the New York State legislature passed Bill A-6423-B, "an act to amend the domestic relations law, in relation to preventing parties to a marriage solemnized by a clergyman or minister which is concluded by annulment or divorce from establishing or maintaining barriers to remarriage." In other words, it requires a man to give a get to his wife before New York will grant him a divorce.

It is a controversial law. Jewish groups came out on both sides: Agudath Israel, which drafted it, and Young Israel among others, supported it; the American Jewish Congress led the fight against it. Why did Jewish groups come out against a bill that would help solve the aguna problem, and enable these women to remarry? Not because they don't care about the agunot, but because it is on the line—or perhaps over it—of unconstitutional Church-State interaction.

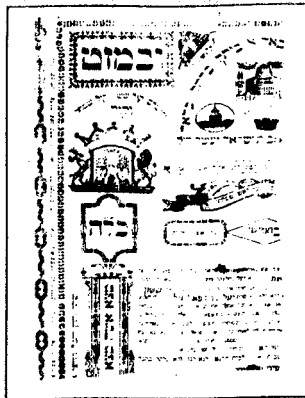
First, a brief summary of the bill:

- 1) This law applies only to marriages performed by a clergyman.
- 2) A person who begins a divorce action must state under oath that he or she will remove any barrier to his or her spouse's remarriage, and
- 3) The divorce cannot be granted until the statement is made.
- 4) In an uncontested divorce, both parties must make the statement.
- 5) The barrier to remarriage includes "any religious or conscientious restraint or inhibition imposed on a party to a marriage, under the principle of the denomination of the clergyman or minister who has solemnized the marriage by reason of the other party's commission or withholding of any voluntary act." It does not include anything which cannot be removed by the

party's voluntary act, or can only be removed by application to a marriage tribunal of a religious denomination which has authority to annul a marriage under the rules of the denomination. (i.e. a Catholic annulment)

6) If the clergyman who performed the wedding is alive, the divorce can't be granted if he swears that there is a barrier to remarriage.

Nathan Lewin, an attorney in Washington and former professor of constitutional law at Harvard and Georgetown University law schools, as well as a graduate of Yeshiva College, drafted the bill for Agudath Israel. He designed it to sustain both the Halachic prohibition against forcing the husband to give the get and the Constitutional objections.



But many people are not sure that the latter condition has been met. Mark Stern, who as assistant director of the American Jewish Congress' Commission on Law and Social Action has been in the forefront of the fight against the bill (he is also a YC graduate), thinks that the bill has many flaws.

To begin with, the whole goal of the bill is clearly religious. It's purpose is to solve the aguna problem, which is a religious, not a secular problem. Lewin, however, claims that the problem is also a secular one. The existence of people who are unable to remarry is a secular concern. The State should not allow its power to divorce a marriage to be abused in this unfair manner.

Another problematic aspect of the law

(Continued on page 7)

## Chanukah Reconsidered

By LOUIS H. FELDMAN  
Professor of Classics, YC

Chanukah is the most contemporary of Jewish holidays not only in the sense that the events which it commemorates occurred more recently than those recalled by all other Jewish holidays but also in terms of the lessons that it can teach the twentieth-century post-Holocaust American Jew. It is not always comfortable to analyze the past; but, as the Baal Shem Tov is said to have remarked, "Exile is prolonged through forgetfulness, but in remembrance lies the secret of redemption." As Isaac Bashevis Singer once put it, "We Jews have suffered from many diseases, but amnesia is not one of them." Our prophets showed their greatness not less in analyzing the past and the present than in predicting the future. Kierkegaard once declared that life must be lived forward but can be understood only backward. Finally, in the words of G.K. Chesterton, we are almost certain to be wrong in the future if we are wrong about the past.

What is the historical background of Chanukah? In point of fact, there is hardly a period of Jewish history about which we know less than the era from the death of Alexander the Great in 323 B.C.D. to the accession of Antiochus Epiphanes in 175 B.C.E. The excavations of archaeologists, however provide us with a picture book without words; and that portrait, even if it is disputed, does indicate that the inroads of Hellenism upon Judaism, at least in the upper classes, were pervasive long before the decrees of Antiochus prohibiting the practice of Judaism. The Zenon papyri, for example, show that the Greek language was known in aristocratic and military circles of Palestinian Judaism between 260 and 250 B.C.E. Economic

ties led to social relations, as we see in the story of the Tobiad family in Josephus. The Greek language had strongly penetrated into Palestine, so that from the third century B.C.E. on we find inscriptions almost exclusively in Greek. Even graffiti—that tell-tale symbol of what people really think are often written in Greek. The story of the Greek-educated Palestinian Jew who so impressed Aristotle when they met in Asia Minor about 345 B.C.E. shows that at least in the time of Clearchus, who repeats the story in the mid-third century (he is quoted by Josephus), there were Jews from Palestine to whom the description that "he was Greek not only in language but also in soul" could be applied. We may also note the increasing prevalence, long before the time of Antiochus, of Greek names, such as Antigonos of Socho, among Jews.

We must also remark that the policy of the Seleucid rulers of Palestine, starting with their conquest of the land in 201 B.C.E., was far from antagonistic. Antiochus Epiphanes' father, Antiochus III, continuing the policies of *laissez faire* and tolerance promulgated by the Persians, Alexander, and the Ptolemies in Palestine, even gave the inhabitants additional privileges, exempting the Jews from taxation for three years and reducing their taxes thereafter by a third and granting the Jews a considerable measure of autonomy under their governing body, the Gerousia.

As to Antiochus Epiphanes, we may well ask why, if he were really such a fierce proponent of Hellenization, he did not issue his decrees at the beginning of his reign, and why he restricted them to Palestine alone, when there were hundreds of thousands of Jews in Syria and Asia Minor also. If he were truly

(Continued on page 5)

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### Inside This Issue:

- Women and the Pulpit  
—Page 3
- Audio-Visual Chanukah  
—Page 4
- Reaganomics and the  
Jewish Poor  
—Page 6

## IBC: Happy Birthday?

Just over a year has past since the re-naming of IBC, the Jewish Studies College which grew out of EMC, the descendant of TI (Teachers Institute). With the new name came great hopes and aspirations to herald a fresh start. EMC/IBC had been plagued in recent years by declining enrollment, due largely to the program's negative image among the students. The name Breuer seems to imply a certain level of excellence; has IBC lived up to the anticipated hopes?

The fall semester saw the initiation of several new courses in the departments of Jewish History and Philosophy. They can be counted only to the credit of the school as they are challenging and thought provoking. IBC also managed to attract some noteworthy names to its faculty, among them Prof. Mordechai Pechter, visiting for the year from the University of Haifa, and others. His courses are, in fact, the cream of the IBC curriculum.

Nonetheless IBC is still plagued by certain setbacks. In spite of concerted and sincere efforts to find a suitable rebbe, none was found and the top Gemara shiur of the school had to be cancelled, its students redistributed to other shiurim within IBC. Although IBC offers shiurim at many levels, it can no longer claim to give a variety of shiurim levels for advanced students of Gemara. It is outrageous and embarrassing for such a situation to exist in this, a most vital department. Whereas great steps forward were achieved in other fields, this constitutes a huge setback to the very nucleus of the school.

Perhaps a greater problem facing IBC and one which is not unrelated to the above mentioned shortcoming, is the perception of IBC as a compromise, and a school for shortcuts and non-serious students. Students and staff in the other Jewish studies divisions of the school both see IBC as an aberration and express this, however subtly, to students from their divisions who voice an interest in transferring. This attitude prevents IBC from improving its image and attracting the good students it requires to build an even stronger program.

It's time the MYP students stopped using IBC as an easy exit from requirements. It's time Yeshiva stopped ostracizing one of its own schools and its time IBC was given the support it needs in order to reach its goals.

