

Editorials

Kahane: King of Controversy

Meir Kahane paid us a visit Monday night, and he left his usual verbal calling cards (bombs and the like are left only by flunkies he can disassociate himself from when things get hot). The *bnei hayeshiva* who protested were, in his words, "ignoramuses." This sort of lunacy is to be expected from someone whose use of Halachic sources is flippant, at best. He quoted Rambams relating to *akum*, without bothering to differentiate between the *shiva ammim* and the present-day Arab.

Is his reading correct? Of course, since he has *semicha*, and is therefore capable of paskening all questions. Those who argue with him are arguing with Halacha. Presumably, it is not only the ignoramuses in the kollel who are guilty of this crime, but the vast number of *talmidei chachamim* and *gedolei hador* that reject him and his *psak*. We hope that the Roshei HaYeshiva, who have in the past shown concern over the talmidim being exposed to improper halachic discussions, will deal with the perversion of Torah that Meir Kahane expounds and represents.

Furthermore, we wonder whether it is necessary for those student organizations that seek to increase the *kesher* between the Yeshiva student and Eretz Yisrael to bring speakers who claim that love of the Land can only be expressed by hatred of Arabs and those "self-hating", "small-minded" *g'dolei Torah* whose *psak* is not sufficiently *nationistic*. On a campus such as ours, where the basic commitment to Eretz Yisrael is shared by everyone, such an approach is counterproductive; in fact, it is here that one would expect a serious exploration of the issues confronting religious Zionism. But, it is more fun to hear an exciting demagogue, and the simplistic solutions of false messiah are always more appealing than the dilemmas and complexities that a true wise man will see. Let us hope that the Israel Affairs Committee will in the future work towards a wise consideration by the students of the affairs of Israel, in keeping with Rav Kook's statement that the *geulah* can come about only through *ahavat chinam*.

So Far— SOY Good

In some previous years, the Chanukka Chagiga first signalled S.O.Y.'s emergence from summer hibernation. This year, Hamevaser happily acknowledges a welcome change. With a highly successful etrog sale and the first in a series of "Beit Kotlei HaYeshiva," S.O.Y. has proven itself both innovative and capable. Such exciting promise demands special achievements.

"Shabbat in Yeshiva" began as bi-annual events whose novelty attracted large numbers. This year, however, we have advanced past that stage. Many talmidim, as well as the administration, have realized that Shabbatot in yeshiva can provide *chizuk*, further friendships, and offer deserved relief to out-of-towners. The first S.O.Y. "In-Shabbat", though poorly advertised drew an enthusiastic crowd of nearly 150. By developing interesting programs—including a variety of speakers from the wealth of Orthodox Jewry—S.O.Y. may successfully institute regular, well-attended Shabbat programs that will invigorate the entire yeshiva. The immediate response may be laughter, a surrender even before an attempt, but the '84-'85 S.O.Y. seems to appreciate a challenge. The talmidim are ready, now S.O.Y. must take charge.

The What Page Are We On In The Prayer Book Blues

Part of the distinction of our yeshiva is that talmidim without extensive background are not relegated to a "baalei tshuva" yeshiva, but as students in JSS, are an integral part of our institution. The number of *musmakhim* who started out in JSS is a source of great pride.

It is surprising, therefore, that in the Beit Midrash and the dormitory shuls there are no siddurim or chumashim with English translation. While the recent purchase of siddurim with instructions in Yiddish may be seen as a move towards spreading the incomprehension to the entire student body, nevertheless, students who come seeking knowledge should at least be able to pray for it.

Badavar—influenced by one of the two sides.

Several weeks after the "Underground" was uncovered the names and pictures of all the Underground members appeared in every Israeli newspaper before any of them were brought to trial. Is this Tzedek? Similarly, Hamevaser, in its attempt to apologize for the actions of the Underground, has passed its own judgement on these people before most of them have been tried. Is this Tzedek?

Insofar as Hamevaser's halachic concerns, there are, *Baruch Hashem*, many *gedolim* in Eretz Yisrael capable of giving a *psak halacha* on the various actions of the Underground, should it be necessary. It should also be noted that all members of the Jewish Underground are *talmidei chachamim*, many of whom have studied in Eretz Yisrael's finest yeshivot.

If we truly care about our brothers in Israel, and I believe we do, we need to ask ourselves

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In our last issue we neglected to mention that Rabbi J.D. Bleich's article "Terror Must be Condemned not Condoned" was reprinted with permission from *Sh'ma: A Journal of Jewish Responsibility*. We regret this unfortunate error. *Sh'ma's* subscription address is Box 567, Port Washington, NY 11050.

Bein Kotlei Hayeshiva, a new publication from SOY, is currently available at \$2 per issue. Anyone interested in obtaining a copy should contact David Feder at 781-3198.

Letters On the Underground

Americans Shouldn't Judge

To the Editor:

This past summer I had the special opportunity of working as a tour guide in the Jewish Quarter of Schem, while living in the nearby settlement of Elon Moreh. Your last edition of Hamevaser was almost completely devoted to what you termed: "Notes on the Underground".

As a member of Gush Emunim I know that it is very hard for any Jew living in New York to fathom living under Arab attacks. Therefore, it is not the place of any American Jew to stand in judgement of our Jewish brothers living in Israel. The Torah tells us: "tzedek tzedek Tirdof." The *Michtav Me'Eliyahu* explains that the word "tzedek" is written twice to indicate that a judge should never hear one of the two *ba'alei din* before the other is present, lest he become a *Nogea*

the following question: "*Ha'acheichem yavou l'milchama, v'atem teshvu po?*" Is it right that our Jewish brothers in Eretz Yisrael give their lives to fight for our country, while we sit on the *seer habasar* in America? I think not.

Sincerely, HILLEL LIEBERMAN

Facing Facts

To the Editor:

It must have escaped Prof. Tendler ("Judge by Torah Standards," Hamevaser, October 4, 1984, p. 7) that in voting to acquit the defendants in the Jewish underground case, he has, by his own admission, opened the door to their conviction. His vote has changed the verdict from *keru chaim* to *keru meik*—precisely the verdict needed to convict, according to the sources he quotes.

The truth is, however, that this has never been a case of *chayim*. Having been in Israel during the past year, I can testify that there are

thousands of people who consider all Arabs to be "PLO infra-humans" (except that the term used there is "drugged cockroaches") and who applaud Prof. Tendler's view that "the attack on the mayors deserves a standing ovation as does the attack on the college or the placing of bombs on the Arab buses." Over one percent of the Israeli electorate voted in the last election for a fanatic whose platform was *ani asfeli b'et*. Hardly a case of *chayim*.

There is also a factual error in Prof. Tendler's claim that "the Machteret did no less and no more" than "Israeli airforce jets do when [they] bomb terrorist bases." I can assure Prof. Tendler that the passengers whom the underground intended to blow up were not terrorists but unarmed civilians, and that the buses which carried them were licensed not by the PLO but by the State of

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MORE NOTES

Israel. Hardly terrorist bases.

In closing, I wish to stress that my argument with Prof. Tendler is not over Torah standards, or even double standards, but over facts. Torah standards must be applied to genuine facts. Superficial study of the facts of a case is just as likely to mislead as superficial study of Torah standards.

RICHARD STEINER

Professor of Semitic Languages

Suspect Responds

To the Editor:

As one of the Jewish settlers imprisoned in Israel on charges of having retaliated against the Arabs, I wish to commend Hamevaser for publishing its symposium on the "Jewish Underground." The issues raised by our alleged actions—and by the decision of the Israeli government to imprison us—are among the most crucial questions facing Torah Jewry today, and should be aired publicly without fear or shame.

The critics of Jewish counter-terror have each raised different, though equally significant points. They should be addressed individually.

