

HAMEVASER

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EDITORIALS

Third Yartzheit Need for Options

Three years ago, Yeshiva lost a spiritual and educational leader whose imprint on this institution and on the American Orthodox community in general will not be soon forgotten. Rabbi Besdin (zecher tzadik l'vracha) was the pedagogue par excellence; a rebbe who was proud to teach Torah and a master at providing students with the skills necessary to make the words of Torah come alive before their very eyes. As the founder and charismatic leader of JSS, he built a school that successfully created the educational framework that allowed students with weaker Jewish backgrounds to become committed and learned b'nei Torah. His students can be found across the world as rabbis, Roshei Yeshiva and lay-leaders living lives dedicated to the study and practice of Torah and Mitzvot. Their lives and the lives of countless young men who had the privilege to know Rabbi Besdin attest to his greatness as a leader of Klal Yisrael.

Unfortunately, however, Yeshiva has done little to make his memory a living symbol within our halls. No memorial book has been published, no lecture series created, no Torah study project that would bare his name announced. We hope that as Pesach 5745 arrives and Rabbi Besdin's third yartzheit is upon us, Yeshiva will find an appropriate way to keep the memory of such a pioneer in Torah education a vital part of our community.

Most of the largest yeshivos recognize the imperative inherent in the ma'amar "Ein adam lomed ela b'makom shelbo chafetz," by providing shiurim and chaburos to satisfy the varying needs and interests of its talmidim. Yet, our yeshiva, probably the most heterogeneous of all, lags behind. Despite the number of excellent shiurim, there are still those who sincerely seek other options within the framework of Yeshiva.

This semester, the talmidim themselves took the initiative and asked a member of the Kollel to give a supplementary chabura. Pressure and politics unfortunately led to the termination of this potentially constructive addition to current offerings.

Hamevaser hopes that the administration will recognize the problem and display the strength of conviction and foresight to ensure our talmidim's continued growth in Torah.

Freedom of Our Festivals

By YOSHI HUTTLER

Someone once described work as "drudgery in disguise." The implication is clear if perhaps tongue in cheek. We are born to labor. To succeed in life, one must put in much time and energy, for about as long as he lives. As college students, we know this all too well. Much of our daily life is spent sitting and listening to lectures, or in studying what we have to know to succeed in school. Too often though, study becomes, in the words of Seneca "an endless labor." We tend to view life in a very short-sighted manner. Our life becomes a series of endless semesters, and we only note the passage of time when we finish our last final and suddenly wonder "where did all the time go?" For study can lead to an existence where everything is done by rote, and only cold reality is what concerns us. Cold reality is the incomplete term paper, the botched lab report or the program full of bugs. Consequently, and not surprisingly, we don't have the opportunity to consider loftier goals or thoughts. It is not likely that we will ask ourselves "why are we here" or be troubled by some fundamental questions and paradoxes of the world around us. These thoughts are too abstract, and besides they won't get us any closer to graduate school or in an accounting firm.

It is perhaps for this reason that the Jewish calendar has been ordained by God to contain periodic interruptions. Once a week we have Shabbos. We also have various minor festivals and fast days. And finally, perhaps most conspicuously we have the Yom Tovim, the major chagim, which probably captures our attention more than anything else in the Jewish calendar. The Yom Tovim, specifically Pesach and Succos, are so radically removed from our daily routine that we just can't help but stop to contemplate their purpose and function. This diversion,

as it were, of our single minded pursuit of secular goals is in itself a way of heightening our sensitivity toward God and the world around us. This is to say, that not only can we attain an awareness and appreciation of God through the more overt performance of ritual and prayer which is unique to each chag, but rather the break from the regular schedule we run through every day is in itself a reason to give pause to our ultimate goals in life. Just the opportunity to sit back and indulge in spontaneous thought is a breath of fresh air to the mind, and it is likely to help us appreciate what we have and to be able to recognize who is responsible for it.

As we return home for the Pesach break, many of us will go through the chag feeling some difficulty in understanding and relating to the many symbolic acts we will perform. The seder might be somewhat long and confusing, and eating matzoh only for 8 days will become an annoying prospect. What then might ensue is a helplessness, or even an apathy toward the Yom Tov we should be celebrating. It is for this precise possibility, then, that we should not harp on the intricacies and technicalities of the chag, but rather we should seek to find God in the general Yom Tov atmosphere, and in the time given to us during Yom Tov to do so. The simple way to achieve this is to just lay aside all thought of midterms and finals, and just let the mind wander over the ways of God. Do this, and you'll be surprised at the results you'll get.

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Next Year In Jerusalem

By JUDY BAMBERGER

At two chagim during the year, the exclamation of "next year in Jerusalem" is proclaimed in *tefillah*. Once at the end of the *netilat* of Yom Kippur, and once during the *seder* at Pesach. These two holidays are probably the most outstanding events of the Jewish people as they relate to the *Beit Hamikdash* and its remembrance today. At Yom Kippur, we remember the *avodah* of the *Kohanim*, specifically the holiness of the *kohen gadol* as he was allowed to enter the *kodesh kodashim*, for a service of atonement for all the nation. On Pesach, we remember the *karban*, Pesach which represents the rebirth of a nation, from slavery to freedom. At these two times, we see ourselves and our substitution of the *avodah* today in *galut*; while we celebrate our freedom from slavery and rejoicing of atonement, we beseech for the complete *geulah* — a restoration of the true *avodah*.

There are two types of *geulah* which we are experiencing here; the physical and communal, and the spiritual and individual. On Pesach we celebrate our liberation, when God manifested His glory for all the nations to see, as well as the first revelation of Hashem to the Jewish people. "*Vayar yisrael et hayad hagdola asher asa Hashem b'mitzraim, vayirru haam et Hashem, Vayaaaminu bashem u'veMoshe avdo (Shemot 14)*"

This event was the first *geulah*, the formation of a unified nation. As Eliyahu Ki Tov explains, Yom Kippur is also a day of

redemption, but of a different nature. Once a year we obtain "*geulah*" from our sins and atonement leading to a higher spiritual level. Rav Kook's (*zli*) theory of unity and universalism combines the physical and the spiritual into one redemption. Really, there should be no distinction — the spiritual is inherent in the physical and the physical is a manifestation of the spiritual. We are asking not only for a restoration of the *Beit Hamikdash*, but also for a total unification, when the celebration of the two *geulat* — Pesach and Yom Kippur will not be distinct as physical or spiritual and as national versus individual, the celebration will be complete on one harmonious level.

The gemarah, Rosh Hashanah (daf 11a), discusses, among other topics, the date of the final *geulah*: Rabbi Eliezar: "*B'nisan nigalu, b'ishrei a'adin ligael*." Rabbi Yeshoshua: "*B'nisan nigalu, b'nisan a'adin ligael*."

Since we are unsure of when the final *geulah* will come, we ask to be returned to *Yerushalayim* during both *Nissan* and *Tishrei*, to be sure (*Otsar Haminhagim*).

At these two *chagim*, during our greatest joy, we remember Jerusalem, past and present and we anticipate the completion of the *geulah*. *L'shana hazot b'yerushalayim habenyua*.

By RABBI ALFRED COHEN

The past twenty years have witnessed a remarkable resurgence of Orthodox Judaism in America. What had once been discounted as a hopelessly old-fashioned remnant which would soon fade into oblivion is now the fastest growing, most vibrant and dynamic group on the Jewish scene. More and more people are enthusiastically interested in finding out more about their religion and dedicated to observing its minutiae with scrupulousness.

One area of religious practice which has witnessed a particular burgeoning of interest — with a corresponding proliferation of publications, seminars, lectures, and classes — is, understandably, Passover, that most central of Jewish experiences.

Moreover, with the growing sophistication and maturity of the Orthodox Jewish movement in this country, we have become increasingly more aware of those aspects of Passover observance which require special care and attention. Which medications may be used during Passover are among the most-often-asked questions which a Rabbi is called upon to answer during that season and it is common to have lists of acceptable or proscribed medications circulating among the cognoscenti. It is therefore appropriate to ask, just what are the halachic restrictions about taking medicine which might have chametz?

While it is a source of much gratification to observe people anxious to follow every stringency of Passover law, it is nevertheless legitimate to ask whether the halacha requires or even desires such meticulous search for chametz in medicinal products? Some sort of balance has to be struck between the laws of Pesach and the laws regarding healing the sick. Now of course this balance is not one which an individual strikes for himself — the halacha gives us guidelines, where to be strict and where to be lenient with respect to taking medicine on Pesach. The point is that if one seeks to be strict in applying the laws of chametz, he may violate the dictates of the laws of health. A truly conscientious person will ask not whether taking medication might nevertheless be required by halacha!

There is a need for clarification — many of the accepted practices regarding chametz are rabbinic strictures. 2) and the halachic principle is clear — that regarding danger to health, the rabbis did not intend their strictures to apply. The difficulty is in assessing the extent to which one principle takes precedence over another.

In the Torah, we are admonished "Whoever eats chametz (during Pesach) will be cutoff from the Jewish People." Talmudic interpretation of this passage leads to the conclusion that one is liable only for consumption which is in the manner of eating. The Talmud rules that if a chametz product has deteriorated to the point where it is "unfit even for a dog to consume, it is no longer considered as chametz and a person who does eat it has not transgressed the Biblical commandment.