To the Editor:

*Hamevaser's* October 27 issue contained an article concerning the Conservative movement in Israel, (*Thorn Among the Roses?*) and quoted a certain Rabbi Spectre at length as to the nature of the movement. There were a number of factual errors in his remarks, and his tone, one of subtle antagonism towards Orthodoxy, did not do justice to the ideological assumptions separating Orthodox and non-Orthodox Jews. I believe that casting these differences into bold relief can serve as a point of departure for the manner that we, as Orthodox Jews, can solve the dilemma of the non-observant Israeli.

The passage concerning the *Ketubah* that would allow women to demand a divorce neglected to mention that the proposal entailed that any Conservative *Bei-Din* be allowed to implement such a procedure. This *ipso facto* meant that even those who deny the inviolability of Halacha be involved. (According to Halacha, one who denies the validity of the Halachic system cannot be a *dayan*.) Thus, far from being an *ad hominem* attack upon Conservative Judaism, the position was simply a response to a stipulation that would deny the very system supposedly being employed.

Moreover, Rabbi Spectre did not mention other Halachic problems that the proposal entailed. Notwithstanding what he claims Minister Varhaftig said, the Halachic response to the suggestion pointed out that the *ketubah*, because of its necessarily vague and indeterminate language, was not a valid contract

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(Photography)

The Editor-in-Chief and the Governing Board of *Hamevaser* would like to wish a hearty Mazel Tov to Ushie Selevan and Diane Fixler on their engagement.

under Jewish law, as it was an "asmachta", a contract that the parties do not intend to fulfill when they "agree" upon it, and hence invalid. Parenthetically, it should be noted that this was not the first proposal dealing with this issue. In 1930, for example, Louis M. Epstein suggested that at the time of marriage, the husband appoint his wife as an agent to write a *get* for herself in case the husband disappeared or refused to write a divorce. The Orthodox response was written in a volume entitled *Ledor Aharon*. Others have suggested that all marriages be consummated conditionally, with refusal of the husband to grant a *get* causing the marriage to be retroactively annulled. The Halachic objections to this idea were gathered and published in a book called *Ain T'nei Benisuin*. A summary of the issues involved can be found in Moshe Meiselman's *Jewish Woman in Jewish Law* (Chapter 17).

Rabbi Spectre's discussion of *Gerut* assumes that non-Orthodox conversions are valid, and proceeds to the case of the grandson of one who was converted by a Reform Rabbi. I advise anyone who wishes to ascertain the Reform or Conservative position on this matter to read the responses to former Prime Minister David Ben Gurion's inquiries. The upshot of the non-Orthodox position is that a halachic conversion (consisting of the three components *milah* (for a male), *tevilla*, and *kabalat* of mitzvot, is not necessary.

Yet another aspect of Rabbi Spectre's remarks is far more disturbing. His presentation of the conversion story contains the unarticulated assumption that

## A Minor Suggestion

There has been a great deal of debate in recent months concerning the Yeshiva College curriculum. The Curriculum Committee has been working diligently for over a year now and the feeling is that the faculty will have something to vote on relatively soon. It is also generally known that any new curriculum proposal will have a reduced requirement structure due to various pressures both internal and external.

The present Jewish Studies requirement for M.Y.P. students will certainly not be immune to reductions and it is on this point that we would like to voice our concern.

Firstly, there is a question of the competence of the Y.C. Curriculum Committee in dealing with the Jewish Studies requirement. Is the faculty of the college knowledgeable enough in this area to determine what should be required of the M.Y.P. student in Jewish Studies? Are we not setting a dangerous precedent for future requirement reductions in the Jewish Studies Division to be made by the secular faculty?

Secondly, the very goal of our college education is at issue if we severely reduce the Jewish Studies requirement. The college seeks to produce individuals steeped in Jewish learning of a broad nature and not merely limited to Talmud and Codes. The Jewish Studies requirement has served to complement the Talmudic education of our students and help produce better-educated Jews.

To combat these difficult problems, we would like to suggest to the Curriculum Committee and to the Senate that the present structure be changed. Instead of a large number of required courses in Jewish Studies, a Jewish Studies minor, developed by the faculty of the division, should be mandated for all M.Y.P. students. This would provide the Jewish Studies Division faculty a greater degree of autonomy in developing the requirements, an autonomy that seems quite reasonable. It also would ensure that our students obtain the necessary breadth in Jewish learning that we expect from a solid Jewish education on the college level. In addition, it would give students a well-deserved recognition of their studies in the form of a minor recorded on their transcript. Our students take over 20 credits of Jewish Studies in the college and at the very least they should receive a minor benefit.

We hope that the Curriculum Committee and the Senate will take our suggestion seriously and discuss it with an open mind. We hope to have a new, realistic curriculum which maintains the integrity of our institution.

Halacha stands in contradiction to the value of compassion, and in any perceived clash, the virtue of compassion should properly win out. This argument has been raised, in one form or another, by various spokesmen for non-Orthodox Judaism in the past century and a half, but it is nonetheless flawed.

It is presumptuous to assume that the leaders of Orthodox Jewry do not possess the same emotional responses that their Conservative counterparts do. Anyone who has read a responsa concerning an *agunah* has clearly seen the pain that the Rabbis felt over the woman's plight. That the Rabbis did not choose to abandon their system of beliefs due to the exigencies of the moment cannot be taken as an example of cold-heartedness. However, human suffering cannot be the sole criterion in a halachic decision. Of course Orthodox Rabbis are sensitive but they are not willing "to compromise, to adopt to accept new ideas" flippantly.

(Continued on page 4)

## A MINORITY OF ONE

# The Ballad of Danny B.

*Once upon a morning dreary,*

*Near a high school we love dearly,*

*There lived a boy named Danny B.*

*(His name is real, except the "B").*

*Each day for minyan, early he woke,*

*He prayed, then ate, then kissed his folks.*

*Some days he learned, some days he didn't,*

*Some days he dreamed of going to a*

*yeshiva in Israel and forgetting*

*all about rhymed couplets.*

So Danny learned for many a day, and managed to get into a yeshiva in Israel we all love dearly. Danny learned well in Israel. Danny made many friends in Israel. Danny got a tan in Israel.

Danny discovered the Ivy Phenomenon in Israel.

**The Ivy Phenomenon, Part I: The Itch**—Subject decides that his desire to continue learning Torah conflicts with his desire to go to a "good" school.

Danny wants to go to a good school. Danny's father wants him to go to a good school. Danny's mother wants... Danny's rabbi wants... Will Danny learn if he goes to YU? Probably. Is YU intellectual enough for Danny? "No," screams the chorus. Danny needs a

good school. An Ivy school.

**The Ivy Phenomenon, Part II: The Scratch**—Subject resolves Torah/Ivy conflict by picking a "good" school where many ex-Ivy Phenomenon subjects are getting a "good" education while learning Torah on their own.

Danny likes New York City. Danny's father likes his alma mater. Danny's mother likes the school's reputation. (Danny's mother doesn't know that the reputation it has is not something to bring home to mother, but that's a different story altogether.) Danny's rabbi likes the boys who have *chavrutot* there.

The Ivy College likes Danny. Danny has Ivy statistics. They write Danny a letter. They say please come to Ivy College. We're a good school. Best of all, you can tell all your friends that you go to Ivy College. Isn't that what you want most out of life?

Of course it is. So Danny picks Ivy College. Danny tells all his friends that he goes to a "good" school. Yippee for Danny.

**The Ivy Phenomenon, Part III: The Rash**—Subject works hard in the "good" school. Subject works too

*hard, and develops a rash worse than the original itch.*

Danny starts school. Everything is fine. Danny misses some classes because of the Yom Tovim. Everything is not so fine. Danny has a test. Danny passes. Danny calls his friend at YU (who happens to write a monthly column) to tell him that everything is okay.

Friend asks if Danny is cutting Ivy classes a lot. Danny says — only a few, but I'm always late to my first class in the morning. Friend asks — doesn't *minyan* end in time for class. Danny hems and haws. Danny does not know when (or where) the *minyan* is.

Friend asks Danny — we are learning *Masechet Kiddushin*, what are you learning. Danny hems and haws. Danny says — I am working too hard; I can't find time in my busy Ivy schedule for a *chavruta*. Danny is not learning at all.