1) Rabbi Yosef Blau argues that Jewish counter-terror is prohibited because it may be considered "mored b'malchut." Now it is quite true that in all democratic societies, the individual waives certain personal rights and responsibilities and transfers them to the authorities in charge. There is a **contractual relationship** between the individual and his government. He pays his taxes and observes the law, and in return, the authorities provide him with certain services, such as public utilities and police protection. The moment one of the two parties reneges on its responsibilities however, the entire contract is cancelled, as is the case in all agreements and contracts. The government of Israel has reneged and has been criminally negligent in its basic duty of protecting its citizens from Arab violence. The Jewish settlers of Judea-Samaria for years, begged the authorities for protection. It was not provided. The contract under which we transfer our "right to self-protection" to the government therefore, is null and void. Consequently, the settlers have the moral and legal right to take action which although violates the "law" of the government of Israel, is in full accord with the law of the Torah of Israel, as well as the law in every democracy worldwide.

2) Rabbi Walter Wurzbarger asserts: "No individual is permitted...to murder completely innocent human beings even with the aim of deterring future aggression." Rabbi Wurzbarger offers no halachic source for his statement—because there is none. The painful fact of the matter is, that Judaism considers a Jewish life to be **more sacred** than a non-Jewish one. There is a clear precedent in our Torah for killing innocent gentile civilians with the express aim of deterring future aggression.

After Shechem ben Hamor, in his *goyishe* lust, raped Dina, the daughter of Jacob, her brothers, Shimon and Levi went and killed all of the males in the city of Shechem. Jacob chastised his sons as follows: "You have brought trouble upon me by making my name obnoxious among the people of the country, the Canaanites and the Perizzites.

My numbers are few; if they muster against me and attack me, I shall be destroyed, I and my household with me." (Bereshit 34:30). Interestingly, Shimon and Levi have the last word. Their response is critical: "Is our sister to be treated as a whore?" The Midrash Rabbah explains this verse to mean: "What is going on that they come to treat us as 'hefker'?" (with flippant contempt). The sainted Ohr HaChaim clarifies this midrash and explains with great insight what the brothers were really saying. Shechem was not liable the death penalty at all, nor were the other "innocent" inhabitants of Shechem. The Noahide Law which prohibits illicit sexual relations applies only to married women, which Dina was not. The brothers justified their action and explained to their father the lesson of history, that weakness invites attack and humiliation, while strength deters it. They assured him, continues the Ohr HaChaim, that not only would their act of vengeance not invite attack, but on the contrary, through their act of "counter-terror", the neighboring gentiles would "fear and tremble before them." Their action was intended to serve as a deterrent to future aggression against the house of Jacob.

Nowhere does Jacob directly criticize the violent terror perpetrated by Shimon and Levi against Shechem. In Bereshit 49, he chastises them for their trait of anger only, and even there the Ohr HaChaim comments that Jacob's remarks refer only to the sale of Joseph. The Ramban as well exonerates the two from any wrongdoing vis-a-vis Shechem.

Now, there are those who might claim that counter-terror is ineffective. Historical evidence however, proves otherwise. When the Irgun Zvai Leumi launched its counter-terror raids against the Arabs in the 1930's, even the anti-Zionist *London Times* was forced to admit: "Since the Jews began reprisals the attacks on them have decreased." (Sept. 28, 1937, p. 15).

The contemporary "Jewish Underground" launched its first attacks on June 2, 1980—two Arab mayors were crippled by car bombs, and hand grenades exploded at an Arab school in Hebron. For months afterwards, the Arabs of Judea and Samaria were totally quiet. An examination of Israeli newspaper reports for the three-month period following the attacks, reveals that there were virtually no rock-throwing incidents or rioting. Moshe Maoz of the Judea-Samaria Military Government told the Knesset that the counter-terror raids "have left the local population bewildered"; he said further that "the West Bank is quiet, and would-be rioters are inactive, for fear of a possible strong Israeli response." (Jerusalem Post, June 19, 1980).

The real problem is with those who sit fat and content in the Exile while Jewish blood is spilled in Israel, and then criticize those who fight back. For the critics of counter-terror are not merely wrong, they are endangering the well-being of Israel's Jews. The failure to retaliate guarantees more Arab terrorism. Only a swift, merciless response can pre-empt Arab terror and thereby spare Jewish suffering.

YEKUTIEL GUZOFSKY

See additional letter on Page 7

Why We Must Oppose Kahane

To the Editor:

Hamevaser's recent symposium on the Machteret is to be lauded as an intellectually honest attempt to present the differing halachic sides of a very painful and complicated issue. This is obviously the way a *ben-Torah* should approach such topics.

I am somewhat disappointed, however, that this honesty is not without blemish and the seeming open-mindedness was tarnished by a subtle, but definite preference of the editors for the anti-Machteret stance. I found this opinion expressed in subliminal terms which presented a slanted image to the reader and quite possibly created a psychological bias against the Machteret beyond the actual opinions of specific articles.

Even before reading the first essay, I was appalled to see the subtitle of the headline label the Machteret as "Jewish Terrorism." It seems that the *g'zar din* was passed before the case was opened! The introduction to the symposium, as well, assumed the propriety of the terrorist label for the Machteret. I cannot accept a suggestion by some that "terrorist" is an objective and non-judgemental term. "Terror Against Terror" is no more a terrorist "organization" than (*h'avdit*) is the P.L.O. a liberation movement. Propagandist names are an old technique.

Second, the first article of the issue (Thoughts on Tzom G'daliah) saw fit to furnish us with a prescribed bias against the Machteret before investigating the expert halachic opinions of the Rabbis whose essays appeared in the symposium. How the message of Tzom G'daliah, which recalls the fall of Jewish independence and self-government, was turned around to emphasize greater disunity and maliciously malign Orthodox Jews is unacceptable (especially during Aseret Y'mei T'shuva).

The article regarding democracy (Lessons in Civil Disobedience) also gave an unrelated and negative criticism of the militant factors within Gush Emunim. The writer seems

unaware that the Israeli political system differs almost completely to the American system regarding lobbying. Does he really believe that the protests of the 5,000 residents of the *sh'tachim* would be heard and heeded to the same level as the 500,000 members of the Shalom Achshav protest? What has this got to do with the Machteret?

I do not deny anyone's right to his own preferences of opinion. My own preferences heightened my sensitivity to these subtle but influencing biases, where others may have missed them. Modern media is well aware of the huge power of the unwritten word and of the use of graphic and layout techniques to help establish messages below the threshold of consciousness. This power is proven effective, however dishonest it may be. I hope that in the future, Hamevaser becomes more sensitive to its own opinions and states those opinions clearly when desired and not at all when it claims objectivity.

STEVEN F. COHEN

Larry Yudelson, Senior Editor, responds:

Steve Cohen's concerns are valid. As our editorials make clear, the majority of our editors do have an "anti-Machteret" slant. We did, however, try to be fair, and I believe we succeeded.

We called the Machteret terrorists because that is what they call themselves. The professed aim of the attack on the Islamic College was the intimidation of the students, the dictionary definition of terrorism.

The article on Tzom Gedaliah was placed on page two because it was in yanei d'yoma. As to its and Dan Lehmann's articles not being relevant to halachic discussion, the symposium was never conceived as a trial of the individuals, halachic or other. For that reason, we did not publish pictures of the members of the Machteret.

We did not consciously attempt to subliminally influence our readers. If that was, however, the effect, our subconscious apologizes to yours.

Halacha, Politics and Morality

To the Editor:

I take issue with Rabbi Moshe Tendler's approach to the question of Jewish terrorism.

Rabbi Tendler sees the issue from a Halachic perspective. I do not claim the ability to argue Halacha with him. But the very idea that Jewish law is applicable in this situation is a mistaken one.

If we wish to discuss particular political issues as they are seen by Halacha, that is fine from a *theoretical* standpoint. Practically speaking, however, the Arabs do not subscribe to Halachic rulings. We have no right to impose our religious views upon them, unless we grant them the right to apply Islamic law to Jews. I cannot concede them such a right.

In any event, Rabbi Tendler is not even clear on how the laws of *Rodef* and *Machteret* are relevant to the case before us. Were the innocents who were killed on the Arab bus *Rodfim* or intruders? Did the rifle discharge a "Rodef-seeker" missile? And how about the Islamic college incident? Were the guns equipped with "PLO-nik sensors"? And, if the Temple Mount bombing attempt had succeeded, G-d forbid, would only Arab terrorists have perished?