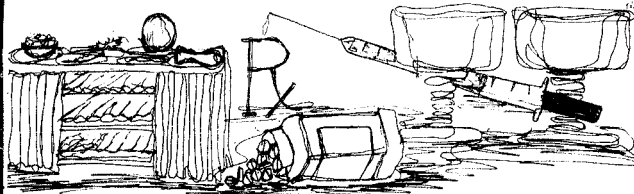
With this background, we can ask whether taking medicine which contains chametz would be forbidden. Is taking a pill considered "eating"?

In the Talmud, there is no question the chametz which is used to heal is strictly forbidden on the Passover. The Mishna in Pesachim 39 teaches, "a person should not chew wheat and place (this) onto his wound, because it is chametz, as his saliva causes (the wheat to become) chametz." And since he will be having benefit from the chametz on Pesach it is forbidden.

Although the Schulchan Aruch (466:1) quotes the halacha almost directly from this Mishnah, Rambam differs somewhat in his Code:

"We do not use any of the forbidden things in the Torah for healing, except in case of (Mortal) danger. Where does this apply? When he eats (the forbidden food) in the manner in which they are enjoyed. Thus (it would be forbidden) to feed a sick person non-

Medication On Passover



kosher meat or chametz on Pesach, or to feed him on Yom Kippur. However, if it is not according to the manner in which they are enjoyed — for example, to fashion for the sick person a plaster or bandage out of chametz, or made of orlah fruits, or if we give him forbidden liquids to drink but mix them with something bitter, in which case there is no pleasure to the palate — this is permissible even when there is no danger . . ."

This qualification seems to be a flat contradiction of the Talmudic text which expressly forbade chametz to be used to heal a wound. How can Rambam limit the prohibition, permitting its use or ingestion when it is "not in the manner of eating or for pleasure?" Rabbi Ovadia Yosef 3) resolves the apparent contradiction by suggesting that Rambam does not actually disregard Talmudic text, rather they are discussing different circumstances. It all depends upon when the wheat became chametz — and when the chametz may have become mixed with some unpleasant component (which would render it unfit for eating). If the medicine is chametz, then the moment Pesach arrives, it is forbidden absolutely to use it; 4) as a matter of fact, the person must burn it, utterly destroying it together with all other chametz in his possession. However, if even before Passover, the chametz had already been rendered inedible or mixed with something which makes it quite unpalatable — then Rambam considers that it is permitted to eat it on Passover "in a manner which does not render pleasure."

(Rabbi Yosef brings the opinions of many illustrious authorities who agree with this distinction. According to this school of thought any chametz which, before Pesach, became unfit even for a dog, has lost its status of chametz even before Pesach and is therefore permitted to be used on Pesach without qualms).

In a brief comment appended to a responsum dealing with another topic, R. Moshe Feinstein 5) notes that medicine which can be classified as non-food, before Pesach, may be used by a sick person even if he is not dangerously ill.

Now of course an obvious fallacy leaps to our minds — how can this medicine, which is made of chametz, be considered as non-food, non-edible, "unfit," in the words of the halacha "even for a dog to eat," when patently it is not all "unfit to eat," since the sick person is quite obviously eating it! It is all well and good to claim that Rambam, was relying on the halachic principle that eating chametz which is unfit even for a dog cannot be considered eating, which only applies to food which is ingested "in the manner of eating and/or for pleasure." But this claim is contradicted by the simple fact that the patient does indeed eat the chametz medication — obviously then it is not unfit to eat!

This process whereby something actually has no value (or in this case, is objective-

ly unfit to eat) but because it has importance for a person, his need or desire for it gives it importance (or makes him willing to eat it) is called "achshevai" 6).

This is a further factor which Rabbinic authorities have to consider in arriving at a practical decision in Jewish law.

Various halachic authorities discount "achshevai" in this instance, for a number of reasons. The Chazon Ish, as well as Rabbi Ovadia Yosef, consider that if the chametz is in a mixture, then achshevai does not apply — the "edibility factor" is ascribed to the medicine, not the chametz. Rabbi Feinstein considers that achshevai is a factor that does not apply to medicine, for in their quest for restored health, people are willing to swallow almost any vile concoction. Their willingness cannot truly change the status of an objectively unedible product, because it is not truly achshevai.

Rabbi Feinstein further permits a person to rub salve into his skin on Pesach, 7) even if the salve has a chametz alcohol base 8) provided the ointment was prepared before the onset of Pesach, at which point the alcohol would have been rendered unfit for eating even by a dog, which makes it permissible. However, in the event the ointment was not prepared before hand, Rabbi Feinstein allows a person who is in very great pain to have a non-Jew mix the ingredients together on Pesach.

Another issue which needs to be discussed is what effect, if any, will the availability of non-chametz medication have on the permission to use medicine which does contain chametz. Though in a non-edible state should a person seek to find a non-chametz substitute, or is it totally irrelevant in its circumstance?. The Ramo rules,

"We do not permit anything forbidden to a sick person if it is possible to have the treatment performed in a permissible way equally well as in the forbidden way, even if there would be some small delay before he can find the permitted (item), since there is no danger involved . . ."

(Commenting on the statement of Ramo in the Shulchan Aruch, "the Vilna Gaon 9) notes that in our case on Passover the reason the salve containing the wheat is forbidden, is that it would be possible to mix the chametz with fruit juice instead of water in preparing the medication (wheat and juice cannot become chametz), and therefore if it is not necessary to rely on the lenient ruling, it is not permitted to do so. Thus we see that if a substitute is available for the chametz product, one is not permitted to use the chametz. Only if no non-chametz product can be found is one permitted to take advantage of the lenient ruling.

For this purpose, the many excellent publications which report the actual derivations of many medications are invaluable, since they offer the necessary information concerning the products in question and also whether substitutions are available.

What has been said so far applies mainly

to a person who is sick, albeit not dangerously ill. But would similar rules apply to a person who experiences only some moderate discomfort or malaise. Would he be permitted to take a pill to alleviate his condition, if the pill or potion contains some chametz?

On this point, Rabbi Ovadia Yosef 10) differs sharply with Rabbi Feinstein, 11) for the former permits utilization of the lenient ruling only for a person who is truly sick. Halacha recognizes various categories of people who are not feeling well, ranging from the dangerously ill to one who has slight feelings of discomfort. No one questions that a dangerously ill person can take whatever medication is needed to heal him. However, Rav Yosef would not allow a person with only a moderate ache or distress to rely on the lenient ruling regarding the chametz in medication — but Rav Feinstein would. Rav Yosef regards the lenient rulings as opinions to be relied upon by a person whose entire body is in pain, or who is so sick that he is confined to bed.

It seems to me that this brief survey should — at the very least — make one point clear: Even with the best of intentions, a person not familiar with all factors which halacha takes into account cannot and should not arrive at halachic conclusions on the basis of one factor alone. Using a meticulously researched pamphlet listing all the ingredients of hundreds of medications, a person who is not a halachic scholar can still readily err — there is more to arriving at the halacha than simply determining the ingredients in a product. One needs to understand the full scope of Jewish Law in order to make the proper decision in such matters.

footnotes

1. There is a great deal of discussion within halachic literature whether one may be lenient in Jewish practice if the local custom is to be strict. See *She'arim HaMitzuyanim baHalacha*, *Kuntos haAcharon* 117:2, *Magen Avraham* 581:2, *Dagul Mervavah Yoreh Deah* 214, *LaShach-2*, *Pnei Yehoshua Pesachim* 25, *Chatam Sofer Orach Hayyim* 121 and *Yoreh Deah* 73, *Maharam Schick Orach Hayyim* 241.

2. This is the case with many medicinal preparations, regarding Pesach. Many medicines contain no chametz proper, but kitniyot — derivatives of legumes and other products which custom dictates not to use; however, kitniyot are not chametz, and the rules are quite different. The most common example of kitniyot in medicinal products is the corn starch used as a binder for pills. For a fuller discussion of this issue, refer to my article in *The Journal of Halacha and Contemporary Society*, Vol. VI pp.70-71.

Another halachic problem may exist in those medications which do contain chametz and which were in the possession of a Jew during Pesach. This is dealt with in my aforementioned article. See also *Sha'ar HaTziyon* 5 who expresses his halachic opinion, and *S' de Hemed Ma'aracha* 1:222 who cites many authorities who disagree with this ruling.

3. *Yechaveh Da'at* 4:60.

4. However, under certain circumstances *She'arim Hametzuyanim baHalacha* 117:2 does permit to be purchased from a non-Jewish druggist, whose assertion is to be accepted that the mixture, which renders the chametz non-edible — and therefore acceptable — was prepared before Pesach.

5. *Orach Hayyim* 2:92.

6. See also *Orach Hayyim* 442:9, *Rosh baPesachim* Chapter 2, *Siman* 1, *Sha'ag' Aryeh* 75, *Aruch HaShulhan* 602:4 for various opinions on this question.

7. *Orach Hayyim* 3:62.