Danny says — next year I'll have time.

*NOTE: This is a true story about one individual. It is not meant to imply any generalizations.*

SHALOM D. STONE

## NEWS ANALYSIS:

## Women Behind the Pulpit

By CHARLES ABRAMS

On October 24, the faculty of the Jewish Theological Seminary voted to admit women to their ordination program. The vote was the inevitable culmination of a series of events which began 4 years ago. In 1979, the issue of admitting women to the Conservative rabbinical school was brought before the faculty. At that time, there were 16 faculty members, led by Saul Lieberman, who promised to boycott any meeting to discuss approval of the issue. However, all agreed to attend a meeting to evaluate the possibility of tabling the issue. On December 20, 1979, the issue was tabled. On October 24, 1983, less than one year after the death of Saul Lieberman, the faculty revived the issue. The vote was 34-8 in favor of admitting women; 4 senior members of the Talmud faculty boycotted the meeting.

There is no question that for many in the seminary, the vote was not solely on halachic issue. Over half of those voting favorably have not been ordained in any rabbinical seminary. By boycotting the meeting, the four senior Talmud professors were stating that they rejected the process utilized in arriving at this decision. One might speculate that they considered the process to be non-halachic. The issues of women as legal witnesses and women as members of a minyan were raised, but not resolved. In addition, although the ordination of women rabbis presents numerous secondary halachic problems, none were considered. It seems that all involved wished to distance themselves from the aura of halacha.

In light of all that has been said, it can be argued that the vote was really the manifestation of internal tension in the seminary. Saul Lieberman's death created a tremendous vacuum in the traditional leadership at the seminary. It is possible that the younger and more liberal faculty members have used this vote as a way to finally sever the ties of traditional Judaism, which have bound the seminary until now. Many Conservative synagogues already have women rabbis and cantors; many count women in a minyan. Only the seminary still maintains separate seating.

This vote is an indication of a desire among the newly-rising leadership to move the seminary more toward the center of conservative Jewish observance.

The Jewish Theological Seminary is the primary educational arm of the conservative movement. Many of the most innovative and effective programs in Jewish education are sponsored and administered by J.T.S. Thus, in a very strong way, the seminary defines and maintains conservative Judaism. It is likely that, as a result of the vote, the seminary will lose most or all of the professors who boycotted the vote. These individuals form a large part of the halachic nucleus at the seminary. In their absence, determination of policy at J.T.S. will become an exercise in reconciling tradition and sociology. This development may not be totally negative; perhaps it is even desirable. Aside from trivial details, what then will separate the Conservative and Reform movements?

**"...our solutions will, for the most part, be different, because we start with a set of halachic assumptions which the conservative Jews do not have."**

This vote will widen the gap between Orthodoxy and Conservatism; Similarly, we may see a widening of the gap between right and left-wing Orthodoxy. Anytime two divergent parties are involved in an essentially unsolvable argument, each party becomes increasingly self-righteous about its position. Within the Orthodox community, each side will respond to the challenge differently, and each side will see its position as the only correct one. The right-wing Orthodox may find themselves totally unable to deal with the entire concept of a woman rabbi, and thus will feel compelled to ignore the whole problem. Conservative Judaism, seen till now as a religious anomaly, will take on the character of a sociological aberration as well.

In the left-wing Orthodox camp, the acceptance of

women as Conservative rabbis will probably have a 3-part liberalizing effect. Firstly, there is no doubt that as Conservative Judaism moves the left, Orthodoxy will find that it has more room to be liberal. In the past, halachically stringent decisions have resulted from the fear that if the lenient path is chosen, our halacha will begin to resemble their "halacha." Secondly, we will be challenged to deal with the same problems being addressed by the Conservative movement. Naturally, our solutions will, for the most part, be different, because we start with a set of halachic assumptions which the Conservative Jews do not have. Thirdly, the decision to ordain women rabbis, especially when considered with the impending possibility of allowing women to serve as witnesses, will force right-wing conservative Jews to disassociate themselves from mainstream Conservative Judaism. If they choose to relocate within Orthodoxy, they will undoubtedly have a liberalizing effect. Some may be liberal in thought only, while others will surely be liberal in action, too.

For the responsive Orthodox Jew, the decision to ordain women at J.T.S. merely refocuses our attention on a problem which has existed for many years. The problem of the place of women in traditional Judaism is one that has been grappled with many times, but it has never been fully resolved. We might interpret the latest developments at J.T.S. as a sign that we should insulate ourselves from the dangerous pressures of reality. Perhaps, however, we can see these developments as a challenge to work toward a resolution of these difficult problems within the framework of normative halacha.

The Editor-in-Chief and the Governing Board of **Hamevaser** would like to express their heartfelt condolences to Dr. Norman Schlessberg on the loss of his beloved wife Mildred.

מקום יתום אורח בתוך שאר אבלי ציון וירושלים

## MEDIA REVIEW

# "Lights" An Audio-Visual Chanukah

By LARRY YUDELSON

I never liked audio-visual education. I'll take a book over a film strip any day. Listening to someone drone on about the Touro synagogue or whatever, a monotony relieved only by the high-pitched beep and the illustrations that were as poor as in any textbook (though to be fair, the good illustrations didn't particularly interest me either), made me wish that I was reading the same information. At least it would be over in a quarter of the time.

In short, while twentieth century technology was doing an excellent job of selling soap and beer, it was having little effect on Jewish education. It's beginning to appear, though, that we're finally catching on.

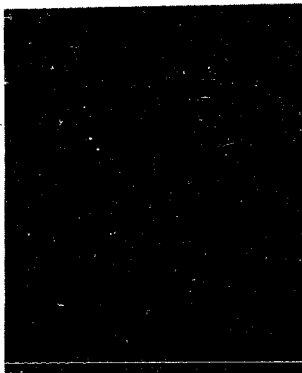
The Geshur Foundation, based in Israel, was originally involved with (and originally became known for) seminars which brought religious and non-religious kids in contact with each other. They have since branched out into other areas, including television production.

What makes the Geshur productions different from the films I suffered through in school? Their emphasis: concepts and ideas.

A man wakes up to his digital alarm clock, brushes his teeth with his electric toothbrush, and eats a bowl of sugar-coated cereal in front of the TV set. A humorous, and accurate, portrait of the typical American. He leaves his suburban house, and tries to start his luxury car. Nothing happens, so he opens the hood of the car. "Oil me!" it cries out.

So the man goes and lugs a can of oil,

and fills the engine. But...a drop of oil jumps on his tie. "Clean me!" cries his tie. Muttering in that style so distinctive to colorful two-dimensional people, he walks back to the house where he finds "Defrost me!" "Wash me!" "Fix me!" and so forth as his entire life of modern conveniences breaks down and demands his attention. The appliances jump about, more and more insistently. They yell louder and louder. They seem to grow larger and larger, ready to take over and destroy him.



"Stop!" he shouts. We see the clock—it reads "Shabbos." The appliances shrink back down to their rightful sizes, and the man sits back in his easy chair with a book. What about the tie and freezer and everything? "Next week."

Shabbos as a haven from our technological society. It's an idea that is important—but can't be conveyed in 5

minutes worth of reading. As a film, many people who will never read Heschel will be able to understand it. And laugh in the process.

This, and three other similar films about Shabbos were basically experiments (very successful ones, at that). They were building up to Geshur's first full-length (well, 30 minutes less however many commercials they put in these days) cartoon, "Lights." "Lights" is about Chanukah, and as such is designed to slip neatly in the December programming line-up between "It's the Great Turkey, Charlie Brown" and "The Grinch who Stole Christmas." Sounds terrible, doesn't it?

What saves "Lights" from its premise of a "Chanukah cartoon," is that it is not about Chanukah. It's not a Jew-boys and Syrians shoot-them-up; it's about the most important idea of Judaism. Torah.

Torah as cartoon? Geshur pulled it off. They took the abstract idea of Torah and turned it into a symbol that five year olds (the typical TV v in turn the letters remind everyone what to do (i.e. mitzvot).