The truth is that Rabbi Tendler's argument,

while cloaked in Halachic garb, boils down to one point: "War is war." It's a nice slogan, but, obviously, Israel is not at war with some Arabs riding a bus. If we equate the larger issue of war with that of terrorism, Israel's moral case against the PLO is immediately lost. Everything becomes justifiable.

The issue is simple: Do we object to the PLO's *goals*, or its *methods*? I choose the latter. I brand the PLO a moral abomination because it exalts in the killing of innocent people. This is irrelevant to my opposition to their objective—the destruction of Israel. Even if I agreed with that goal, I would reject the PLO as a roleplayer because of its methods. Similarly, I abhor the actions of the Jewish terrorists.

On the other hand, if our objection is merely to the PLO's goal, but, were we to subscribe to that goal, we would endorse any method used to realize it, we can justify Jewish terrorism. But, of course, we then have no basis for criticizing the PLO's methods. Our opposition to the PLO becomes the same as our opposition to the enemy Arab states.

I condemn the Jewish terrorists just as I condemn the PLO. Both groups practice the highest form of immorality—murder.

AVI GOLDSTEIN

Brooklyn, N.Y.

The Approach of Rav Chaim Volozhin

The following summary of a lecture given by Rabbi Lamm was prepared by Adam Mintz.

Rav Chaim Volozhin (1749-1821), founder of the famed Etz Chaim Yeshiva in Volozhin, created the model for the Lithuanian Yeshiva that is still emulated today in many yeshivot. What special qualities characterized this Torah giant's unique approach to learning?

Rav Chaim studied under three great Talmudic scholars. In his youth he was guided by Rabbi Raphael Hemberger and Rabbi Arye Ha-Kohen, the reknown "Shages Arye." At the age of nineteen, he began studying with the great scholar, the Vilna Gaon. Rav Chaim's relationship with the Gaon was an unusual one. He would study independently the whole year and would visit the Gaon twice a year to discuss any difficulties he had encountered.

Unfortunately, we have few of Rav Chaim's writings. He never wrote his *chidushim* on Halacha but some of them were recorded by his disciples. He wrote responses to Halachic questions, but not all of them have been published. Rav Chaim's great-grandson published some twenty-five responses that provide us with an insight into Rav Chaim's personality. He wrote *Nefesh Hachayim*, a philosophy of Halacha, and his lectures on Pirkei Avot were published by his students.

There were four elements that composed

Rav Chaim's unique approach to learning. One is his great emphasis on the study of "b'kiut," all areas of the Talmud, rather than simply the mastery of one subject matter. He felt that while the study of *Achronim*, later halachic authorities, was essential, the primary emphasis must be placed on the Talmud itself. He once compared the study of Shulchan Aruch without the Talmud to eating spices without fish.

Rav Chaim suggested that his students begin their learning with *Seder Moed*, the laws concerning Shabbat and the festivals. The students were required to learn a minimum of three *blatt* a day, and preferably five *blatt* per day. They studied the text with Rashi twice, the Rosh eight times, and finally the Shulchan Aruch. When these were mastered, they could begin learning *Tosafot*. Only after they were fluent in every aspect of the sugya could they proceed further.

A second element of Rav Chaim's philosophy was his advocacy of "sevara yeshara," clear, straightforward reasoning. There is no room for intellectual deviance. All depth must be directed at attaining the *peshat* not *pilpul*. *Pilpul* is represented in two forms, dialectic, the ability to think sharply and analyze various ideas, and casuistry, a pejorative term meaning to build castles in the air. This thinking, while very clever, has no bearing on the simple explanation of the issue. *sevara yesharah* addresses the subject matter directly and establishes a new principle, thereby negating the difficulty. The Beit

Halevi once complained that laymen rarely left happy after posing a question to his son, Rav Chaim Brisker. This was because Rav Chaim pointed out to them that their question was really no question at all. Rav Chaim himself was discontent as well because he felt that he had wasted time.

Rav Chaim wrote to his grandson that "straightforward reason is the most important thing to grasp: thinking that which is false is useless despite its cleverness." Rav Chaim interpreted *chiddush* as the clarification of a topic. "The analysis of the different components of a topic," said Rav Chaim, "is often the greatest challenge."

A third component of his philosophy is Rav Chaim's belief that all of Halacha must emanate from one primary source, the Talmud. This tradition he received from the Gaon who makes constant references to the Talmud in his commentary on Shulchan Aruch. Rav Chaim felt that studying in order to decide Halachic questions was an integral part of "Torah Lishmah," the study of Torah for its own sake. Indeed, he founded the Yeshiva in Volozhin in order to produce leaders for the Jewish community.

Perhaps the most significant characteristic of Rav Chaim's approach to learning was his unwavering quest for truth. He was known for his intellectual independence, thus while he had great respect for other Torah authorities, he always determined Halachot on his own, never accepting what anyone said without much circumspection. Once again,

Rav Chaim's mentor in this respect was the Gaon who was famed for his intellectual independence from previous authorities.

Rav Chaim believed that in matters of *psak* one must not conform out of respect for an authority but rather must strive for the truth. Thus on several occasions he disagreed with the Shulchan Aruch. He even differed from the Gaon in his rulings on several issues. Rav Chaim once refused to excommunicate the Chassidim although the Gaon had already done so. He used to explain in the Mishnah in Pirkei Avot, "Vehevay mitavayk b'afar raglaychem" that one may wrestle with Torah giants but at the same time must realize that he is but dust compared to them.

Rav Chaim's passionate striving for the truth did not stop when it came to his own views. He possessed that rare ability to see and admit his mistakes. He once thanked another rabbi for pointed out his mistake and showing him the correct interpretation.

Rav Chaim was a great "Rodef Shalom," pursuer of peace. There once arose a controversy over a certain matter of kashrut. He demanded that the controversy be ended immediately for "controversy is certainly forbidden by the Torah while this matter you are arguing about is *d'rabanan*".

These powerful characteristics made up Rav Chaim's unique Torah personality. Because of his uniqueness, he was to exercise a profound influence on not only his yeshiva in Volozhin but all the subsequent yeshivot as well.

DARCHEI LIMUD SYMPOSIUM

Rabbi Parnes

Summarized By DANIEL LEHMANN

What will be presented here is a narrow approach to learning. However, it is a method which speaks to the very heart of the learning experience. Gleaned from over forty years of exposure to the Rav's *shiurim*, it is essentially the Rav's *derech* with, of course, variations developed during my thirty years of teaching Gemara.

This basic approach can best be described by an English word which, despite its psychological overtones, is sufficiently familiar to us in other areas to be meaningful as an expression of our learning as well. The word is PROCESS. Process involves distillation; taking a *sugya* and selecting, separating, refining, distinguishing, etc. until a final product is reached. It is this process that forms the foundation of the learning experience.

It is said of Rav Chaim that his primary efforts were spent on what should not be said—separating out the irrelevant parts of a *sugya* in order to better concentrate on the important factors. This is basic to our approach.

There are several important corollaries, both technical and conceptual, that flow from this process approach.

Technical Corollaries:

One technical corollary that comes from this approach is the pedagogic methodology used in class. It is important to engage the students in the process by asking them questions. "What do you think?" "Is that a

good *sevarah*?" There is a constant give and take that brings the students into the actual process of learning. Students are made to personally experience the process actively and not by merely receiving the Rebbe's ideas. It is almost as if the Rebbe and the talmidim are making a *leynung* on the *sugya*. The essential experience is oriented toward process and the class is structured toward that end and for that purpose.

A second corollary is the necessity to focus on the particular *sugya* at hand and concentrate solely on it. One must localize the issues as the Rishonim so often did. In fact, Rav Chaim said that our task is to understand the Rishonim, and they focused primarily on the *sugya* before them. Of course, if there was more time it would be important to learn carefully the related *sugyot* but that luxury is rarely available. Therefore, we are left with the task of delving into the issues that confront the given *sugya*. As a result, the process being described can take place, creating a total experience of the *sugya*.