8. Today, however, most alcohol used in pharmaceutical products is not grain alcohol, and the problem is obviated.

9. An explanation of the entire subject can be found in *Encyclopedia Talmudit*, Vol. XIII "Choleh" No. 12, footnote 638.

10. *Yechaveh Da'at ibid*. See also *Kaf haHayyim* 445:9.

Traditional Perspectives on Non-Jews

Rambam & Meiri

By NATI HELFGOT

The purpose of this article is not to present an overview of the different approaches that have been expressed in our tradition towards the non-Jew. Instead, I would like to focus on one strand of tradition which, though it can be thought of as the minority view, still carries great weight in its own right.

From the Jewish perspective, the starting point of any such discussion must be the Mishna in Avot (3:18): "Beloved is man that he is created in the image of God . . . Beloved are Israel that they are called children of God." This Mishna clearly indicates that mankind as a whole is beloved, significant and imbued with the divine spirit. In addition to this, the Jewish people have a relationship with the divine that transcends the nations at large. This relationship may stem from the intrinsic superiority of the Jew as is expressed in the writings of R. Yehuda Halevi, Maharal, Rav Kook and others. On the other hand, there is a view which holds that this elevation of the Jew is a result of his participation in the special covenant that entails responsibilities and commitments. In light of this view, Kedushat Yisrael does not stem so much from an inherent superiority. Rather, it is an expression of the unique responsibilities, demands and goals that are the *raison d'être* of the Jewish people.

In this context, we can now turn to the positions espoused by the Meiri, and to an extent the Rambam, in a number of places in their writings. If one does not adopt the view of the non-Jew as inherently and metaphysically lower than the Jew, certain severe statements in the Mekorot must be addressed. Specifically, two come to mind. One is the statement found in Avodah Zarah that encourage leaving the Akum to die if he is in a life threatening situation (*Moridin V'lo Maalim*). In fact, one is even encouraged to bring about such situations. Secondly, we know of a whole series of statements instructing us not to help an Akim woman bring a child into the world and other such comments. The Meiri in a number of places distinguishes between the statements made in the Talmud which relate exclusively to "those ancient nations not delimited by the ways of religion who cling to idol worship." However the contemporary gentiles are "*umot ha'gedurot be-darekhey ha-datot*," nations that are delimited by the ways of religion and do not come under the scope of Akum. In addition, he applies this principle in many areas throughout the Talmud. In relation to a prohibition of a Jew giving a present to a gentile he writes: "But in so far as we have to deal with nations that are restricted by the ways of religion and which believe in a Godhead, there is no doubt that, even if the gentile is not a friend, it is not only permitted, but even *meritorius* to do so." (B.H. — A.Z., p. 46, tr. Katz, *Exclusiveness and Tolerance*, p. 117).

Secondly, the Meiri used the principle to explain that all those passages that required a lower level of morality in one's dealings with gentiles relate to the ancient nations who warranted such treatment. However, he wrote: "Everyone who belongs to the *umot ha'gedurot* . . . is not included in this, and is to be regarded as a full Jew in respect to all of this." (B.H., Bava Kama, p. 320, tr., Katz, p. 118)

Finally, The Meiri used the principle in relation to the issues of desecrating the Sabbath to save the gentiles. On the sugya in Yoma 84b the Meiri writes: "We are not

commanded to desecrate the Sabbath for them (idol worshippers) since they do not have any religion and also are not careful about the responsibility towards human society. (my own translation of printed text. See p.212, ft. 229, in Machon Ha'Talmudi edition)" According to this approach, as was pointed out by scholars such as R. Yehuda Gershuni, in our day one would be obligated to desecrate the Sabbath to save the life of the gentile.

This general approach towards the status of the non-Jew was picked up upon by later commentaries such as *Ber Ha-Golah* on *Shulchan Aruch Choshen Mishpat*, #425:5. In addition, one finds similar sentiments in the writings of *Maharatz Chayot*, *Tiferet Yisrael* and R. David Tzvi Hoffman.

The significance of such an approach is not in its resolution of certain local issues that proved uncomfortable. This approach posits that fundamentally our attitude towards the non-Jew is not related to any inherent inferiority in his being. Rather, our attitude is a reaction to what the gentile espouses and represents. Thus, in a historical context where the gentile community is idolatrous and to use the Meiri's term *Mazkei Olam*, undermining the goals of Judaism and the Jewish people, we must show enmity towards them. However, in a situation where gentile society has developed religiously and is not such a category of *Mazkei Olam*, we are not commanded to express such enmity. We do not relate to the gentile qua gentile but rather to that which he espouses and advocates. In the laws of *Moridin V'lo Maalim* this is clearly the case, because the same halcha applies to the *Jewish heretic*.

Obviously we are concerned with the ideas espoused and the danger to the Jewish and world community rather than with the gentile in his own right.

In a similar but more moderate vein, we find certain statements in the Rambam's writings that also seem to distinguish between the ancient gentiles, Akum, and Christians and Moslems. Thus, while the Rambam has very harsh words for the idol-worshippers, he does see some positive historical function for the more modern religions as he writes in *Hilchot Malachim* (ch. 11:4): "But it is beyond the human mind to fathom the designs of the Creator; for our ways are not His ways, neither are our thoughts His thoughts."

"All these matters relating to Jesus of Nazareth and the Ishmaelite who came after him openly served to clear the way for the King Messiah to prepare the whole world to worship God with one accord . . . Thus the Messianic hope, the Torah, and the commandments have become familiar topics, topics of conversations (among the inhabitants) of the far isles and many peoples, uncircumcised of heart and flesh . . . same say "those commandments were true, but have lost their validity . . . others that the messiah had already come and revealed their occult significance. But when the true King Messiah will appear and succeed . . . they will forwith recant . . ." (uncensored version, tr. Isadore Twersky, *Introduction to the Code of Maimonides*, p. 452)

In addition, the whole notion of Ger Toshav, explicitly expresses the idea of relating to the non-Jews in terms of his behavior and that which he espouses. In fact, according to the Rambam in *Sefer HaMitzvot* (additional Mitzvot #14) one is obligated to desecrate the Sabbath to save the Ger Toshav from *Sakanah*.

In the religious community today the attitudes expressed in this article seem to be waning. We find instances both on the left and on the right of such practices as cheating on income taxes and racial discrimination being justified because after all "they are only

Goyim." In the State of Israel, we have been witness to religious Jews who were ready to take the lives of innocent civilians. In their defense, certain apologists made statements identifying all Arabs as Amalek or rodef. This general attitude towards the non-Jew may find its roots in two phenomena. One is that we live today in the post-Holocaust age. We live in an era where we were witness to the total failure and bankruptcy of enlightened society to help the Jew. Thus it is no wonder that many Jews are quite suspicious of any non-Jewish society after the calamity of Europe.

Secondly, turning to Israel, many have been reared on the teachings of Rav Kook. Many of his disciples have advocated a Jewish particularism that in its most extreme forms has brought us such phenomena as the Underground. I would hasten to add that there are those such as Zvi Yaron (author of the respected book *Mishnat Shel ha-Rav Kook*) and Rav Yehuda Amital (a talmid of Rav Kook's confidant and associate Rav Yaacov Moshe Charlop) who have argued that recent statements and actions by Gush Emmunin are in fact a distortion of the teachings of that great leader.

One of the problems of these tension filled times is that we have become very loose with our halachic terms and categories. Thus, we find that some view all Arabs as Amalek or every non-Jew as another potential Hitler, *yemach shmo*. These types of statements may well lead to halachically and morally questionable activities on the part of the more militant among our people.

Unfortunately in our day the positions outlined in this article have been shunted to the side and dismissed out of hand. It is crucial that in any discussion of these critical issues that the views presented above are given the fair hearing and treatment that they warrant. I have discussed the issues at hand without reference to issues of Chillum ha-Shem. This is another factor that must weigh heavily in the framing of our attitudes and modes of action. However, that topic merits a discussion in its own right. In this article, I have tried to concentrate on the basic attitude towards the non-Jew without relation to other factors.

Rav Yaakov Emden

By YOSSI PRAEGER

Rabbi Yaakov Emden (1697-1776), also known by his acronym, Yavetz, is one of those few *gedolim* whose personalities have ensured them a more extensive role in Jewish history than one might expect from their purely halachic works. Author of the *Mor u-Ketzia* on *Shulchan Aruch*, *Lechem Shamayim* on Mishna, *She'elat Yavetz* (responsa), and his famous siddur, Rav Emden also wrote a most candid and revealing autobiography, *Megilat Sefer*. His *psakim* are known for their originality, both *l'hula* and *l'chumra*, but he is probably best known for his acerbic attacks on the generation's other *gedol*. Rav Yonatan Eybeschuetz, for the latter's alleged Sabbateanism. One factor that allowed Yavetz to be so outspoken was his ownership of a printing press. While pulpit rabbis must quickly learn diplomacy, Rav Emden lacked neither the license nor the resources to freely express his thoughts.