What is the source of these lights? A flashback to Sinai (a small mountain, covered with grass and flowers in the middle of a desert mountain range) reveals the fiery letters descending from the sky and ending up in a scroll. A scribe studies the scroll, and passes out the letters to passers-by.

Things are going quite idyllically. The Jews are harvesting fields, drawing water from wells, and doing other things appropriate. But then—beware the

Greeks! After winning a battle, they cry out, "On to Jerusalem!" and off they go. But before they can attack the city, the Kohen Gadol comes out (as the messiah has it) and welcomes Alexander the Great into the city by giving him the "key" to Jerusalem: a fiery Aleph. Alexander is quite curious about the letter, and his attempts to analyze it scientifically provide further opportunity to learn about the nature of Torah. To his surprise, it can't be weighed, or measured, or dissected. Torah cannot be understood by science. It is superrational.

This does not mean, though, that the Greeks and the Jews have nothing to contribute to each other. The Greeks have their culture, represented by gold Greek letters. A Greek musician plays his lyre, producing golden Greek letters. A Jew joins in on his chailil and the fiery Hebrew letters that are his song begin to dance with the Greek letters, dancing faster and faster until they almost blur together. It's Synthesis.

Unfortunately, things can't stay that way. Some people start to mumble. "Why can't those Jews be more like us?" And soon enough, the Greeks and Hellenized Jews start rounding up all of the Hebrew letters, and handing out cold, metallic Greek letters instead. Letters that can't replace the missing Hebrew letters—even a baby can tell that they don't taste right.

Finally, a little girl decides that she won't allow her letter to be taken away, so she runs away from the Greek soldiers, hides her letter in a jar, and ends up in the hills. This turns into the Maccabean revolt, TV style. After the appropriate victorious battle scenes, the Jews reenter Jerusalem and the Temple, but can't find any letters to light the Menorah. Finally, they find that last letter, hidden in the jar, and they use it to light the menorah.

But having shown Torah through the story of Chanukah, they can't very well leave off then. Torah shouldn't be left back 2000 years ago. So the last scene has the same two children who were in the first scene, but wearing 20th century dress and walking in 20th century Jerusalem. They stop by a book store, and the elderly man gives them books, and the fiery letters. Which they take home, to light their Chanukah menorahs with.

So it's the story of Chanukah. Except without making a big deal out of miracles, or turning it into a grand defense of the First Amendment. Chanukah as the preservation of Torah, and a look at what Torah is. Not bad for a cartoon.

Unfortunately, I can't tell you to be sure to watch it, since it was completed too recently to find its way on the air. Next year, though... In the meantime, Geshur is going to be testing it out, to see if "Lights" is successful at reaching out to the unaffiliated. I suspect it is. After all, it excited the cynical.

## Letter. . .

(Continued from page 2)

Yet this unarticulated assumption is itself based upon a prior axiological premise. If one assumes that Judaism is an anthropocentric religion, grounded in a man-made system, it follows as a matter of course that emotional needs should precede ritual. Orthodoxy, on the other hand, conceives of Judaism's precepts as containing Divine holiness, and views their fulfillment as a method of demonstrating our love for God, and maintaining the Covenant of Mount Sinai. Religious imperatives, hence, come before emotional desires.

This brings us to the issue raised near the end of the article. The author evidently feels that Conservatism may "succeed" where Orthodoxy has "failed." Although we all feel the pain at seeing our Israeli counterparts living without the Halacha, the adoption of a system which serves as a pallid compromise with those that reject the Halachic way of life *in toto*, and accept the premises of those that reject it, will not be counted a "success" by any observant Jew. I maintain that the values which this university stands for can serve as a true model of success on this score.

The courses in liberal arts that we have

taken can, among other things, open our eyes to the universality of human nature and of the vicissitudes of life which we all experience. We can approach our non-religious brethren not with mask of moral superiority, but as human beings with the same foibles that all people possess. The statement by Hazal "af'al pi she'atah yisrael hu" (Sanhedrin 44a) is well known. Hazal meant to teach us the enduring worth of every Jew. Another formulation of that passage, however, is noteworthy: "Yisrael, af'al pi she-hen chot'in, hen shavim beteshuva." (Shemot Rabbah, 23:10) With the twin foci of empathy and commitment to our eternal standards, the picture of all Jews as being "as full of mitzvot as a pomegranate" can, with God's help, become a reality.

David Horowitz  
YC 1981

Joey Lipner responds: As the author of the above mentioned article, I would like to clarify the scope and intent of my story. It is very easy to assume that an article written about Conservative Judaism will take a stand on the issue, either supportive or condemnatory. However, I set out to write an objective, if provocative, article examining the goals, contentions, and possible implications of the Conservative Movement in Israel. The arguments raised by Mr. Horowitz are

of course legitimate and I have no desire to contradict them. But in being disturbed with my conclusion that the Israeli Conservative movement may succeed, the author of the letter has perhaps misunderstood my intent: "success" here means sociological, not moral or theological success. The disturbing question which my article raises is: Can it be that the Conservatives in Israel have something to offer the Israeli public that Orthodoxy has not yet given to them; that is, a sense of heritage and religious belonging that is so far lacking in the general Israeli public. The validity of the conservative movement as a whole was not in the scope of the article.

I would also like to take this opportunity to point out that I did not at all intend to denigrate Israeli Orthodoxy, about which there is so much that is wonderful, from the Yeshivot Hesder to the religious kibbutzim to Bar-Ilan university. However, vis-a-vis providing a sense of the centrality of religion to the Israeli masses, Orthodoxy (perhaps because by definition Orthodoxy can accept neither halachic compromise nor even partial rejections by those to whom, it hopes to impart religious values) has not as yet succeeded. It is the professed goal of the Israeli conservative movement to fill the religious void that now exists in Israeli society.

## Keep The Fire Burning

By GIDON ROTHSTEIN

Most of Chanukah's duties and customs are pleasures even the very young can enjoy—lighting candles, playing dreidl, singing songs, getting presents, etc. As we mature, though, we should realize that there are also more abstract messages to Chanukah, and we should seek out these new concepts to insure that we fulfill all the purposes for which the holiday was created.

In order to present such new perceptions, we must first handle four questions which come up in dealing with Chanukah. Firstly, the Gemara in Shabbat which discusses Chanukah spends two and a half *dapim* on *hilchot nerot Chanukah* and only a quarter of a *daf* on *hilchot al hanisim*, the remembrance of the Maccabees' war. Similarly, more of the lore and customs of Chanukah have to do with the *nes pach shemen* than the *nes milchamah* (the candles, latkes, the name "Festival of Lights," etc.). This is strange, considering that the *nes pach shemen* took eight days, while the war for independence spanned over twenty five years! In addition, according to Rambam, the entire holiday was instituted in thanks and praise of the victory over the Greeks!

The second and third problems originate in a comment made by the Rogachever, Rav Yosef Rosen, in his *Tzafnat Pa'neach* on the Mishneh Torah. Rav Rosen says (on Perek 3, Halacha 3 of Hilchot Chanukah) that *birchat Haroeh* (the halachah that someone who as yet

has not lit Chanukah candles—upon seeing candles lit by someone else—says the *brachot* of *she'asah nisim* and *she'hechiyanu*) is said in remembrance of the Chasmonians' victory over the Greeks. He adds that since the destruction of the Second Temple, when the Sages abolished all those holidays and customs listed in Megillat Ta'anit, among them *birchat haroeh*—it is no longer customary to say these *brachot*. The *Tzafnat Pa'neach* neglects to explain two parts of his reasoning: 1) What about *birchat haroeh* leads him to the conclusion that it was instituted in commemoration of Israel's victory? 2) Why should the fall of the Temple cause us to refrain from saying *birchat haroeh*?

Lastly, if we take a general view of the Jewish calendar, we note an interesting phenomenon. All the holidays are placed in the period between Purim and Succot, except for Chanukah, which is separated by two months from any other event. What about Chanukah necessitates this isolation?