The primary activity involved in this approach is categorizing and formulating the halacha in a language of abstractions that is able to draw out the very essence of the halacha. The terminology used—*cheftza*, *gavra*, *chiuv*, *m'chiev*, etc. are not merely words but fundamental ideas that serve as the base of our halachic system. To employ these terms in order to understand the complexity that makes up halachic thinking is the goal of *lomdus*. Rav Chaim's purpose was to simplify the complicated by using a language and a set

of categories under which *halachot* can be subsumed. Sometimes this will produce a novel insight that can change the entire understanding of a halacha. This constitutes the conceptual part of the learning process.

Conceptual Corollaries:

There is a tendency when confronting difficult *halachot* to make distinctions that attempt to explain unusual halachic phenomena. For example, the Rambam in *hilchot g'zeilah* describes the case of *lo tachmod* in terms of one who applies undue pressure to another successfully convincing him to sell the coveted object. The Rambam

The Primary Activity is categorizing and formulating the halacha in a language of abstractions.

states that in this case there is no penalty of *mal'kot* since it is a *lav she ain bo maaseh*. The Ravad points out that there certainly is a *maaseh kinyan* when the sale takes place. To answer the Ravad one might wish to differentiate between a regular *lav* that has a *maaseh* and this one since *lo tachmod* includes a crucial *machshavah* as well. However, this differentiation is neither clear nor precise.

A categorical approach to this problem will produce a much more clearly defined conception of the halacha. Classically, the *maaseh kinyan* involved in the *issur* of *lo tachmod* is viewed as a *shiur* in *chemdah* that

defines the *issur*. The essential violation, nevertheless, remains the coveting itself not the formal sale that results. Only by using an approach that seeks to formulate precisely the halacha can this type of clear definition arise.

Another conceptual corollary applies to difficult halachot that can only be understood through a conceptual language that allows one to focus on the halacha itself, to go down into the very core of the halacha. This process can be termed "vertical analysis." An example where this approach can be taken is a Rambam that discusses *edim zominim*. The Rambam maintains that *edim zominim* do not need *hatraah* due to the fact that there is no *maaseh*. Again, the Ravad is puzzled by the Rambam. He reasons that a *magadef* also merely engages in *dibur* but requires *hatraah* to be punished.

Rav Chaim, through use of this vertical approach comes up with a unique idea. He argues that the *din* of *edim zominim* is violated not by testifying falsely but rather by being established as false witnesses in a Bet Din. With this conception the Rambam becomes understandable. The sin committed by the witnesses inheres in their becoming rather than in their testimony. Again, only a vertical, focused analysis can produce such a revolutionary and far-reaching abstraction.

Finally, there is an important practical corollary to the process being described. Namely, that this approach appeal to the modern mind. It has been said in this connection that Rav Chaim saved learning for the twentieth century. Modern people, due primarily to the scientific and mathematical method, think in abstract conceptions by using a language suited

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Rabbi Schachter

by Jonathan Feldman

Derech halimud should not be confused with the style of presentation of shiur. The Rebbe's style, whether gives shiur sitting down or standing up, in English, Hebrew or Yiddish has nothing to do with *derech halimud*. I will be speaking about learning *p'shat* in the gemara, not *remez, sod or drash*. I will also be speaking about learning halacha, not *aggadeta*. Finally, the approach I use in shiur is geared to my own students for their level of learning, their age group, and with their college backgrounds and responsibilities. I would not suggest this approach my ten year old son, nor for a 65 year old man.

There are four steps in learning which should be followed, regardless of the *derech halimud*. The first step is to determine the proper *girsas*. The *girsas* of the Gemara must be correctly established, as well as the *girsas* of the Rishonim. One must also ascertain whether the Rishonim had a different *girsas* of the Gemara. The Rashash is a good source to use in this step. While a correct *girsas* is very important, one should not spend a lot of time working it out.

The second step is knowing the words of the Gemara. This includes punctuation and knowing how to read sentences. A *perush hamilot*, the proper translation of words and terms is also essential. The third step is *hazara*. Each time a 'chunk' of Gemara is completed the student should go over it, and review in his head or *b'al peh* what he learned in the gemara. As well as the *shitot* of Rashi and Tosaphot. The fourth point is that it is essential to stress details. Rabbi Soloveichik years ago said in a *drasha* that the Greek philosophers believed that menial labor was only for slaves. Therefore, they never tested their theories experimentally. Their thought remained abstract and aloof. Halacha, in contrast, places a primary importance on details, and on the details, the details. The Gemara in Brachot tells us that David Hamelech was involved in giving pesak on *shfir* and *shilia*.

The Gemara in Nedarim says that the Torah was originally given to Moshe and his descendants. The *Ribbono shel Olam* originally intended to give only the halachot to *Bnei Yisrael*. But according to the Netziv, Moshe shared the *pitpul shel Torah* given to him with *Bnei Yisrael*, and gave to them as a present. Many *gedolim* today point out that too many people spend all their time on the

pitpul shel Torah, and not enough on halacha, which they feel is the *ikar*. The *pitpul shel Torah* is the "*midot shenidreshet bahem*." What are these *midot*? By the time of the Gemara the *midot* in *aggadeta* were lost and the only *mida* in Halacha used was *mah matzinu*, the *mida* we use today. Where does *mah matzinu* come from? The Pri Megadim presents the *machloket rishonim* which includes *mah matzinu* within the established *midot* of *biyanav* or *kal vahomer*. *Mah matzinu* is based upon a Tosaphot in Sanhedrin which it is stated that *kol haTorah inyan echad*. That is why we try and look at as many *dinim* as possible to find the underlying pattern and then develop a formula in one's

The essence of learning is the Gemara's conclusion—not original concepts or categories [of thought].

mind which will tell us what is the *din*. One must not take all of Halacha and connect it to greater, but just a sizeable chunk of halacha, ten or twenty *dinim*. After suggesting a theory you have to check it by looking at the gemara, at the Rambam, at the Shulchan Aruch and follow the pattern all the way through to the poskim. If it fits consistently it can be used; if not it should be thrown away and another attempt should be made.

One must always keep in mind certain questions when formulating a *pe'rim*. It is fundamental to properly distinguish between *din derabanan* and *din doraita*. One must also establish the source for a *din doraita*, because it can make a *nafka mina*.

To conclude I would like to read two comments. Rabbi Gifter warns that one cannot develop halachic categories of thought and recognize a pattern unless you know a lot of halacha. The Hazon Ish stresses that it is important to study halacha. The *ikar* of learning is to determine the *maskana* of the Gemara and not to introduce, original concepts or categories of thought.

Finally I would like to stress that it is important to know which *kashiot* are relevant and should bother you, and which are valid by much be left for a later stage in learning. The Rav used to scream out in shiur "this does not bother me!" It did bother him, but right now he is not interested in that *kashia*. It is a valuable topic to know why Rabbi Yehuda Hanasi began the Mishnah with the mitzvah of *kriat shema*. If you know everything in Torah it is a valuable topic to discuss, but I did not discuss it in my shiur.

Further material on this subject may be found in:

Hazon Ish, Emunah Vebitchon, section on darchei limud

Stipler Rav, Hai Olam, Two chapters on darchei limud

Anonymous, Yisodei Neemanim, Perek sheni on darchei limud

R. Yoel Schwartz, Ben Torah Veyeshiva
Rabbi Gifter, Birchei Emunah.

Rabbi Alpert

by Jonathan Feldman

Fundamental to all *darchei limud haTorah* is *emunah hachamin*. Rashi cannot be wrong, Tosaphot cannot be wrong and the Rambam cannot be wrong. They are all right. The only difference is that there are *sugyot* according to each Rishon. But you cannot refute a Rishon and I will undertake to defend any *kasha* from the Gemara on a Rishon. Each one of them reveals another of the *shivim panim* of Torah.