Yavetz's singularity extends to his feelings towards non-Jews in general, and Christianity (and Islam), in particular. Turning to *inyana d'yoma*, Rav Emden's Haggada

discusses the troubling double phraseology within *Ha lachma arya*: "*Kol dichfin yaasai v'yaichol; Kol ditzrich yaasai v'yfshach*. (All who are hungry should come and eat: all who need should come and partake of the Pesach.)" he writes:

"It seems to me simple that it [All who are hungry should come and eat] refers to non-Jews . . . As the sages have said, "We support the indigent of the other nations together with the Jewish poor. For this it wrote *Kol dichfin*, that he is hungry for bread — not for words of Hashem to do the mitzvah — should come and eat with us."

In *She'elat Yavetz*, Rav Emden is more expansive:

"Even if we were ruling over them and they would be subject under us in our own land, and certainly [now] in the diaspora where we are sheltered by them, we are commanded to protect them with all our ability, and to save them from death and monetary loss or damage, and even security of their property should be precious to us (and there is no need to mention that it is forbidden to steal from them). And the sages have already taught us that we bury their dead and comfort their mourners and support their poor, *mipnei darkei shalom*. (because of the ways of peace.)"

On a practical level, then, Yavetz's feelings are clear. More interesting and certainly more surprising are his thoughts about Christianity on a theological level.

First, in the passage in *She'elat Yavetz* mentioned above, Rav Emden deals with the technical question of whether the trinitarian views of Christianity are *avoda zara*, prohibited to non-Jews, or *shituf* (the association of God with other deities), which Rav Emden assumes is permitted for non-Jews. He opens the discussion by commenting that Christians are religious people who believe in a creator of the world who directs its path, one who delivers reward and punishment, and other such noble principles. And although the Christians desire many gods, this is merely *shituf*. Rav Emden then reverses himself, raising the possibility that *shituf* only applies to a religion that has one god, but believes that he guides the earth through intermediaries such as stars. Christianity, however, has increased the number of gods (though Christians deny this), and would therefore violate the *issur* of *avoda zara*. Here, Rav Emden concludes without resolving the specific question of *shituf*, although he says, "it is enough for us that all of Israel consider them as non-idolators." He then writes (quoting the sages) that even actual idol worshippers in the diaspora are not treated as such since they are just following the tradition of their fathers, and therefore we must treat the nations of the world properly. Although in this *tsuva*, Rav Emden leaves the question of the nature of Christianity open, in his commentary on *Avot*, *Etz Avot* (p.40b), he includes "*lo nitz-tavu bnei Noach al hashittuf*" in the passage lauding Christianity's accomplishments.

This section in *Etz Avot* deserves further attention. Commenting on the mishna, "*Kol knesiya shehi l'shem shamayim sofa l'hikayem*," Rav Emden launches into a discussion of Christianity and Mohabremanism. He asserts that they have spread many correct beliefs, such as the existence of God, reward and punishment, the concept of prophecy, to all ends of the earth, and thereby, "have given honor to Hashem

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20th Century Interfaith Dialogue

By LARRY YUDELSON

What have been the results of Christian dialogue with the general, non-Orthodox Jewish community? Why have Orthodox Jews so strongly opposed theological dialogue? And how is this dialogue different than the communication of Torah viewpoints to legislators, scholars, and others that has become increasingly common over the past decades?

The interfaith movement began in the 1920s. America was in another of her bigoted moods; Henry Ford's Dearborn Reporter mailed the Protocols of the Elders of Zion into the home of every Ford owner, the Ku Klux Klan was on the prowl, and infamous immigration quotas were being passed. To combat religious hatred, the National Conference of Christians and Jews was founded in 1928. Among their first projects were "tolerance trios," Rabbis, Priests and Ministers who would travel around the country together, each speaking briefly on his creed and on the need for brotherhood. National Brotherhood Week was declared. In

of Rav Emden, his views in a different area deserve mention. Despite his attitude toward liberal views about Christianity, he argues vehemently against the study of philosophy. Both in *Etz Avot* (p.20) and in *She'elat Yavetz* (41), as well as elsewhere, Rav Emden writes that the study of philosophy is strictly prohibited by Chazal, a waste of time, and a danger to one's spiritual well-being. He rails against the Rambam for having studied philosophy, at one point even raising the possibility that the *Morah Neuchim* was written by someone else. (In *Etz Avot*, Yavetz does concede that since the Rambam was such an important *lamdan*, "ra'uy l'lamed alav z'chut.") In light of this last position, it seems improbable to describe Rav Emden, as some have, as an enlightened liberal. Rather, Yavetz's positive attitude towards Christianity reflects the complexity of his personality that defies characterization by simple stereotypes.

Rav Kook

By Joshua Hoffman

"Ahavat Yisrael necessitates love for all mankind, and when it causes hatred towards any part of mankind, then there is an indication that the soul has not been totally purified, and is therefore unable to participate in a higher level of love." (Orot, page 149).

This statement of Rabbi Avraham Yitzchak Kook must be understood within the wider context of his general approach to world history, as presented in various parts of his writings, and especially in his essay, *La-Mehalach Haldiut B'Yisrael* (Orot, pages 102-18).

The world was created for the fulfillment of a lofty ethical-spiritual goal, encompassing all of mankind. Man is to lead a life based on *chesed* and *ahavat*. So that this goal could be achieved, one nation was chosen to serve as an example, to arrange its entire existence around the fulfillment of God's will. The Jewish people was chosen, and it was to order its affairs in a manner which promotes peace and mutual cooperation within the nation in order that ultimately the wider goal of influencing the thought and behavior can be attained. (Continued on page 11)

spread the good word that Jews and Christians could work together as part of a national religion of truth, justice, and American Way. The "Judeo-Christian tradition" overwhelmed any doctrinal difference. On a more scholarly level, other groups organized sessions at which clergy of different faiths could meet each other, learn about each other's religions, and discuss the problems that faced them as clergy and citizens.

During the same years that Jewish-Christian relations were improving, so were inter-Christian relations. The ecumenical movement, which seeks to "achieve worldwide unity among religions through greater cooperation and improved understanding," increased its influence on the Protestant churches and, with Vatican II, the Catholic Church. This movement is not identical to the interfaith activities which were carried out in the name of brotherhood. It is not aimed at the unity of Rabbi and Priest linking arms in protest at Selma, or even studying each other's faith, but rather at a unified church achieved through mergers of churches and denominations.

The willingness of the various Christian churches (including the Vatican) to reach understandings with each other, however, had a major effect on the Jewish-Christian interfaith movement. No longer was the emphasis on individuals knowing other individuals, or even other faiths, but rather on Christianity confronting Judaism, two religions with a common origin exploring and understanding each other. It was and is a revolutionary idea. Jews and Christians have lived together in peace from time to time; Judaism and Christianity have not.

The nature of such a "dialogue" between the two religions is of course problematic. On what footing is it to be conducted? Historically, Christianity tried to spread the gospel to everyone — particularly the Jews. Was the new interfaith discussion simply another phase in that battle?

Was the eventual goal the same as that of inter-Christian ecumenism — one religion, with Judaism simply another "church" in some universal Judeo-Christianity?

Traditionally, Christians have viewed Judaism as merely the precursor to Christianity. With the coming of Jesus came a new covenant, and a new Israel, the Church. Should Jews bother talking to people who tell us that we're obsolete?

In 1964, Rav Soloveitchik laid down guidelines for interfaith discussion ("Confrontation," *Tradition* — Spring-Summer 1964). One stipulation was that any dialogue must assume that Jewish people "do not revolve as a satellite in any orbit." Any intimation that the Jewish people should "shed its uniqueness and cease existing because it has fulfilled its mission by paving the way" for Christianity "must be rejected as undemocratic and contravening the very idea of religious freedom."

In fact, Christian-Jewish relations in the past two decades have generally followed this guideline. Various means have been used to reconcile the traditional Christian mission to the Jews with an open discussion and mutual respect.

One way is for the Christians to ignore the belief that the Jews are obsolete. Despite Judaism's lack of value as a religion, it can still teach the Church much about Jesus, and consequently about the will of God. The various Catholic position papers on the Jews have repeatedly stressed the Jewishness of Jesus.

More significantly, concurrent with the quest for dialogue has been a renunciation of proselytization. In the words of Leonard Swidler, editor of the *Journal of Ecumenical Studies*, "Dialogue demands respect for the other as he is; above all, respect for his faith

and his religious convictions." As a result, a 1977 Vatican study paper declared that "The Church thus rejects in a clear way every form of proselytism." Unfortunately, the rejection has not, in general, been fully explicit; Christianity cannot totally divorce itself from its mission to witness its faith in Jesus. As David Berger points out, "the question of mission is one in which significant progress has been made but which remains extremely sensitive, profoundly difficult, and ultimately unresolved."

A third approach now seems to be gaining acceptance, though according to Berger it "remains confined to a relatively small group of interfaith activists." This approach, based on passages of the New Testament and the thought of Franz Rosenzweig, is called the "double-covenant theory." According to this theory, God's original covenant with the Jews is still binding, and the Torah is their means of salvation. Jesus came to establish a new covenant with the gentiles, not to abolish the old covenant with the Jews. Christianity and Judaism should approach each other as equals, each under its own covenant with God. This view is prominent among those most active in interfaith efforts; official and semi-official documents, on the other hand, "tend to remain ambiguous or to acknowledge frankly the existence of divergent views on this question."