To answer these questions we must first reexamine the two miracles of Chanukah from a more humanistic point of view, i.e. by delving into the mood of Bnei Yisrael in each situation. When faced with the prospect of having no oil for seven days, the Israelites coped as best they could. They poured the oil they had into the Menorah fully expecting it to light for only one day. As far as they could tell, the Menorah was going to remain unlit for seven days, and they had

made peace with that fact when the miracle occurred. On the other hand, during the war there is no attempt made to live with the status quo. The Hasmoneans set off instead on a series of suicide attacks, without rational hope of victory. If one approaches Chanukah with these differences in attitude in mind, the questions we have raised become clearly answerable.

When we look at *birchat haroeh* from this point of view, we notice the same mindset exists as did during the revolt. *Birchat haroeh* is for someone who as yet has not lit candles, and sees someone else's candles. Even though it is quite possible that he will light his own candles later, the halacha mandates that he say a *bracha* now. In the same way as the Hasmoneans refused to live through the Greeks' reign in the hope that life would get better, so too this person refuses to wait on the chance that he will later light his own candles. It is the similar mentality of the two events—the need for results now—which causes the Rogachever's claim that one is in remembrance of the other.

We can explain the connection to the destruction of Bayit Sheni and the ascendancy of the *nes pach shemen* in the same way. After the Temple was destroyed, Rabbi Yochanan ben Zakkai and the Sages of his generation had to reshape the nation to help it survive in a hostile world. It was obvious that the last-stand mentality of the Hasmoneans and

Sicarii would only lead to more bloodshed and greater ruin. They therefore nullified *birchat haroeh* and emphasized the more passive *nes pach shemen*. In other words, the Sages were saying that at that point in history, actions like those of the Maccabees had to be temporarily repudiated.

Once we have realized all this, we can better understand Chanukah's total message, and its placement in the calendar. Chanukah, at least when we see it from this point of view, is trying to demonstrate the synthesis of the two mentalities displayed (the warriors' need for present action as compared to the resigned, accommodating mood of the people dedicating the Temple) as to be killed, out of lack of choice—"when I am lost, I am lost." On the other hand, on Tisha B'Av, this attitude was negated—the Jews lose the Temple and land for their improper unwillingness to surrender (temporarily.) Chanukah, as the end of the calendar, is meant to give us the opportunity to pause and examine these facets of our actions. We are supposed to realize, as we light the Chanukah candles and say *al hanisim*, that it is the responsibility of Am Yisrael to strive for the same perfect combination of modes of action as the Hasmoneans showed. Perhaps if we ever accomplish this balance, we, like the Maccabees, will be found worthy of seeing Jewish autonomy in Eretz Yisrael, living with Torah Yisrael.

## Chanukah Reconsidered

(Continued from page 1)

intent on Hellenization, why did he not extend his decrees to other non-Greek peoples? Why should he have persecuted the Jews, when such persecution is almost without parallel in antiquity? How, moreover, can we explain the speed and thoroughness with which the policy of Hellenization spread through the Jewish population of Palestine?

In answer to these questions, we may note that according to the First Book of Maccabees, it was Jews, notably the high priests Jason and Menelaus, who sought to further Hellenization and whose civil war brought about the intervention of Antiochus, presumably because he could not afford unrest on his sensitive border with Ptolemaic Egypt. We hear that many Jews had already assimilated to the religious customs of the newly Hellenized city of Jerusalem, as reorganized by the high priests, long before any use of force, and that they had sacrificed to idols, had profaned the Sabbath, and had attempted to remove the marks of circumcision. With true Hellenistic broadmindedness, Jason, whom the famous non-Jewish German historian Eduard Meyer once referred to as "a representative of enlightened Reform Judaism," had even sent a contribution to the sacrifices in honor of Heracles on the occasion of the games at Tyre. These Hellenizers, incidentally, may also have

stood for "women's liberation," for we hear that under Antiochus' egalitarian decrees even women were permitted to enter the inner court of the sanctuary of the Temple which had previously been closed to them. We may ask who informed King Antiochus about the religious situation in Judea to the effect that the civil war between the two candidates for the high priesthood could not be settled by the usual means of sheer force but only by a completely unique prohibition of religion. Neither the king nor his friends, who were certainly very little interested in the Jews, were likely to have conceived such unusual ideas. Hence, the impulse must have come from the extreme Hellenists in Jerusalem itself.

It is incorrect to view the slaying of the Hellenizing Jew by Mattathias as the beginning of the uprising against the Seleucids. Actually the rebellion had been in progress for about a year and had been led by the extremely pious Hasidim. However, they lacked a leader of note and they were weakened by their refusal to fight on the Sabbath. When the Syrians finally granted religious autonomy to the Jews, the Hasidim were quick to withdraw from the struggle. It appears that most of the Jews, both on the right and on the left religiously, were opposed to Judah the Maccabee and felt that a continuing and seemingly endless military struggle against the vast power

of the Syrians was useless. Apparently they preferred "peace now." The liberation of Jerusalem in 164 B.C.E. was far from the end of the struggle, which continued until 140 B.C.E. During this period the Maccabees were contending not merely against the Syrians but also, we must add, against the non-Jewish inhabitants of Palestine (we may call them "Palestinians") who, as volunteers, comprised the chief part of the Syrian army. Against the huge Syrian army Judah apparently had little popular support; indeed, we hear that a year after his great victory in Jerusalem in 164 B.C.E. he was able to muster a mere 800 men. The Maccabees relied on their alliance with the great Western power of that day—Rome; and they succeeded only after a protracted struggle of a quarter of a century, and then only because they had the good fortune to be fighting the Syrians while the latter were busy on other fronts—notably on the East against the Parthians—and while the Romans were seeking to weaken the power of the Syrians in the Near East. Ultimately, of course, this alliance with the West proved to be a disaster, and the Judean state became a mere satellite of their sponsor.

In conclusion, let me stress that under no circumstances can we justify the decrees of Antiochus forbidding the practice of Judaism. What we can and should emphasize, however, is that it was not so much that the revolt came as a result of the persecution by Antiochus as

that the persecution came as a result of the Jewish civil war, which had considerable political, economic, and religious ramifications. What does all this do to our great heroes, the Maccabees? Indeed, after a lecture in which I had presented this thesis, someone, in exasperation, exclaimed that I was trying to take away some of the few genuine military heroes that the Jewish people have had. My answer was that the Maccabees are greater heroes because they were fighting against assimilated fellow Jews and that his internal threat was truly greater than that posed by Antiochus Epiphanes.

The Maccabees were hardly liberal; they roamed the countryside circumcising the children of Jews even against the protest of their parents. The very word "maccabre" is said to be derived from *Maccabaeus* and refers to the gruesome dance of death inspired by them. But then again, as Lionel Trilling once remarked, liberals who are open-minded should beware lest their brains fall out. There are perhaps times—rarely, of course—when, to paraphrase a recent Presidential candidate, extremism in the defense of the Jewish people may not be a vice. Modern parallels with the Chanukah scenario are not far to seek.

**JOIN  
HAMEVASER**

## KIRUV Reaches Out

For many years the Orthodox establishment has spent a great deal of time and energy on outreach programs for high school youth. N.C.S.Y., Yeshiva University Seminar and Counterpoint all are highly developed programs geared towards high school students. Adult communities have also been a focal point for Orthodox outreach with such programs as the Y.U. summer Kollelim and the Shabbat tours which reach many communities across the country. Yet college programming, perhaps the most important for stemming the tide of assimilation and intermarriage, has been underdeveloped and disorganized for many years. Since the days of Yavneh and Dirshu, there has not been a concerted effort on the part of the Orthodox community (with the notable exception of Lubavitch) to address the needs of University-Jewish communities.

This year, however, there is a program being developed by the Rabbinical

Council of America and the Division of Communal Service of Y.U. specifically oriented to college outreach. The project is called KIRUV and its slogan reads "Jewish Identity through Understanding." KIRUV was actually started several years ago by the R.C.A. Under the leadership of Rabbi Sol Roth and with the financial support of several concerned businessmen, KIRUV, directed by Michael Skobac, began working on small college campuses in the metropolitan New York area. Coffee houses and discussion groups around Jewish topics of concern were started and eventually KIRUV was planning programs on a number of major college campuses with the hope of creating a truly national organization. This past year, KIRUV lost some of its momentum with the loss of its Director and the subsequent halt of its programming.