The wrestling that is done in shiur between the rebbe and the talmid must be done with *derech erez*. If you think the rebbe is wrong, the rebbe is right and when you will be in his shoes you will see how right he was. After you have convinced yourself of this they you should wrestle. But you must be sure to wait for the opportune moment. In a democratic society everything goes by the majority, so we become used to this standard. In Torah this is not so.

A good Rosh Yeshiva is not one who imposes his derech on his students, but who evaluates which of the *panim* of Torah his students are more susceptible to accept. We learn this from Rabbi Yohanan ben Zakkai who used to count the *ma'alot* of his talmidim. Rabbi Yohanan only had five talmidim and you cannot do as he did with many talmidim and limited time for learning. There are many derachim in Torah, there is the derech of the Shlach, the Pnei Yeshua of

R. Chaim. Each one is a legitimate approach to Torah if you know how to play the instrument correctly. The talmid must make an effort to discover which is his derech halimud. It takes time and effort, but when he learns to play his instrument well, then he will succeed. *Kedusha* is something which should not be imitated but it is so deep that even an imitation remains *kedusha*. So the talmid must work out with his friends and rabbis which derech suits him.

I would like to speak about Rav Chaim's derech. Rav Yissel told me that Rav Chaim went through all the classic steps of learning with *pitpul*, *kashiot* and *terutzim* before he arrived at extracting the *chidush*. Now, Rav Chaim's derech makes learning much easier and satisfying for us and by all means it should be used. However, you should realize that you are leaving a void between the Gemara and the *chidush*, and you are not going through all Rav Chaim did to get at the *chidush*.

When you begin learning, you should make yourself *mevual* and let the Gemara teach you. It is the derech of Rashi as well, to teach you. From the literal text of the Mishnah, Rashi gives you a *perush* which is different from the explanation of the Gemara.

Finally, I would like to emphasize that success in learning comes from asking question. Sometimes the answer comes intuitively, and if you have to work at it the *Ribbono shel Olam* provides the answers.

The Palestinian Problem: What to Do?

By GIDON ROTHSTEIN

The truth is, I would not mind Israel's maintaining permanent control of Judea and Samaria. I spent a year learning in a yeshiva on the "West Bank," and some of the most beautiful land I have ever seen is in that area. And yet, I am writing this article to try to convince people to prepare themselves to give up this land.

There comes a point, it seems to me, when two people, groups, or whatnot who are fighting each other realize that each side is determined enough to continue causing severe damage to each other, unless they both make concessions. The time has come, in particular, for Jews and the State of Israel to realize that the Palestinians hold the key to something we need more than land: peace—real, actual freedom from war and death by firearms and explosives. It is time for us to present—as our compromise for the sake of peace—our willingness to give up Judea and Samaria, to be turned into a Palestinian state.

Such a state would obviously have to include in its constitution provisions guaranteeing nonaggression towards Israel. Perhaps limited permissible amounts of firearms in this new Palestinian state would be sufficient. Perhaps not. The important point is to declare ourselves willing to discuss the issue.

Note that there is one word which has yet to come up in this article: the PLO. I am not suggesting in any way, shape, or form, negotiating—or, indeed, associating—with members or supporters of the PLO. The negotiations I am speaking of would take place with representatives of the Palestinian people—people who, while recognizing the right of Israel to exist, are interested in a state of their own, where they can live their way. Such representatives with the backing of a million West Bank Arabs—would be able to accept compromise and produce peace.

The only real problem with all of the above is a methodological one: how to get the Arabs—a politically primitive people—to break out of their lethargy and unify themselves enough to elect real representatives. This problem is compounded by the fact that all moderate leaders who do arise seem to have an astonishingly short life-expectancy.

To deal with this issue, it is important to remember a couple of facts: a million people, devoted to a cause, is a lot of people. Were the Israeli government to institute deportation for crimes which display contempt for Israel and its government (terrorism, rock-throwing, etc.) the concept of violence as a viable alternative would be greatly diminished in respectability. If, in addition, the Israeli government could make negotiation attractive enough to the Arabs to get all, or most, of them committed to the path of compromise, PLO members would cease to be tolerated—and would quickly subside into silence.

How, then, do we get the Palestinians to join in the peace process? The method is called carrot and stick. The carrot is the

(Continued on page 7)

Rabbi Parnes

(Continued from page 4)

specifically for such ideas. Certainly, for those who study on the undergraduate or graduate level while simultaneously engaged in learning Gemara this approach is most attractive. It allows the students to tune into learning more easily than any other method available.

The analytic and conceptual approach dramatized and popularized by Rav Chaim has served as the foundation for the learning of the great Roshei Yeshiva over the last several generations. We should be thankful that we are all beneficiaries of this key to the halachic universe.

On the Other Side of the Mechitza

Beit Midrash for Women

By AVIVA GANCHROW
Stern College for Women

On any given Monday or Wednesday afternoon passing by room 601 in Stern from 3:30-4:30 voices can be heard saying, "Who took the Jastrow?"; "Are you sure we have to do this tosafot?"; "Could you explain that again please?" Peeking in one would see six girls learning the third perek of Sanhedrin *bechavruta* trying to prepare for shiur. Walking by a little while later one might hear Rabbi Moshe Kahn say: "No, translate the sentence first; Is the Gemara asking a question or making a statement?" "No, "matzi" does not mean find, it means able." This whole scenario can mean only one thing; the Beit Midrash program is back in Stern.

The original program which began in 1972 consisted of a small group of girls learning together in the dormitory. By 1975 a formal program existed that offered three levels of shiur and had a large student enrollment. Rabbi Saul Berman who was involved in the organization and teaching of the program explained that because the rest of the Judaic Studies departments were not as strong or as extensive as they are today, most of the girls who were interested in serious learning joined the program. By 1979, however, with the introduction of the CORE program which strengthened the Judaic Studies departments, the students became more interested in concentrating their learning in Tanach and

other areas and the Beit Midrash program eventually dissolved.

Since that time there has always been at least one Talmud class given in Stern, but there was not enough consistent support to justify having the Beit Midrash program reinstated.

Before we can discuss what caused the reinstatement of the program a more fundamental issue should be discussed. What is the importance of women learning Talmud, assuming they are allowed to, should they be encouraged to, perhaps even required to, obtain at least minimal Talmudic skills?

Rabbi Ephraim Kanarfogel, Vice Chairman of Judaic Studies and one time teacher of the Gemara shiurim at Stern believes that girls should most certainly be permitted to learn Talmud, provided it is within a serious framework. He maintains "there is alot of Judaism contained in the Talmud that women should have the opportunity to be exposed to if they so desire."

R. Kanarfogel does not believe a Talmud course should ever be mandatory, but since one of the goals of the Stern Judaic Studies program is to teach textual skills, Gemara should not be excluded. In addition, R. Kanarfogel holds that those girls who are going to continue in some field of Judaic Studies should have a command of the text and should have the option of producing

quality material in Torah sheba'ei peh as they do in Torah sheb'chtav.

He sees the Beit Midrash program that exists now as "a sign of the times." Stern now offers high quality classes in all other fields of Judaic Studies. An advanced Talmud track is a logical next step. As time goes on, he feels Gemara learning will be more accepted in general for women and that the continued interest of Stern College students will reflect this overall change of attitude. In the meantime he's content with a shiur tha has a small group of committed girls.

R. Berman who was also instrumental in reestablishing the program this year believes that Torah sheba'al peh contains "an intellectual richness not necessarily found in other areas." Ideally, this richness should translate itself into a religious experience involving spiritual growth and a strengthening of Jewish identity. He is of the opinion that every Jew ought to be exposed to Talmud for this reason and time should be appropriated for its study based on the individual's original way of achieving spiritual growth. He explained that if a person finds Tanach more inspiring, then that is where more time should be concentrated. If however, one finds that Gemara learning promotes greater spiritual motivation and encourages greater observance and identification then that is where the emphasis should be.

R. Berman also agrees that the greater availability of Talmud study for women is indicative of a trend in women's learning in

general. He feels there is an historical process underway, one he hopes will not be reversed.