If the Christians have theological difficulties accepting the Jews, difficulties they may be beginning to resolve, the Jews have real complaints against the Christians. For nearly two thousand years Jews have been victims of anti-Semitism directed against them for rejecting Jesus. For many of them, elimination of the theological cause of anti-Semitism is the major reason for the interfaith endeavor.

Perhaps the most extreme position along this line is that of Eliezer Berkovits. In a searing essay he says that the real issue between Christian and Jew is not "creed and dogma," but "river of blood running through the centuries." Before dialogue can begin, Christians must deal with the New Testament's "anti-Jewish venom." In the face of the enormous Christian crime against the Jewish people, what is needed is atonement, not theology. Rabbis and Priests should leave God alone, and concentrate on man.

Can there be atonement if the sin is still there? If, in fact, anti-Semitism is "the left hand of Christianity," if "the question of anti-Judaism . . . deals with the basic problem of New Testament theology itself," must not Christian theology be revised? However, Rav Soloveitchik pointed out, it is "both impertinent and unwise for an outsider to intrude upon . . . the way in which a faith community expresses its relationship to God." Therefore, "we members of the community of the few [Judaism] should always act with tact and understanding and refrain from suggesting to the community of the many [Christianity], which is both proud and prudent, changes in its ritual or emendation of its texts. If the genuinely liberal dignitaries of the faith community of the many deem changes advisable, they will act in accordance with their convictions without any prompting on our part."

They have so acted. The Vatican has "decided" and "condemned" anti-Semitism. In 1948 the Protestant World Council of Churches denounced anti-Semitism as a sin. In 1976 the Catholic Bishops of West Germany confessed: "We turned our backs to this persecuted Jewish people and were silent about the crimes perpetrated on Jews and Judaism . . . The honesty of our intention to renew ourselves depends on the admission of this guilt, incurred by our country and our church."

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Elohai Yisrael and his Torah." In addition, these religions have accepted most of the *sheva mitzvot b'nei Noach*, as well as many other moral principles. Finally, Rav Emden points out that our sharing a common god with Christianity and Mohammedanism has protected us from destruction by pagans. While Christians have oppressed us from without, and numerous sects have arisen to endanger Judaism from within, we have always been saved (with God's help) by other Christians.

Yavetz discusses Christianity in yet another source. As an addendum to his commentary perush on *Seder Olam*, Rav Emden attached his response to the question whether one may hand over Sabbatean heretics for burning. In this letter, Yavetz contrasts the traitorous Sabbateans who pretend to practice both religions ("*poschim al shnei hazyufim*") with the moral upright founders of Christianity who never intended for Jews to abandon mitzvot. To aid his defense of Christianity, Rav Emden quotes — showing great *b'huat* — passages from the New Testament. For someone used to seeing Talmudic jargon applied only to halacha, Yavetz's language comes as somewhat of a shock. In various parts of the response, he writes, "*Paul b'katvo l'Galata kataw v'ze lshono . . . u'v'chan makshim al Paul didai a'didai . . . k'ma shehatav b'perek chanishi b'michtavo l'Korinto . . .*" Since the letter loses its literary flavor in translation and the specific proofs are less important for this discussion, a brief summary will suffice.

Jesus (and Paul) established Christianity to add religion to the lives of pagans. Through Christianity, these non-Jews would keep *sheva mitzvot bnei Noach*, as well as other moral principles (such as universal love) and *chumrot* (such as forbidding divorce). However, Jesus believed all Jews must keep "every letter, every point," of the Torah. Jesus and his Jewish followers kept Shabbat and *brit mila*, but they urged their non-Jewish disciples not to, just as we attempt to dissuade *gerim* who we feel will not remain *shomrei Torah*. Using his understanding of Christianity, Rav Emden resolves some inconsistencies within the New Testament that he feels have no other explanation. He then blames later Christian teachers for misleading their followers about the true nature of Christianity. The Christian preachers should be preaching love for the Jews, especially given their doctrine of universal love. If only Christians would be true to their religion as taught originally, they would be rewarded greatly for it.

Two reservations should be noted to complete a picture of Rav Emden's feelings towards non-Jews and Christianity. First, Yavetz was fully aware of the persecution of Jews both in his time and throughout Jewish history, and is bitterly mournful about it. However, he does not blame Christianity itself for the mistakes of its practitioners, nor does he let the oppression impinge upon his gratitude to the *umot haalom* for allowing the Jews to settle in their lands. More importantly, in a response to Moses Mendelssohn concerning non-Jews who keep *sheva mitzvot bnei Noach* without accepting *Torah MiSinai*, Yavetz refuses to agree that the Rambam (Hilchot Melachim 8:11) would refer to them as even "*chochamei umot haalom*." Here Rav Emden's view seems to be harsher than in his other writings. Yet, even granting any qualifications, the results of Yavetz's New Testament scholarship sound as astounding even to our twentieth-century ears.

To complete a balanced presentation

Coping With Tay-Sachs Disease

By STEVEN I. BENOWITZ
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Jewish Times

Like most people, Shlomo and Chevi Schrader didn't think it could happen to them. Shlomo is an optometrist in Fredrick; Chevi, a housewife. They live in a modest three-bedroom apartment with their two young sons, Zevi and Yochanan.

Two and a half years ago, when Zevi was seven months old, Chevi noticed something was wrong. Zevi had grown normally at first, learning to lift his head and sit up. The development stopped.

In the next few months, he became worse. Before, Zevi would sit and play for several hours at a time. Now he tired easily, seemingly exhausted after only a few minutes of activity. He became listless, a child with no personality, no smile.

A family pediatrician in New York City, where the Schraders lived at the time, gave Zevi a development test. It showed he lagged some two months behind in normal progress. When the exam was repeated several months later, he fared no better. "He seemed slow, but we didn't think anything was really wrong," recalled 27-year-old Shlomo. "He was our first child, and we had nothing to compare to. At worst, we thought he might be slightly retarded."

The doctor sent the family to a neurologist, who did further testing. She thought Zevi might have cerebral palsy. Still not satisfied, the young couple sought out experts at Long Island Jewish Hospital. After another round of tedious procedures and consultations, Shlomo and Chevi finally learned the awful truth: their 13-month-old son had Tay-Sachs disease, a rare, always fatal genetic disorder that almost exclusively strikes Ashkenazi Jews.

Tay-Sachs disease results from a miscoding of information in the genes, the information carriers that are passed from a parent to offspring. Any time two carriers of the defective gene, like Shlomo and Chevi, conceive, there is a one-in-four risk of having a Tay-Sachs baby. There is a 50 percent chance that the child, while unaffected, will also be a carrier, capable of passing the genetic misprint to his or her own children.

Shlomo and Chevi had no idea they each carried the gene for the disease. There was no reason to suspect or to seek prenatal testing. Confesses Chevi, now 24 "We had never really considered Tay-Sachs before. It was one of those things the doctors were testing Zevi for to eliminate."

Complicating matters even more was another problem: Chevi was nine months pregnant. Two weeks after Zevi had been diagnosed, she gave birth to their second son. Moments after delivery, Shlomo rushed a sample of umbilical cord blood to Mt. Sinai Medical School for analysis. After an agonizing 12 hours of waiting, test results revealed Yochanan was a perfectly normal, healthy seven pound boy. "It was the toughest day of my life," Shlomo sighs.

Tay-Sachs disease is a slow kill. The body can't make an enzyme needed to break up fatty substances in brain cells at the proper time. These fatty materials accumulate in the nerve cells of the brain, swelling the head, destroying the central nervous system. Tay-Sachs babies appear normal for the first five or six months of life; then they begin to show progressive mental retardation and loss of muscle control, hearing and sight. Death almost always occurs before age five. There is no known cure.

Today, Yochanan, the Schrader's second son, is a spritely two-year-old with curly light brown hair and an infectious smile. He rambles through the apartment mischievously. After a lecture from Mom and Dad, he



tells his older brother, "Don't play ball in the living room, only outside." But Zevi doesn't answer. He lies quiet in his brightly decorated room, unable to move. His face is pale, his breathing labored. The once-bright brown eyes are fixed and glazed. He cannot see. Nor can he hear. He is totally helpless. His doctors say he will die within a year, probably from pneumonia.

The saddest part of all: It could have been prevented.

Carriers of the Tay-Sachs gene can be detected by a single, accurate blood test. A prenatal testing technique called amniocentesis, given in the 16th week of pregnancy, can identify the disease in the unborn child (There is also a new experimental technique, chorionic villus biopsy, which may permit accurate diagnosis in the 10th week). Neither procedure is very expensive. Neither is especially complicated. Still, Tay-Sachs babies continue to be born. Why? Shlomo blames his family's difficulties partly on "some outmoded thinking" in the Orthodox community. According to Rabbi Max Hausen, president of the Board of Rabbis of Greater Philadelphia, most Conservative and Reform rabbis encourage Tay-Sachs carrier testing. In contrast, Shlomo says, "There is a large degree of resistance to carrier testing among the Orthodox. Testing here is almost nonexistent."