In September, Daniel Lehmann, a Yeshiva College senior and Executive

Editor of Hamevaser, was hired to direct the KIRUV project for the R.C.A. and attempt to revive its programming. Later this fall, negotiations took place to operate KIRUV under the joint sponsorship of the R.C.A. and D.C.S.

KIRUV will be sponsoring lectures, discussion groups, shabbatonim, holiday celebrations, etc. on a host of college campuses in an attempt to stimulate students to learn more about their Jewish tradition and increase their commitment to Jewish life. Shabbatonim have already been planned for December on the campuses of S.U.N.Y. Binghamton and Cornell University. Other programs will take place in December at S.U.N.Y. Purchase and other area colleges.

All those who know of college communities that would benefit from KIRUV programs or who would like to work on the project are asked to contact:

Daniel Lehmann  
2525 Amsterdam Ave #223  
New York, N.Y. 10033  
(212) 795-5493

### ATTENTION ALL SENIORS:

The deadline for all ads is Dec. 19.

We must have all the ads in to ensure that the yearbooks are finished on time!

In addition, all bio sheets should be brought immediately to M222 or M429.

Anyone with any suggestions or ideas for MASMID '84, should please feel free to approach either the editors-in-chief, or any member of the governing board. Any specific problems can be answered by calling:

Joel Greenblatt at 927-3190

or

Gary Kaufman at 928-1273

Remember — This is your yearbook. Help us make it as good as it can be!

Editors-In-Chief

GARY KAUFMAN  
JOSEPH GREENBLATT

## Is Reaganomics Creating the 'New Jewish Poor'?

By ED SILVERMAN

(JSPS)—Two recent studies of Reaganomics by Jewish organizations are providing a broad glimpse of that program's overall effects on the country's Jewish population.

In New York City, last month, the Jewish Board of Family and Children's Services (JBFCFS) surveyed 967 Jewish families as part of a broader study. It found approximately eight percent of them had suffered some form of cutback in public assistance recently. While seemingly small, this figure accounted for nearly one-third of all Jewish respondents who had been receiving benefits.

Surprisingly, middle class Orthodox communities, such as Boro Park in Brooklyn and Riverdale in the Bronx, had the highest rate of unemployment in the study. They consequently showed the highest upturn in requests for assistance. "There is a newly emerging group of dependent Jewish clients," the study said. But it found these people had few places to turn.

"We're suffering from budget cuts," proclaimed Phyllis Zwyer, to whom this was not news. A 60-year-old retiree, Zwyer spends most of her days at the Educational Alliance, a social service facility on New York's Lower East Side.

"Our budgets either shrink or remain the same, while inflation goes up and we lose," she said.

Zwyer is one of thousands of elderly Jews on fixed incomes at the Educational Alliance and scores of other facilities around the country. They find themselves increasingly dependent on outside agencies for financial assistance, health care or recreational programs. Like many others, they have been caught in a squeeze play between the stalled economy and social service budget cuts.

The result, according to several Jewish agencies, is deteriorating living conditions for those on the financial edge and huge demands for assistance on the agencies. The crisis is especially acute in Miami and New York, where large numbers of elderly Jews already exist below the poverty line.

Spokespersons for many agencies also support the JBFCFS, finding that many single-parent and middle-class Jewish families are also feeling the pinch and turning for the first time to outside agencies for assistance. In some cases unemployment is the cause, while in others, government cuts in day care funding or education has created what is

acommodate the increased demand.

Jewish Federations in cities such as Denver and Washington, D.C., which do not have Federation-funded vocational agencies, are now considering opening them. And the National Association of Jewish Families recently reported a 45 percent increase in caseloads among professional, technical and managerial applicants from the Boston area.

The Council of Jewish Federations' study drew responses from Jewish federations in such cities as Cleveland, Dallas, Seattle, Oakland, St. Louis, Pittsburgh, Los Angeles, Detroit, and Chicago.

Other findings included increased requests for college tuition assistance and

had created conflicts among groups; they are now competing at the state level for money previously earmarked for specific agencies and programs at the federal level.

In contrast, Edward Cushman of Jewish Family and Children's Services in San Francisco said that increases for all types of assistance were up drastically and that the situation is a direct result of not only the poor economy, but Reagan administration budget cuts.

"The need is there and the pain is there," he said, adding that the resulting increased demand on social agencies came at the same time their federal funding was also being cut.

In Philadelphia the local Federation lost some \$6 million in federal funding this year, according to Rabbi Robert Layman, who serves on the Board of Rabbis of Greater Philadelphia.

"Because of the federal cuts, an age limit was set for free lunches," he said. "Now it's only for those 80 years and older, and who makes that cut off?"

"From a national perspective," said a Council of Jewish Federations report released last September, "it is obvious that the current economic conditions have had a negative impact on selected groups of Jewish families and individuals, as well as the Jewish agencies providing services to these groups." Those most affected, it said, included the Jewish elderly, single-parent families and lower income groups.

Added Rabbi Layman: "The myth of the affluent Jew just isn't so."

***"Many single-parent and middle class Jewish families are turning for the first time to outside assistance, creating what is being referred to as 'the new Jewish poor.'"***

being referred to as "the new Jewish poor."

In the second study, the Council of Jewish Federations has been conducting ongoing surveys among more than two dozen cities of varying sizes, in order to accurately measure the effect of federal state and local cutbacks on Jewish communities nationwide.

According to Ellen Whitman who is legislative director for the Council in Washington, "The greatest area has been (an increase in demand for) Jewish vocational programs and job training."

But not exclusively. In Chicago, where local Jewish agencies lost \$1.5 million in federal funding last year, a Jewish service organization known as the Ark has had to increase its food pantry programs from a monthly to a weekly schedule to

scholarships, supplemental cash assistance, and employment counseling. Additionally, many day schools, community centers and synagogues reported declining memberships or requests for deferred payments. Some 58 percent reported membership dropouts.

"While I'm not sure you can blame all that on Reaganomics," said Whitman, "interest rates are high and public services are reduced. All of these together have clearly had an impact."

Rabbi Malcolm Sparer, president of the Northern California Board of Rabbis, also questioned whether Reaganomics was the sole cause of all these maladies. He did say the revamped distribution of federal block grants through state and local governments, instituted by the Reagan administration,

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Ed Silverman works as a reporter for a trade journal in New Jersey, and moderates a weekly local radio program on Jewish affairs.



## New York State's Get Law

(Continued from page 1)

is that it favors Judaism over Catholicism. Paragraph 5, which states that a divorce can be granted if the way to remove the barrier is by appealing to a religious tribunal for an annulment, was put in to exclude Catholics from this bill. If it is in the State's interest for all barriers to be removed, why are these excluded? Lewin, in a memorandum to the Governor's office, defended this, saying that the law is designed to remove barriers that can "easily be removed at no personal expense. It is not designed to force parties to institute litigation before religious tribunals."

But the major objection, the one that led Nat Hentoff in the Village Voice to state that a seventh grader could see that this law is "in crude contempt of the Constitution", is that it denies certain people a divorce unless they perform a religious act. According to Stern, this "is no different in principle than a compulsory chapel attendance requirement" at West Point, which is unconstitutional. Others have compared it to requiring a baptismal certificate to attend public school.

Lewin, in his memorandum, disputes this on three counts. First, "in those cases there was no permissible or rational relation between the religious condition imposed and the civil benefit" being provided. Here, it is rational for the State to refrain from granting the end of a marriage that was initially legalized in a religious ceremony to a person until he or she has done what he or she could to prevent the religious bond (which he or she caused) from controlling the other partner's future life.

Second, the bill doesn't specify the performance of a religious act. The barrier could be removed in other ways. If the spouse is satisfied that no barrier exists, then it has been removed without a religious act.