Rabbi Moshe Kahn, who is currently teaching the shiur at Stern says the level of the class is comparable to any Gemara shiur where the participants have not had much previous experience but are serious and motivated. He also maintains that Talmud "has a unique spiritual value that really shows a person what Torah is." R. Kahn believes that most people observe halachot with more devotion if they have greater understanding of the halacha and how it was derived. Women are also expected to know halacha and observe it; a greater understanding of the inner working should not be denied to them.

Most women who are interested in learning Talmud in a formal structure believe that *Torah sheb'chtav* cannot be learned without some understanding of *Torah sheba'al peh*. Ibn Ezra on Shemot 21:24 says it very strongly.

הכלל לא נלמד על דרך מצות תורה פירוש שלם אם לא נסמך על דברי חז"ל. כי כאשר קבלנו תורה מהאבות כן קבלנו תורה שבכתב פה. אין הפרש ביניהם.

At this point in time, Tanach learning for women is widely accepted. There are more programs being instituted all the time, quality and quantity are readily available. The existence of a program for women in Gemara and the Beit Midrash program in Stern should not be part of a passing fad. Rather, they should be another step in the concretization of the process that would allow for women to experience spiritual inspiration and fulfillment in a way that has been proven effective throughout the generation—through the learning of Torah.

תורה שבכתב ותורה שבעל פה אין הפרש ביניהם.

Examining the Elements of JSS

—A quest into the psyche of the Ba'al Tshuvah—

By IVAN CIMENT

It doesn't make sense.

Meet Larry Michaelson, 21, Freshman in JSS. Before September, he was solidly entrenched in the produce business as a commodities broker. His yearly income was more than enough to pay for his entire undergraduate tuition at YU.

Fruit was in his blood; he was a 5th generation produce dealer. Twelve hours a day in a self-started business involving three 100-mile trips to Boston each week was the routine allowing no time for school, which Larry dropped after the 10th grade. When you live alone and have little to do with your father, anything's possible.

Even the idea of religion.

Given the combination of a youth group, helpful Rabbi, some Shabbatons, and alot of thought, Larry got the notion of learning Torah. His father thought he was losing his noodles, yet Larry wasn't satisfied with money. He wanted more and he wanted JSS.

"JSS is a new venture for me. It's even more difficult than the business. They are challenging my mind with all these new concepts everyday."

"If I stuck with the busines, I'd be rich but with an ulcer by 30. Live is more than big bucks. Money is no object to getting inner peace. You can't put a price on Torah. When I pick up a Chumash and the Rashi, it's so new and exciting."

While few relinquish so much material wealth to commit themselves to the learning of Torah, Larry's case is quite normal when compared to other "Ba'ale Tshuvah" who comprise a large segment of JSS.

These people have an interesting story to tell, a tale of suffering and hard choice. Nobody ever promised them a rose garden and Orthodoxy, for those who are not accustomed to it, is not readily acceptable. Yet there is a metaphysical lure to it that reaches out to the soul allowing the conscience to doubt and to question while extending the promise of psychological tranquility.

Although no two people share the same story, discussions with several freshmen arrived at a general scenario. Over a period of time, the person comes in contact with either another person or a group and feels the urge to advance in his understanding of Jewish concepts. In many cases, we are dealing with one who already is enrolled in Sunday school or a Jewish youth group. As time progresses, a conflict arises within the household as sonny boy breaks tradition with his parents. There is tension, and the final result can go either way—some are disowned, some cave-in, but the vast majority reach a conciliation.

The potential interest may be sparked in someone who is initially negatively inclined toward religion. Mark Lyakhovsky, formerly from the Ukraine, was not of the stereotype of Soviet emigrants seeking the Gospel.

Yet the reason Mark found himself in that classroom was that over the course of his first few years in the USA, he was exposed to the immorality and vainness of the world around him and sought a higher authority. "Without Torah, I'd be psychological garbage. Not to follow it is like lying to yourself."

The process of transformation is a long and tedious one. Jon Marvin, of Miami, refers to such obstacles common to Ba'alei Tshuva as "the first time in shul," being demoted to first grade as one tries to learn all the things Orthodox Jews take for granted, and "getting through that first Shabbos." What's a person five miles from a shul to do for a day? Wouldn't he rather go to the football game instead of sitting home? Try getting used to putting on Tefillin every morning, replacing your dishes every time you make an "unkosher" mistake and all the while, cope with your family, and this leads one to think. While, in most cases, there is a friend to help you along, you're the one with the hard choice to make so you keep deliberating. The final decision is, ultimately, an individual one.

Keeping the above in mind, Jon expresses mixed feelings about his past efforts to guide his friend toward Orthodoxy. "For myself, the thought wasn't bad but to put someone else through it—it wasn't fair to him. I know how difficult it is. Many Orthodox rabbis don't realize this."

This charge could incriminate a lot of well-intentioned people like Michael Behar (JSS

Senior) of Seattle. Michael, who rose through the ranks of NCSY to become a regions vice-president. Although he describes himself as idealistic, he exhibits realism in that as an advisor, he did not view the outcome of his efforts in a win-lose ratio. He always sought to avert the danger of becoming mechanistic and asserts that he had long ago dismissed the notion that he was a cog in a brainwashing machine.

"We are presenting Torah Judaism—not brainwashing. Those who come to NCSY Shabbatons are there because they want to be there. They enjoy the openness of a Kumsitz and the positive feeling of meeting a religious friend, as opposed to an authority figure" is one of the leading forces that makes these weekends and activities such an important element of the Ba'al Tshuvah's start.

It is worthwhile to point out here that the term Ba'al Tshuvah is misleading as by definition one who does repentance is recognizing that he did something wrong. Rather, he is discovering and seeking to perfect the right. Along the way, priorities are put into place.

Some focus their attention on finding answers, and involve themselves in learning in order to arrive at a solution to their deepest curiosities. Others are more metaphysical.

David Raush of Des Moines, Iowa, is committed but still thinks alot. "I'm not following blindly, but I'm looking for methodology. I want to know how far off we are from God's intentions—how I'm supposed to live. Torah is the key to understanding God, and everything in general, I suppose. Maybe I want to know how to be a mench."

Readings On Judaism and Psychology

On the Palestinians

(Continued from page 5)

By DEENA SCHRAM

Even before one enters the portals of Yeshiva College or Stern, the motto of the university is well known—"Torah U'Madah"—be an Orthodox Jew who lives in the modern world. Fine—so as students one goes to shul in the morning, fulfills the Core requirements of Stern, takes the allotted number of Hebrew electives and will simultaneously attend courses in preparation for a Bachelor's degree in any number of fields. What happens, however, after graduation when the world expands from the sheltered environment of Yeshiva University to that of the "real world" where one will encounter people from all walks of life? No longer are the major problems whether or not to use the Shabbat elevator in the dorms or the ethics involved in sleeping through shul.

Many Halachic questions arise in the typical day-to-day life "on the job" and, unfortunately, not much time is devoted to them in our daily curriculum. For example, you're an accountant working in a prestigious firm who is asked to help a client conceal certain funds and thereby avoid extra taxes—a violation of the injunction to pursue justice. Or, you're a lawyer who is drawing up papers for a business investment which is dubious at best and a friend mentions that he is thinking of investing in this deal. Here, there is a conflict between the confidentiality of a client versus the prohibition against placing a stumbling block before a blind man.

There are many other such cases in every field, but I will focus exclusively on psychology, since that happens to be my major interest. In the first case you're a therapist dealing with a woman who is extremely dependent on her mother; suffering from depressions and severe paranoia for which she has been hospitalized a number of times in the space of one year. As a result of therapy, she learns how to assert herself, moves out from home and meets a man who is very supportive of her development and helps her to further recover. She later marries this man and is doing fine several years later; the man is not Jewish. It is a result of your healing that she married a non-Jew—but is it better to leave her sick?