Shlomo and his wife are trying to change all that. Recently, Chevi spoke at Bais Yokov, a local Orthodox girls high school, promoting carrier detection. But such opportunities are rare, she says. She has tried to speak at a similar school in Far Rockaway, Queens, the New York City neighborhood where she grew up. There, she has encountered stubborn opposition.

"Basically, it's the fear that if you're tested, at what point do you tell the girl or guy you're seeing that you're a carrier? But

then the alternative is to find out the way we did — then it's too late," Chevi says.

"If you're married," she goes on, "the only purpose in testing could be if you're going to have an abortion. According to many orthodox authorities, abortion is forbidden in such cases."

But Rabbi Moshe Tendler, sees the Orthodox view a bit differently. "We recommend our students of Ashkenazi background seek private testing, and when needed, counseling to help cope with the problem," says Tendler. He points out, however, that Orthodox Jews oppose mass Tay-Sachs screening because the "undue psychological burden put on a person labeled a carrier poses a great social problem."

And because orthodox law forbids abortion except when a mother's life is jeopardized, Tendler sees no reason to perform any prenatal exams, since no action may be taken. If two carriers of Tay-Sachs marry, he asserts, there are few choices: "They can take a chance and play Russian Roulette and maybe have an affected child. Or they can adopt."

Despite a very extensive information dissemination program carried out by hospitals, community centers and synagogues, Tay-Sachs carrier detection screening in the Jewish community is not as widespread as doctors and genetic counselors would like. "You have to make the effort to make an appointment and take time off from work," Shlomo says. "Some people don't want to be bothered."

Fear is another factor, according to Jamie Levine, a genetics counselor at Johns Hopkins University Hospital in Baltimore. Levine, who coordinates the Tay-Sachs screening program there, says some people would rather not know if they bear the deadly Tay-Sachs gene. "Many times people won't get tested until their doctor tells them to,"

she says. "As a result, we see quite a number of women who are already pregnant. It's just not the sort of thing everyone thinks about."

The odds are certainly in favor of those who aren't tested. The defective gene is rare: it occurs in one of every 30 Jews of Ashkenazi descent. Ashkenazis constitute 99 percent of the Jews in the United States. That means approximately one of every 900 Ashkenazic Jewish couples — or, one in 3600 Ashkenazic pregnancies — may produce a Tay-Sachs child. The disease is at least 100 times more common in Jewish children than in non-Jewish children.

Carrier testing is practically automatic, Levine points out, if the couple knows that the condition has occurred in either partner's family.

Once two people are identified as carriers, Levine says, it becomes a "very difficult situation." The counselors try to emphasize the fact that the couple can still have normal, healthy children (a three-in-four chance). Counselors and potential parents discuss other options, such as adoption, artificial insemination and abortion.

But the flip side to prevention is finding a cure. At the National Institute of Neurological and Communicative Disorders and Stoke in Bethesda, researcher Roscoe O. Brady and co-workers search for an elusive answer. Brady's research centers on enzyme replacement — giving a patient enough of the missing enzyme so his or her cells can function properly, perhaps reducing or even reversing the effects of the disease. One of the obstacles to this approach, Brady says, is that the damage from Tay-Sachs occurs in the brain, and the enzyme required to treat it can't get past the blood-brain barrier, a protective group of tightly joined cells that prevents all but the smallest molecules from entering the brain. Using a special technique

Interfaith

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As Berkovits points out, admission of guilt is not sufficient if the causes of anti-Semitism are still deeply imbedded in the theology and liturgy of the Church. The most offensive Christian doctrine was that of decide — the Jewish people were somehow responsible for the death of Jesus. This "crime" was used as a justification for millennia of massacres and pogroms. Vatican II, as the American bishops stated ten years later, "acknowledges that the Jewish people never were, nor are they now, guilty of the death of Christ." There was no crime to be exonerated from; the crucifixion of Christ was God's plan.

More problematic are the various passages in the New Testament that have bred anti-Semitism. One possibility is to reject those passages, to excise them from the "word of God." Another is to emphasize that the text reflects polemical concerns of its time, concerns that are no longer relevant. Unfortunately, for Jews to argue on behalf of either of these positions is inappropriate. While it is reassuring to see concerned liberal Christians attack anti-Semitism, when they lament the absolutism of fundamentalism, and its tenacious clinging to the literal meaning of the New Testament, committed Jews cannot but see this as an unwarranted intrusion on religious liberty.

Perhaps the most important issue for Jews is the State of Israel. According to traditional Christian theology, the Jews, having rejected Jesus, were condemned to exile. With the elimination of this doctrine in recent years, there should be no obstacles to Christian, and particularly Catholic, recognition of the State of Israel. Regrettably, the Vatican has not lived up to expectations.

In fact, the issue of Israel has threatened to end interfaith relations. After the Six-Day War, upset over the lack of Christian response to the grave threat facing the Jewish people, Jack Neusner wrote a well-publicized letter, renouncing interfaith dialogue. If

Christians cannot be depended on, then dialogue is no more possible now than it was five hundred years ago.

In answering the charge of apathy, Christians have in fact demonstrated the existence of an unbridgeable gap between Jewish and Christian experiences. One Christian explained his refusal to come out publicly for aid to Israel during those critical June days in 1967 as due to knowledge that his signature on an ad in the *New York Times* would accomplish nothing, fear that a militaristic stance in the midst would hinder his efforts for peace in Vietnam, and a desire to think before he did anything rash. In retrospect, this sounds somewhat convincing — but to a Jew, it is irrelevant. To a Jew, danger to Israel is dealt with in the same manner as danger to his children; passionate panic. He does whatever he can, no matter if it is useless, no matter if it is inconsistent with his liberal beliefs. Christians cannot understand this gut reaction. Perhaps they should not be blamed for the inability, but the obstacle stands.

As another example of this fundamental gap between Christian and Jews, one interfaith volume begins "it seems impossible" to have interfaith discussion "without adverting the political fact of the State of Israel," which the editor feels is a messy mix of "theology and politics." While the volume does not include a discussion on the State of Israel, due to technical difficulties, the editor still feels that it is only "almost superfluous" to point out that his volume has no "anti-Arab or anti-Islamic bias."

Christians realize the gap exists, and are attempting to understand the Jewish position. The American Catholic Bishops wrote in 1975 that "An overwhelming majority of Jews see themselves bound in one way or another to the land of Israel. Most Jews see this tie to the land as essential to their Jewishness. Whatever difficulties Christians may experience in sharing this view, they should strive to understand this link between land and people."

As we have seen, certain segments of the Jewish community have asked for Christians

to modify their beliefs; those who respect their right to follow their own beliefs, painful as they may be, have hoped for the modifications. Now that the changes are beginning to take place, the Christians are beginning to want a quid pro quo.

The Rav's position on this is adamant: "We certainly have not been authorized by our history, sanctified by the martyrdom of millions, to even hint to another faith community that we are mentally ready to revise historical attitudes, to trade favors pertaining to fundamental matters of faith, and to reconcile 'some' differences."

What is it that Christians have asked us to reconcile? One point that is mentioned occasionally, is that the Jews should recognize that Jesus, if not the son of God or the messiah, was at least an inspired teacher, a prophet. For Reform Jews, this was easy; his emphasis on ethics rather than Halacha was the same as theirs. For Orthodox Jews, proud followers of the Pharisees Jesus opposed, to accept Jesus' arguments would be a direct betrayal of faith.

Still, as a German Catholic working paper pointed out, in a dialogue "the Christian partner cannot be satisfied if the Jewish partner thinks that only he has something to say to the Christian which is essential to the Christian's faith, while that which the Christian has to say to the Jew has no essential meaning for the faith of the Jew."

Though the teachings of Jesus can have no meaning for Jews, Christianity can show, for example, that through them Abraham became the spiritual father of a multitude of nations.

At the least, Christians want Jews to "acknowledge that, for the Christians, Jesus has become the way in which they find Israel's God." Can this be done? Traditionally, some Jewish scholars have admitted that for non-Jews Christianity was not in the category of idol worship; others granted it a more positive role on the spreading of God's word. (See Nati Helfgot's article in this issue.) Can Judaism decide which view to accept because Christianity asks for it? But in fact, the "pro-Christian" strands of tradi-

tion can be strengthened not out of a craven desire to satisfy Christians, but as a result of Jews gaining a better and more truthful picture of Christianity from interfaith dialogue.

More controversially, Clemens Thoma, a Swiss Catholic Scholar, uses Jewish sources to show that "a Christological perception of God — apart from its historical realization — is not un-Jewish." Jewish scholars have defended similar positions, but others have criticized them harshly. Regardless of its validity, this blurring of the distinction between Judaism and Christianity increases the likelihood of conversion.

Such dangerous attempts to change Jewish theology are opposed by Rav Soloveitchik's stipulation that because of the uniqueness of the theological language of each faith community, "religious or theological logos should not be employed as the medium of communication." The role of interfaith communication is not to change the relationship between man and God, but between man and man. "In the secular sphere, we may discuss positions to be taken, ideas to be evolved, and plans to be formulated. In these matters, religious communities may together recommend action to be developed and many seized the initiative to be implemented later by general society."