Third, here the religious act affects someone else. It is not a matter of his conscience, as is the chapel attendance case, but a matter of affecting someone else's life.

The law obviously has the affect of advancing religion. According to the First Amendment, is this legal? This is the major ideological difference between the two camps. Those in favor of the law emphasize the affect it has on individuals; advancing religion is not problematic, since it is only a side-effect. In addition, Lewin believes that the First Amendment shouldn't be read as not allowing the state to favor religion generally. He feels it can aid religion over non-religion, as long as there is no coercion.

The American Jewish Congress, New York Civil Liberties Union, and others who are against the bill claim that the constitution prevents any advancing of religion. According to Stern, "it is no business of the government to assist the religion in doing its business."

Marvin Schick, who as founder of COLPA frequently challenged the AJC's view of church-state relations in such

issues as tuition tax credits, agrees that the law goes too far. He says it is one thing to prevent society from forcing its norms on an individual; it is another to require civil authorities to adjust their practices to accommodate our norms."

Even beyond the constitutional issues, the law raises serious practical issues and dangers. For example, the law speaks of a barrier according to denomination of the clergyman who officiated. What does this mean? Are there denominations in Judaism? Have organizations that have refused to participate with the Reform and Conservative movements violated state law? Although proponents of the law claim that the divorce court is not authorized to determine the truth of the statement that there are no barriers, we are opening these issues up to be raised in criminal perjury proceedings dealing with these statements. What if one Rabbi testifies that there is no need for a get, and another that there is? Should we even hypothetically delegate these powers to the court system?

For the time being, of course, those in favor of the law won when Governor Cuomo signed it into law. Did he think it constitutional? "If there is a constitutional impediment, I am sure our excellent courts will make that clear in due time," he said when he signed the bill. Quite possibly, they will. Until then, as Stern said, "nobody is upset that people will give gittin."

In addition, the bill has had the effect of uniting the Jewish community's attention on the aguna issue. Many organizations, including those like the AJC that opposed the get bill, are calling for changes in community attitudes towards husbands who refuse the get. Although they were forced to oppose the bill because of the constitutionality of its means, they are doing what they can to show that they are not opposed to its ends.

It is hoped that increased community awareness on the importance of the get, and halachic research into such areas as prenuptial agreements (see last issue) will result in alleviating the problem without the constitutional difficulties.

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Professor Erich Goldhagen, of the Harvard University Russian Research Center and Zborowski Professor of Holocaust studies at Yeshiva University, will lecture on the topic "Fighting Back—The Historical Background of Jewish Armed Resistance During the Holocaust." The lecture will begin at 8 p.m., Tuesday Dec. 6 in Rubin Shul. All students are urged to attend.

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The Editor-in-Chief and the the Governing Board of Hamevaser would like to wish a hearty Mazel Tov to Yaakov Isaacs and Rayme Hirt on their engagement.

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## Rebbe, Father and Friend

(Continued from page 8)

to your children' viz. talmidim." Hence "your children" denotes talmidim.

Such is the case because a rebbi of Torah is not like a professor of secular studies. A professor just teaches *chachma* to his students but a rebbi teaches *torat chayim*—a way of life. Consequently, a rebbi must also be a father.

Reb Yeruhem was such a rebbi-father. He was interested in both the *ruchniut* and *gashmiut* of a talmid. He saw a young man roaming around during summertime; he sent the young man to a Torah-filled camp (on his own expenses). That young man is today a distinguished *rosh yeshiva*.

I would like, here, to mention two personal occurrences: (1) I once had to undergo an operation. When he became aware of this, he insisted that I should not have the operation unless I visit a great specialist. The next day, he informed me that he arranged an appointment for me with a specialist on Park Avenue. I wrote down the address and thought I would, thus, be finished with the matter, for I was not interested in going. A day before the appointment, however, he reminded me and asked me to meet him the next day after shiur in order that he should accompany me. Indeed, he accompanied me. At the end of the visit, I wished to pay the doctor but he insisted on paying the doctor, remarking to me, "You, after all, did not want to go; so I am obligated to pay." After I underwent my operation and awoke in my room, he stood by my bed and took care of me.

(2) Reb Yeruhem zt'l endeavored to make *shiduchim* for his talmidim. When I became a *chatan*, he was so pleased as if I were his own son. I will never forget his *chesed* on the day of the *chuppah*. A few hours before the *chuppah*, he suddenly came to our home. We were astonished by this visit. He then explained that he merely passed by while on a stroll. Subsequently, he asked me to accompany him on his stroll. I was not sure what was happening, but I went along with him. He talked to me about *inyane chatan vekalah* and other matters, and told me stories. His visit had a calming effect. Suddenly, I understood his intention. He knew me very well and thought I would probably be nervous before the wedding. Therefore, he came to calm me down. Although Reb Yeruhem was then a very busy man, he found the time for me. Only a rebbi who is also a father could do such a thing.

### Spreading the Word:

Congratulations to—Saul Rube, Features, on his article about YU security which was distributed and appeared nationwide courtesy of Jewish Student Press Features;

—To Shalom Stone, Editor-in-Chief, on the reprinting of his March '83 article on the HASC Shabbaton at SCW, in the November '83 newsletter of OTSAR (Jewish Advocacy for the Developmentally Disabled).

### Broadmindedness

Reb Yeruhem zt'l was a broadminded person. In our generation many *b'nei Torah* are limited in their learning and especially in their *hashkafa*. They are only aware of one approach and no other approach exists. Even those who are aware of other approaches do not tolerate them. Reb Yeruhem was very broadminded in this respect. Although he was essentially a Brisker talmid, he understood other views and evaluated their importance. For example, Reb Yeruhem zt'l was a *mitnaged*, but he was well acquainted with Hassidic works and understood Hassidim and Hassidic Jews, and he loved Hassidic *neginah*—especially *devekut*-filled *nigunim*. Moreover, Reb Yeruhem was not an advocate of R. Samson Raphael Hirsch's view of *Torah im derech eretz*, but he understood its principles and evaluated its merit.

Thus, Reb Yeruhem was able to fit everywhere, despite his disagreement with certain views. This arose from broadmindedness, which a *talmid chacham* must have and which he taught us to have.

### Brisk

Reb Yeruhem zt'l was a *talmid muvhak* of the Brisker Rav, Reb Velvle Soleveitchik zt'l. Many a time, when he mentioned Reb Velvle's name, his hands began to shake. We saw in him "*mora rabach ke-mora shamaim*."

He introduced us to Brisker *lomdut*. Before the *Yamim Tovim*, he would recite Brisker torah *me-inyana de-yomna* (which was not written anywhere) and stories about Reb Velvle's home.

Something important must here be noted. Many Roshei Yeshiva and *b'nei Torah* carry the yoke of Brisk. Who endured the Brisker Rav and later his son Reb Berel zt'l? Only one! Reb Yeruhem zt'l. I heard that, already in Vilna during wartime, Reb Yeruhem was concerned about and arranged matters concerning the Brisker Rav and his family. He was a true talmid of Brisk.

### Friend

Reb Yeruhem zt'l treated friendship very seriously. He was very careful concerning *hakarat ha-tov*. He felt obligated by the smallest favor.

He continued his friendship with his talmidim all his life. He was interested in their lives and in their problems, and he did them favors.

Many of us consulted him at various times. He used to completely involve himself in another's problem.

Above all, he was interested in people. Walking with me on the street, he would point out lonely people. He would stop, say a good word and invite them to his home for Shabbat and Yom Tov.

He would visit sick people whom no one visited and would console them. He was a *yedid ne'eman*.

As a result of his death, his Rebetzin lost a great husband, his family lost a devoted father, the Torah world lost a great *rosh yeshiva* and *manhig*, and his talmidim lost a great rebbi.