Other problems that arise are in dealing with homosexuals, counseling them to feel at ease with their way of life—even when it is at odds with Halacha; or with women who wish to have an abortion and feel few qualms. In general, some sort of perspective must be maintained between Halacha and counselling so that neither one is negated.

Not being a rabbi, my object here is not to render any *psikei halacha* on these issues. Indeed, more often than not, no simple answer can be given—each case must be judged by itself. There are, however, many books and articles that discuss the topics and the point of conflict, and from there one can then turn to the poskim and see how they resolve the problem. Once again, the list will be drawn from the area of psychology.

One of the earlier books written is by Abraham Amsel, *Judaism and Psychology* who feels that there are two different psychologies which are mutually exclusive—one halachic and one secular." Some of the areas he discusses are the Jewish view of normality and abnormality, the causes of Jewish illness according to psychology, and the Jewish conception of free will.

In contrast to Amsel, Moshe Halevi Spero, author of *Judaism: Psychology: Halachic Perspectives*, believes that "a root conflict between psychology and Halacha is impossible and that the two work toward one goal." Spero researches much of the same topics as does Amsel, but arrives at different conclusions since his starting point varies. Some other issues that he remarks upon are dream psychology in biblical and rabbinic thought; the Halachic status of *hirhurei isur* in psychotherapy, countertransference and brotherly love.

The seventh volume of the Proceedings of the Associations of Orthodox Jewish Scientists deals with a number of relevant topics including the halachic status of a homosexual, Torah-based family therapy as well as a bibliography of psychology and Judaism compiled by Reuven P. Bulka and Moshe Halevi Spero.

This list is by no means complete but is, at least, a beginning, a starting point for discovering some of the problems that arise in psychology and how the Halacha views them.

immediate, and repeated announcement of Israeli willingness to cede the West Bank territories (with Jerusalem excepted, or East Jerusalem negotiable)—including all settlements that have been erected. The stick is the more important part, though: an accelerated pace of settlement in Judea and Samaria. These settlements will be stopped as soon as the Palestinians' duly elected representatives came forward to negotiate. However, the longer the settlement process is allowed to proceed (and this point should be made clear to the Palestinians) the harder it will be to convince the Israelis to take them down. The stakes should thus be raised as quickly as possible to the point where the Palestinians are losing more by not negotiating than they ever could by making peace.

Just in conclusion, I would like to make clear that I am in no way claiming that the Palestinians deserve their own state, or that (*chas v'shalom*) the West Bank isn't ours; I am saying that over the past 18 years both the Israelis and the Palestinians have demonstrated the willingness to die for their respective causes. Secondly, I am saying that we have reached the point in the Arab-Israeli conflict where mature people (such as Anwar Sadat) must realize that violence is no longer the answer, if it ever was. This requires compromise regardless of right or wrong. The sooner we realize this, and the sooner the Palestinians realize this, the sooner our two peoples can stop wasting our best efforts on war, and strive together for a more peaceful, productive world.

A Year Abroad—At Home

By CHAIM WIZMAN

In response to the great need for a learning program for students unable to spend a year in Israel, Y.U. has recently announced the creation of the Shanah program, a year of Jewish studies for men and women.

The Shanah program, sponsored jointly by Yeshiva and Dor Hemshech, enables students who are currently attending an accredited institution of higher learning, to spend a year studying at Yeshiva or Stern College for up to 32 credits. The student may choose from courses in Jewish law, Bible, Talmud, History and Culture, given at all levels and supplemented by Beit Midrash study, tutorials and faculty advisement. Dor Hemshech will provide lectures and seminars in Jewish identity.

Rabbi Robert Hirt, founder of the Shanah program, asserted that the administration would be recruiting an element of students who would not ordinarily attend Yeshiva. "The Shanah program provides an opportunity for all those who feel they are not ready to spend a year learning in Israel but desire to learn about Judaism nonetheless," Hirt said.

Rabbi Freundel, director of the program stated that "In the past, many such individuals were at a loss for a place to go since the Jewish institutions did not provide them with the basic skills necessary to learn on their own." Freundel feels that the program will appeal to prospective students because it emphasizes that anyone can become knowledgeable in Judaism regardless of their age or background. In addition, the students will be encompassed in an environment in which they feel a part of because of the diversity of the student body of Yeshiva.

"Students need not fear culture shock or involvement in too tight wing an environment because more emphasis will be placed on the studying of texts rather than forcing ideology upon the students. Yeshiva is the ideal place for such a program," said Freundel, "because in addition to the large variety of courses that it offers, Y.U. is at the forefront of Orthodox Judaism."

The ultimate goal of Shanah is as Freundel says, "for the student to realize that Judaism is not part time, it is an enrichment of every aspect of life. Since the student will be living in a Torah environment, he is more likely to engage in a lasting involvement in Judaism."

The students will be carefully selected and although neither Rabbi Hirt nor Rabbi Freundel gave exact numbers, they both stated that the amount of participants would be "small." When asked if perhaps the incoming students might not have a negative effect on Yeshiva due to the disparity in background, Hirt replied that it would not because the students would be accepted based

partly on their willingness to conform to the religious standards at Yeshiva.

"No student will be accepted unless we feel that it would be beneficial for both Yeshiva and the student to undertake the program."

On the contrary, Hirt was confident that the Shanah program would have a positive effect on Yeshiva. "When our students see with enthusiasm the participants have for learning, it is likely to increase their own enthusiasm for it."

There are currently 15 students who are engaged in a similar program at Yeshiva and the results thus far according to Freundel are "very rewarding." Tuition for the Shanah program is the same as that of Yeshiva College. All the financial aid programs are available for the participants. Dormitory facilities are available for both men and women. The credits are transferable and a six-month program is offered as well.

Freundel called upon the current students to assist with the program by submitting the names of possible participants and recommending the program to them. "It is important to note," said Hirt, "that whether one is 17 or 70, it is never impossible to learn about Judaism. I think that the Shanah program will be a great success for both the participants and the University."

For more information about the Shanah program or for applications, write to Rabbi Barry Freundel, coordinator Shanah program, Max Stern Division of Communal Services, Yeshiva University, 500 West St., New York, N.Y. 10033 or Call 212-960-5260.

Good Work

To the Editor:

With "Notes on the Underground" Hamevaser entered the ubiquitous and vociferous debate over the Machteret. It was an untimely entry as the broader debate on this issue in this part of the world was already in the tragic-comic phase of its brief career. Discussion on the Machteret had become in too many popular, institutional, as well as intellectual circles, a convenient ideological litmus test. Student publications especially utilized the Machteret in order to pontificate on a variety of "related issues."

"Notes on the Underground" was an uncommonly balanced Orthodox forum on the Machteret debate which contributed the elements of authority and tradition to the controversy. Nati Helfgot wisely added some necessary nuts and bolts to the issue with his sketch of the halachic moorings of the State of Israel. "Notes on the Underground" shows that Hamevaser is a unique student magazine capable of presenting the most controversial issues with reverence and responsibility.

SHOSHANA JEDWAB
Stern College for Women

The Editor-in-Chief wishes a personal mazal tov to Elliot Hersch and Esthy Kanarek on their recent engagement.

JOIN

HAMEVASER!

Who Are You Going to Call Synthesizers

By JOEY LIPNER

The University of Notre Dame, nestled in the broad plains of Indiana and replete with a huge football stadium, a finely wrought gothic church, and a library decked with New Testament scenes, is probably the most famous Catholic university in the country. A graduate of Yeshiva College who is a faculty member at Notre Dame, explains to me from time to time the tensions inherent in being a Jewish (or more specifically, a non-Christian) professor at a Catholic university. The other members of the faculty may be cordial, the university itself supportive, the students responsive. And yet he sometimes finds himself outside the mainstream of ideas and outlooks at the university. When a ranking member of his department, the department of philosophy, talks passionately of the great opportunities the university has of utilizing the first Christian philosophy department in hundreds of years, this non-Christian professor wonders what exactly is his place in the university.