But what about the theological influence to and from Judaism? Rav Soloveitchik has both studied Christians, and taught them. The answer to this apparent dilemma is to remember the difference between interfaith dialogue and individual discussion and study. The dialogue between the Roman and Anglican Churches are designed to bridge doctrinal difference. This process is alien to Orthodox Jews. The difference between Judaism and Christianity, or even Orthodoxy and Reform, result from profoundly separate understandings of history, not only theology.

In the past decades, the discussion between religious groups have produced greater understanding between Jews and Christians. The goal should not be to come to theological agreement between the separate religions, but to work together to confront this predominately secular age.

The following is an excerpt from a letter Shlomo Schrader wrote Rabbi Blau concerning the problem of Tay-Sachs screening

"... I'm sure you know about my son Zevi and the Tay-Sachs problem in general. You of course also imagine how strongly I feel about the necessity for people to be tested for carrier status before they are married. Once people are married, halachic difficulties follow, as the alternative to having Tay-Sachs children is abortion. Rav Eliezer Waldenberg and Rav Elyashiv of Jerusalem have specifically permitted abortion in this case; Rav Moshe here prohibits it. Even for those who accept Rav Waldenberg's heter, having an abortion is a terribly traumatic experience.

Tay-Sachs is a terrible disease, but it can be totally eliminated if two carriers do not marry. If everyone were tested before con-

templating marriage, no one would have to worry about having a child with the disease. The only time to worry is if someone is not tested, because ignorance will not eliminate the Tay-Sachs gene...

If everyone is tested, within one generation there will be no more Tay-Sachs children. There will be no need to ask sh'elot because there will be no need for abortions. It is truly a tragedy that there exists a horrible disease like Tay-Sachs, but yet it can be totally eliminated very easily. If no one tries to publicize the dangers, and only ignores them, this is even a greater tragedy. Chevi and I hope and pray that no one should have to suffer as our son Zevi is and that families are spared the agony of having to watch their own child die."

Zevi Schrader (Alav HaShalom) died o. Tay-Sachs on Tu B'Shvat, 5745.

Tay-Sachs

(Continued from page 6)

that Brady and his colleagues devised themselves, the scientists have been able to get some of the enzyme through the barrier and into the brains and nerve cells of test animals. However, the amount of enzyme that can be delivered to the human nervous system is still too small to try on patients.

But while a cure may someday be found, it won't come in time to help little Zevi. When Shlomo and Chevi learned of their son's fate, they decided to keep him at home and try to lead as normal a life as possible. It hasn't been easy. Caring for a child with Tay-Sachs disease is a 24-hour-a-day proposition. The Schraders, who were married a little more than a year before Zevi was born, rarely have a moment to themselves.

program participation. When the money's gone, patients must go elsewhere.

Occasionally, either friends or Shlomo's parents baby-sit for the Schrader's boys. (Chevi's parents live in New York.) Their help gives the Schraders a welcome night out. But, friends and family usually react the same to Zevi's illness.

"They're very tentative around us, very careful about how they act and what they say," Chevi says. "They won't talk about their own kids. We're at the point where it bothers us more if someone doesn't tell us their kid is walking, because we want to be treated like everyone else, even though we know we can't."

Even little brother Yochanan notices "something" is wrong. "The other day I was paying a lot of attention to Zevi, and Yochanan wanted something," Chevi begins. "I didn't respond right away, and he didn't know what to do, so he started coughing, and said, 'Suction me.'"

The experience, the young couple says, has changed them. "Things that used to make us happy, that we used to enjoy doing, just aren't as much fun anymore." Shlomo says sadly. "It's always there in the back of your mind, like a cloud."

"I remember the first time we went out to the movies after we found out about Zevi," Chevi recalls. "We saw a funny movie — 'Tootsie.' We both walked out afterwards and broke down. We had to face reality again."

Shlomo glances at Chevi, who is starting to cry. He takes her hand in his, gripping it tightly.

"In our position you can't win," he says. "The main thing is to tell people about this. There's no reason it has to happen."

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"In our position you can't win," he says. "The main thing is to tell people about this. There's no reason it has to happen."

Testing can be done at Mt. Sinai Hospital (650-6944), Columbia Presbyterian and Einstein. It involves a simple blood test and results are available in about 2 weeks.

Flirting with Polygamy

By BARRY HERZOG

In 1139, a Jew from Sicily applied for a civil service post in Cairo, leaving his wife in Damascus. Upon arrival he learned that to qualify for the job, he needed a wife and family. He subsequently requested permission from the Beit Din of Cairo to marry a second wife. Until recently, few clues were available to determine the court's decision. But in the late nineteenth century, numerous documents dating back to the twelfth century were found in old Genizot, storage attics for religious articles and literature, discovered in Cairo. Professor Mordechi Freedman, currently professor of Talmud at Bar Ilan University and Tel Aviv University, has devoted many years to studying this material, searching specifically for data relevant to the institution of marriage. His work led to the book he is presently writing, "Jewish Marriage in Palestine — vol #2." He recently lectured here at Yeshiva University, at which time he capsulized Jewish opinions concerning polygamy from the time of the second Commonwealth through twelfth century Egypt.

In the period of Bayit Sheni, Prof. Freedman began, a certain Dead Sea sect of Judaism prohibited polygamy, basing their practice on two Biblical sources. The first is the prohibition in Devarim 17:17, forbidding Kings to have many wives: "Neither shall he multiply wives to himself, that his heart turn not away . . ." This, the sect interpreted both as a prohibition for all Jews and as a prohibition forbidding a man even two wives. They quote their second source from Vayikrah, 18:18, which prohibits a man from marrying his wife's sister. They interpret "sister" as "neighbor," or any Jewish woman, in which case the Torah forbids polygamy. This same sect forbade marrying one's niece, as well, for other reasons. Their views, however, were not mainstream thought, and, indeed, Chazal never questioned the legality of either polygamy or marrying one's niece. To disassociate themselves, Chazal not only explicitly legalized marrying one's niece, but even declared it praiseworthy. Yet, they bestowed no such praise on polygamy, and hence, the question arises whether they considered harems meritorious or simply legal yet perhaps somewhat immoral.

The first source that shed light on this is



Chapter 3 of Tractate Kiddushin in the Jerusalem Talmud, which deals with interpreting ambiguous marriage proposals. The ninth Mishnah begins with the phrase: "One who has two sets of daughters . . ." which Rabbi Yaakov bar Chanah explains in the Gemarah as two sets from two different wives, just like he had himself. One would assume that if an Amorah had two wives, the morality of polygamy is established. However, commentaries are quick to point out that he could have been married to one at a time.

But the Gemarah in Yevamot 44 a is straightforward in its message. Chazal state that it is "good advice" not to have more than four wives, so that the requirement of

sexual satisfaction for the wife can be fulfilled at least once a month for each wife. The Rambam agrees with this statement, with one exception. He uses the language of a command, rather than advice, when repeating the idea in Hilchot Ishut, Chapter 14, Halachot 3-4, implying that the Rabbi's "advice" evolved into law.

Although the Gemarah and the Rambam explicitly permit polygamy, the introduction of the husband's obligation to sexually fulfill his wife's need raises a new issue. Can the first wife demand full attention and hence, either veto a second marriage or demand a divorce? The Rambam, by writing: "and his wife cannot force him (to refrain from remarrying) . . ." clearly states that the wife does not have any such right. His opinion stems from a crucial argument in Yevamot, 65b, between Rabbi Ami and Ravoh. Ravoh established what would be the Rambam's approach, while Rabbi Ami feels that the first wife can sue for divorce. However, she cannot veto the second marriage.

Many scholars suggest geographic reasons to explain the nature of the argument. Rabbi Ami resided in Israel, where the Romans and Christians, who both opposed polygamy, may have politically influenced his opinion. Ravoh, on the other hand, was outside their sphere of influence and maintained the traditional view.

Professor Freedman contended that a Midrash in Shemot Rabah corresponds closely to Rabbi Ami's opinion. In an analogy, the Midrash speaks of a scholar whose wife had been barren for ten years. The Halachah states that he can divorce and remarry to fulfill his obligation to "be fruitful and multiply." The scholar, instead, asked his wife to find an additional wife for him. To calm her expected anger, he explained that he did not have to ask her, since ten years have elapsed, but he wanted to inform her because of his love for her. The crucial point is to infer that were ten years not to have passed, the husband would have had to receive permission from his wife to marry another woman. Although similar to Rabbi Ami, as opposed to Ravoh, the indication from the Midrash is more stringent in that the wife has a veto power which Rabbi Ami does not grant her.

Three opinions, then, exist, regarding the wife's position: Ravoh's view that the wife has no say; that of Rabbi Ami, who claims

she can justifiably sue for divorce; and the Midrash's implication that grants her veto power.

However unlikely, there is another approach to the argument between Rabbi Ami and Ravoh, which would grant far greater control to the wife. Possibly they both agree that before ten years have elapsed, the woman has full power to veto any of her husband's proposals. Only after the ten year period has passed do they argue. Rabbi Ami claims that the wife can still file for divorce, while Ravoh, like the Midrash, says that the husband can do as he pleases. According to this approach, everyone agrees that the wife can veto in normal circumstances. Yet, since the argument between Rabbi Ami and Ravoh makes no mention of time or barrenhood, this interpretation is, although possible, not probable.