## Tuition Tax Deductions

By MOSHE A. ORENBUCH

Private school tuition can make up a large portion of a Jewish family's budget. Many parents feel that they are paying twice: once for public education through tax dollars and again for private school tuition. There had been much debate over proposals to enact "tuition tax credits", which would allow parents to deduct a certain amount of out-of-pocket costs of private school tuition from their tax bill. This was found unconstitutional in a recent Supreme Court decision. However, more recently, the Supreme Court, in the decision of *Mueller vs. Allen*, has validated the constitutionality of a Minnesota law allowing for state tax deductions for education-related expenses.

The recent decision of the United States Supreme Court in *Mueller vs. Allen* has met with mixed reactions from the Jewish community. On the surface the idea of tax deductions for school costs seems wonderful. A closer look should be taken at the advantages and disadvantages of such a proposal, and their effects on the Jewish community.

The proponents of this measure feel that the broad grounds on which this case has been decided add to its appeal. It must be noted that the deduction (up to \$700 as provided for in *Mueller*) is available for educational expenses incurred by parents of all school children,

and that the assistance is to be provided directly to the parents, not to the schools. These factors are significant. Firstly, since the deduction applies to costs of all types of education, both public and private, it is difficult to cite this as a violation of the First Amendment. Secondly, the fact that this aid is provided directly to the parents lessens the possibility of governmental intervention in curricula and other school policies that the Jewish community might oppose on religious grounds.

Many Jewish organizations support

**"...the lessening of the financial burden could encourage parents to send their children to Jewish day schools."**

this decision in the hope that the lessening of the financial burden could encourage parents to send their children to Jewish day schools. These organizations feel that "paying twice" for education places an unbearable load on many families.

It is important to note that the plan upheld by *Mueller* could not pay for the entire expense of a private school education. Parents choosing to send their children to a private school would still bear a significant part of the cost. This would suggest that this plan will not cause a mass exodus from the public school system and will not downgrade the quality of education in public schools.

Opponents of the plan provided for in *Mueller* feel that parents who exercise their right not to send their children to public schools are not entitled to a tax break any more than a person with no children would be. In a democratic society, people will always have to support the common good whether or not they personally partake of the services provided. Therefore, it is illogical to say that anyone who does not avail himself of public education, or any other government service, should be entitled to a refund.

Another objection of certain Jewish organizations to the plan outlined in *Mueller*, is that private institutions might

of the American Jewish Congress New England Region, feels that this problem is amplified since, "Recent studies indicate that the program will predominantly favor the wealthy and is not likely to increase the number of poor and minority students able to enroll in non-public schools."

A final note on *Mueller*. It is crucial to realize that all previous debate relating to aid for parents of private school children was based on the idea of a tuition tax credit. *Mueller* is based on a tax deduction. (As was stated before, the tax credit plan was found unconstitutional.) Therefore any figures relating to costs to the Federal government from previous debates must be revised to reflect this major change when considering a plan such as the one proposed in *Mueller vs. Allen*.

\* \* \*

As orthodox Jews with a strong interest in the future of private Jewish education, we must constantly be aware of controversies such as this one. It is hoped that if legislation similar to that in *Mueller vs. Allen* is passed, Yeshiva day school enrollment will increase and the schools will benefit from the increased revenue.

have to conform to government policies which could be antithetical to the religious requirements inherent in Jewish schools.

Possible the strongest argument against the plan proposed in *Mueller*, is its social cost. Many argue that the plan will cost the Federal government huge sums of money. Sheila Decter, Director

### Cemetery Space Available

A limited number of plots (20) are still available to YU alumni in the Eretz Chaim Cemetery at Beth Shemesh, near Jerusalem. For further information, call Rabbi Abraham Avrech, director, Rabbinic Alumni, (212) 960-5289.

## Rebbi, Father and Friend

By RABBI A. BRONSPIGEL

Translated from Yiddish by Israel Kane; originally published in the *Algemeiner Journal*.

Avot 1:6: "Joshua b. P'rachya says, 'Make for yourself a teacher, acquire for yourself a friend and judge everyone in a meritorious light.'" Everyone must have a rebbi and a friend, and must be able to judge another in a meritorious light (*limud zehut*).

The question arises: What is the place of *limud zehut* in our *mishna*? What is the connection between "make for yourself a teacher" and *limud zehut*? *Limud zehut* is, after all, a general law of *אמתות* and does not apply exclusively to a rebbi or a friend.

To this question, my great rebbi, Reb Yeruhem Gorelick zt'l, responded: In order to have a rebbi or a friend, one must have the *midah* of *limud zehut*. It is a *lei kodem le-ma'ase*. While one learns *torat chayyim* and *yirat shamayim* from a rebbi, one learns *midot tovo* and proper interpersonal relations from a friend.

Nevertheless, a rebbi is but a human being with human weaknesses. At times, he embarrasses a *talmid*. At times, he fulfills "zerok mara ba-talmidim" to a too-great extent. At times, the *talmid* imagines that the rebbi is not *frum* enough. The *talmid*, then, thinks: "He can be my rebbi?"; "I can learn from

him?"; "He, after all, has all these weaknesses."

Therefore, Joshua b. P'rachya says: One must have a rebbi, and this is only possible if one can exercise *limud zehut*.

To me (as well as to many other *talmidim*), Reb Yeruhem was first a rebbi from whom I learned Torah. He was my "make for yourself a teacher." In a later period of my life he was to me as a father to his child. In the last period, he was to me as a friend. I do not mean exactly a

we entered his class we already could learn a *blat* of *gemara* with *Rishonim* and *Aharonim*. Reb Yeruhem, however, taught us how we really should learn through a *blat* of *gemara*, how to learn correct *shat* in every letter of Rashi, and that a *hava amina* must be analyzed just as much as a *maskana*.

He used to say, "I will give you the key to the *gemara*." In fact, he did give us the key. The little that we know today is thanks to him, because he presented us

**"Under the mask of sternness, lay a magnificent heart full of feeling and devotion to his talmidim."**

friend, but, rather, a *yedid ne'eman*. I consulted with him in my private matters, with the realization that he only has my welfare in mind.

### My Rebbi: "Make for Yourself a Teacher"

To this day, I remember my first impression upon my initial arrival into his class. I saw a stern Jew with two piercing eyes that looked through me. I quickly felt "zerok mara ba-talmidim." However, I became convinced, in time, that under the mask of sternness, lay a magnificent heart full of feeling and devotion to his *talmidim*.

Regarding a *derech* in learning: When

with the basis and *derech* in learning in order that we should be able to stand on our own feet. The *mishna's* statement "Ve-he'emidu talmidim harbe" does not just mean to have many *talmidim*, but, rather, to give them a foundation, and this he did.

He was not just a *rosh yeshiva* who said a good shiur, but also established *talmidim*. He was a *ba'al masbir*. He used to simplify and clarify the most difficult and complicated *sugvor*, and in order to demonstrate a principle, he would employ parables and stories.

He instilled so much pleasure and life in learning, that one was motivated to learn on his own.

The main thing that he taught was "not to fool oneself in learning — or in life."

Regarding *hashkafah*: Reb Yeruhem zt'l, did not just give a halachic shiur, but also taught us a proper view on life, for just as one can be an *am ha'aretz* in learning, one can be a greater *am ha'aretz* in *hashkafah*.

He understood the American *talmid* very well.

He had a *leznuta d'avodah zara* and used to ridicule, with his sharp humor, false *hashkafot*.

### Influence in Yeshivat Reb Yitzhak Elchanan

Reb Yeruhem used to have much influence, not only on his own *talmidim*, but on the whole *yeshiva*. On various occasions, he would speak on subjects of *hashkafa* before the whole *yeshiva*, as a result of which everyone became familiar with his *hashkafot*. His views were well known and, although not all of them were accepted, they still made an impact on the whole *yeshiva*.

Even *talmidim* who did not learn in his class were influenced by him.

A large number of the younger generation of *roshei yeshiva* in Yeshivat Reb Yitzhak Elchanan were his *talmidim* and thus his influence will continue.

### As A Father To His Children

*Ha'az* teach us: "Whoever teaches another's son Torah is considered by the *pasuk* to have borne him" (*Sanh. 19b*).

The *Sifre* says "You should teach them

(Continued on page 7)