Yeshiva College, even more than Notre Dame, has a specific philosophy it wishes to impart to its students, a world-view based on Torah, and more specifically an outlook of Torah *u'mada*. A main assumption of the University, which is proclaimed loudly in public relation materials, speeches by administration members, and thoughtful essays on the concept of *Torah u'mada*, is the study of the liberal arts and sciences can, successfully, and constructively, be "synthesized" with the traditional study of Torah. As successful as this philosophy seems to have been, and as much as it provides the college with a workable *modus vivendi*, there exist inevitable areas of tension that are inherent in the concept of Torah *u'mada*.

One conflict that underlies these tensions is the issue of what role non-Jewish and non-Orthodox professors play in this college. The problem is a simple one: if the University wishes its undergraduate students to have a clear view and an appreciation for *mada*, but to see it from a Torah point of view, how can professors, who do not believe in the philosophy of the University in their personal life, be expected to further the aims of the University? Ideally, should all professors in the college, whether they teach Bible, Philosophy, or Chemistry, be Orthodox Jews?

Several personalities at the college tackle this question, and the comparison and contrast of their views is extremely interesting. This sampling of opinions is by no means exhaustive, but it should provide some basis for ways to think about this question.

Rabbi Jacob Rabinowitz, Dean of Jewish Studies, combines religious and educational concerns in dealing with the issue: "To have an honest picture of *mada*, Yeshiva College has to provide the best possible faculty. They ought, first and foremost, to pick the most qualified candidates for each position. Nevertheless, all other things being equal in two candidates in the liberal arts, we ought to tend to choose the one who would be a better role model.

"This university cares about the total student. The program here must be more than a random series of courses; someone should come out of the college with more than an

education. All of the courses at the college, the whole education, must mesh together to provide students with a coherent moral and religious world view. If the teacher is not a complete role model for the students, the situation could provide jarring. If so, we would be providing no service and "yaza secharo b'hefsedo." It would be upsetting the education process of the students.

"There is nothing pernicious about non-Jewish or non-Orthodox teachers as long as any ideological comments they make are fair, clear and academically relevant. It is important to remember that one of the unique features of YU is that we care not only about providing different pieces of information for our students but in educating people to be good citizens for both the Jewish people and society at large."

One of the most delicate disciplines in the university vis-a-vis the ideological background of the lecturing professor is the area of Philosophy. The Philosophy Department at the college, whether by chance or by design, is staffed now entirely by Orthodox Jews. Rabbi Walter Wurzburger, a professor of philosophy, talked about the issue at hand with spectral reference to the Department of Philosophy.

"In philosophy, the student analyzes certain problems, and everyone comes to these problems with pre-suppositions which cannot be resolved. In philosophy, therefore, the personal philosophy of a teacher has much more bearing on the student than, let us say, a teacher of science. But if a professor of science has an ideological outlook like Scientism (the idea that cognition of reality is based solely on what one can observe) then that would be a parallel to a religious philosophy and should have no place in a classroom. The problem with such a teacher, even if he discusses his views out of class, is that he cannot serve as a role model. However, I could not recommend the college to take an inferior instructor on the basis of his ideological views.

"In teaching even philosophy, I do not teach religion; no course in philosophy should become a *musarr shmooze*. No teacher in the college—the afternoon classes—should try to indoctrinate students with their own philosophical views. If you want to have a college, you must remember the words of Chesterton 'No such thing as a Catholic university. We are committed to free inquiry and a free exchange of ideas.'"

Dr. William Lee, teaching English literature for the second year at Yeshiva, deals with the question at hand from the perspective of a non-Jew teaching at a Jewish college. "Yeshiva is out to educate people to be Torah-true. However, the University has another major goal as well. *Torah u'mada* implies imparting not only a religious philosophy of life, but also the means through which a student can become an effective contributing member of society. To that end, it is important to be conversant with other ways of thinking.

"Someone who does not have the Torah philosophy of life will, I hope, have some philosophy of life. Anyone in western society who has a developed philosophy will have thoughts which overlap with Torah; most western philosophies, including Christianity and broadly based humanism, incorporate

ideas from Judaism. A professor trained in the western tradition will share aspects of the philosophy and ethics of most yeshiva students. What do you do with that part of the non-Jewish or non-religious professor's philosophy which is not Torah-true?

"Students will continue to be confronted with alternate, competing philosophies and ideas. On the one hand, they can test their own beliefs against these alternatives; on the other hand they can clarify, gain perspective

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on, and perhaps even strengthen their own beliefs by comparing them to the alternatives. It's better for a student to test his or her ideas against one of the branches of western culture than against mainstream society, with its shallow modes of thinking and feeling.

"In other words, being taught by professors with differing outlooks provides perspective. If you are an intellectual narcissist, you will not care about ideas outside of your own. If you know the ideas of your people, you know a great deal, certainly enough to get through life. But only if you become conversant with other people's thought can you put your own people's beliefs into perspective.

"In a normal university, a professor in the liberal arts hopes he is educating his students so that they gain more skill, knowledge, and sensitivity and also a stronger understanding of their own philosophy, whatever it may be. At Yeshiva, I may be doing just that, but I'm not counting on it. I assume that the students in my classes are on a fairly sophisticated level in their Jewish studies, so without diluting their religious values or beliefs I want to help them gain a broad tolerant outlook. Within

any religious movement, and modern orthodoxy is no exception, the seeds of intolerance are present. Someone who understands other people and their thoughts, are innoculated against intolerance."

Rabbi Shalom Carmy edited the *Torah u'Mada Reader* and analyzes certain aspects of the concept of Torah *u'mada* in order to grapple with this issue. "There are several issues here. First, the question of role models: it is important that there be people at the center of teaching who represent the outlook of the institution. Nevertheless, the need for others stems from two perspectives. First, we must find the most competent professors; and second, part of the educational process is not only catechism but to teach people to think, to understand how others think. From this point of view it is important to have others speaking here in their own indigenous accent. I don't think a completely monolithic faculty is the best way to reach the University's goals. As it is, students are perhaps primarily insulated socially, being of the same economic and social status.

"However, we must decide how important it is to have teachers who are *yerei shamayim* perhaps more than we have presently, particularly in the humanities and social subject. The main thing is to emphasize that *Torah v'hokma* can not be accomplished simply by having a college and a *beit medrash* under one roof. There should be a central direction and that would mean that there should be a significant number of faculty members who not only contribute to the educational process but also exemplify it: a living laboratory of synthesis. There can, however, be participants in this process who are not examples of it. They provide different 'accents' to stop the University from becoming an intellectual hothouse. If the University has a strong central vision, people who do not have that vision in their own lives can, nevertheless, constructively contribute to the goals of the university."

Synthesis at Yeshiva, there is and must be. The delicate question of who should be the Synthesizers, (though the question is academic, in two senses of the word) will not be resolved here. I believe that the issue has been given here the airing that it deserves, and hopefully this article will prove useful for further discussion.

Our Protest Against Kahane

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Of the Israeli population, 1.3% voted for Kahane. However, 98.7% did not and the overwhelming majority of those people strongly oppose his policies. He was the only Jewish party rejected by the coalition. Strong opposition to him stems from both right and left of the political spectrum.

Menachem Begin came out in a rare public comment after the election and said "My friend and I have nothing in common with this man." Yitzchak Shamir said "The Kahane phenomenon is negative, dangerous and harmful." Leaders of the West Bank settlements and Rabbi Drukman stated that Kahane was dangerous to all of Israel and that laws are needed to cope with his tactics. When Kahane offered to help free the Jewish

underground they publicly disassociated themselves from him and told him to leave them alone.

The purpose of our protest was not to represent a specific political movement such as Peace Now or Gush Emunim. Our goal was to show that there is strong opposition to his views among committed and concerned religious Jews, that there is opposition from the entire span of the political spectrum including the Jewish underground. Kahane is isolated and alienated religiously and politically. Before a religious Jew votes for Kahane he should ascertain whether Kahane reflects Jewish values and halachic opinion. Before one voices his support for Kahane he should ask himself first why is it that his was the only Jewish party rejected from the "National Unity" coalition.