Rabbeinu Gershom's decree testifies to the fact that the Western Ashkenazic community eventually adopted Rabbi Ami's view, even though Rabbeinu Gershom explicitly states the Halachah to be in accordance with Ravoh. Since the Christian society which influenced Rabbeinu Gershom did not reach Islamic Egypt, where the Rambam lived, the Sephardic community's psak could have gone either way. Until the discovery of the "geniza documents" and Professor Freedman's subsequent work, little more than the Rambam's opinion was known about Sephardic Halachah though. Through his research, however, Prof. Freedman has found more than seventy documents dealing, in one way or another, with polygamy. Although that seems a large amount, he concludes from his findings that polygamy was indeed a rare occurrence.

Regarding the argument between Rabbi Ami and Ravoh, similar to the Rambam, most of the data indicates the Halachah to be like Ravoh. At the same time, the ethical standards of the society demanded self imposed guidelines. For example, many Ketubot, marriage contracts, contained clauses which either granted the wife the right to divorce or at least specifically guaranteed her equal rights.

With a similar mixture of Ravoh's formal law imbued with the spirit of Rabbi Ami, the Cairo Beit Din decided our original case. Their ruling stated that the Minhag of Cairo was to only allow polygamy with the wife's permission, and they established their custom as legally binding. So, although they followed the opinion of Ravoh, they denied the Sicilian's request.

In The Image of God

A Lecture by Rabbi Yitzchak Greenberg

Transcribed and condensed by JOEY LIPNER and LARRY YUDELSON

The principle of *Tzelem Elokim*, of man created in God's image, is a basic principle of Halacha and Yiddishkeit. There is a famous *machloket* in the gemara as to what is the most fundamental principle in the Torah. Rabbi Akiva says it is "V'ahavia l'reacha camocha," but Rabbi Azzai says it is "Zeh sefer tolot adam, b'yom bro Elokim adam, b'dmu Elokim asa oto" (Breishit, 5:1). If a concept is a fundamental principle, then everything in the Torah can be derived from or is based upon it, perhaps even the *chukkim* (although it is beyond our rational powers to understand how *chukkim* fit in the general theme of things). Rabbi Azzai's fundamental principle of mankind being created in the image of God should therefore allow us to understand a conception of what Torah is. I believe Rav Yisrael Salanter used to say that the Torah came to make a "mensch," and that to make a human being into a true "ben adam" was a greater feat than to make a man out of a golem. Thus the Torah is more

than an aggregate of observations, but has the composite image and fundamental goal of making men more Godlike. This explains the Ramban's comment, that one could observe the legalities of all the halachot and yet still be reprehensible, "naval b'rshut haTorah." (Ramban on Vayakra 19:2). One must imitate God, and become more of a *Tzelem Elokim*, to become the Torah's view of a good man, as the pasuk there says "K'doshim tihiyu, ki Kadosh ani Hashem Elokechem" (Vayakra 19:2). The ultimate purpose is to achieve a state where every human being is an image of God.

This principle expresses itself in Halacha. *Pikuach nefesh*, any life-threatening situation, is *docheh* Shabbat. However, we have recorded cases of fighters in the Maccabean revolt who kept Shabbat even when they were attacked by Greeks, and were killed. What was their *hava amina*? Perhaps they believed that the ultimate goal is obedience to God, and therefore it is logical to allow yourself to be killed for God's commandments. But if the principle is man as *Tzelem*

Elokim, then life is the most precious commodity and must be safeguarded above all. Similarly in the case of *Prozbul*, which abrogated for all practical purposes *shmittat ksfim*, the goal was considered supreme. The goal of Torah is *Tzelem Elokim*, and creating a society which allows humans to live in dignity is part of that goal. Since *shmittat ksfim* was backfiring and adding extra burdens to the poor, a legal fiction was used to allow them to borrow money more easily.

God can be viewed as the infinite source of life, goodness, and power. Since the world is nurtured by and created by God, we can project a world where life grows, becomes more good and more powerful. There is a movement from chaos to order in the creation, from non-life to life, from helplessness to control. Since animals are part of life in the world, a stepping stone towards the *Tzelem Elokim*, Judasim has always had a humane attitude towards animal life, long before other societies recognized the imperative for kind treatment of animals.

The principle of *Tzelem Elokim* entails several concepts about mankind. The gemara in Sanhedrin 37A prescribes a speech to be given to witnesses in capital cases in order to impress upon them the sanctity of human life. From this speech it is clear that any image of God has infinite value. When the gemara says that if you save one life you have

saved the whole world, it is because a life has infinite value; if you save one you're saved an infinite amount, if you saved two hundred thousand men you've saved an infinite amount too. There are no gradations in the value of life by quantity. Similarly, every *Tzelem Elokim*, every human being, is equal to every other *Tzelem Elokim*, whether he is black or white, man or woman. Each is at the same time unique and an image of Hashem.

Throughout history Judaism has been the world's most successful and most gradual revolution. Other revolutions stress violence and immediate results. Ours stresses patience, adherence to the Torah, and the continuity of the Jewish family to achieve its goals. The goal that this revolution works towards, of course, is a greater sensitivity to man as a *Tzelem Elokim*. At the time of *Yetziat Mizraim*, the Torah did not abolish slavery, but rather modified this universally accepted practice, and made it more humane. It decreed slavery of Jews temporary, and slavery of non-Jews subject to bodily protection. This does not seem like sweeping reform. But by the time of the gemara, the restrictions and pitfalls of owning slaves among Jews had become so great that "Koneh eved Koneh rabo," and so slavery among Jews died out. Similarly the Torah took the first step in freeing women and treating them equally at the time of *Yetziat*

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'And Dan Shall Judge His People' (Genesis 50:17)

By **RABBI MORDECHI WINIARZ**

As a young rabbi, I must choose whether to view myself as being part of, or outside of, the mainstream Jewish establishment. I have chosen to place myself squarely within the Jewish establishment. As such the remarks made in the following essay are essentially directed at myself, spoken outloud.

For twenty years a deafening crescendo of silence was the only statement made by the American or Israeli establishment on the subject of Ethiopian Jewry. For twenty years the Jewish establishment did not lift a finger publicly or privately to save the Ethiopian Jewish community. For twenty years the so called "respectables" of the American establishment knew of the Falasha's plight, yet they did not care whether Beta Israel, descendant from the biblical tribe of Dan, lived or died. When the establishment finally did act, on November 21, 1984 it was after literally thousands of Ethiopians had died unnecessary and horrible deaths. Some died the slow, agonizing and painful death of starvation; others died trying to crawl to Sudan. They crawled because they could not walk after weeks of torture by the 'non-anti-Semitic' Ethiopian population. Young girls were raped and mutilated; not pretty, not eloquent, yet it happened because the Jewish establishment was deaf to the cries and blind to the pathetic skeletons of the world's oldest Jewish community — the Beta Israel of Ethiopia. No one gave a damn; the establishment had literally dozens of opportunities to save these people but these people didn't really matter to anyone. After all, who would stand up for *third world black Jews*? (not a very popular combination in our world). No one gave a damn because the third world, we were told is 'politically complex' and therefore untouchable. No one in the black community gave a damn because when was the last time we saw Harlem rise in solidarity with a black cause across the ocean? And no one gave a Jewish damn because after all the noble, liberal Jewish sentiments are eloquently expressed in all the white suburban Jewish enclaves, who really want black Jews? As one Israeli official said to an activist on behalf of Ethiopian Jewry in the early 70s, "Would you want your daughter to marry one?" And so, black Jews suffered, and black Jews were tortured and thousands of black Jews, our brothers and sisters, died on the altar of establishment grossness and apathy. They died of disease and torture and starvation. Starvation; an overused and little understood word these days. The fat and wealthy respectables of the establishment who never miss a meal can surely not understand what it means to starve.

The stepped up rescue effort, begun on November 21, 1984 by the Jewish Agency was a *direct result* of pressure exerted by the 'incompetent amateur' groups on the establishment. It was too little, too late, and even it was done only when concern for public image left no other choice. Of course, everyone likes to be a hero and so once the rescue began on a large scale we began to hear how committed and dedicated the establishment has always been to its Ethiopian brethren. Rabbis who had been implored by various groups for years to speak out on behalf of the Falashas suddenly jumped on the bandwagon, recalling in their fantasies their years of commitment and dedication to the cause and plight of Ethiopia's Jews. The UJA-Federation launched Operation Moses. Thank G-d Moses, and not the UJA was in Egypt to take the Jews out; instead of leaving Egypt the UJA undoubtedly would have set up a commission to study the root causes of Egyptian anti-Semitism.

In 1955, while visiting Israel, Dr. Graenum Berger, a prominent communal official, accidentally met 13 Ethiopian Jews in the village of Kfar Batya. Unable to elicit any information from the local authorities as to



their origin or heritage he and his wife returned to America and spent the next 10 years reading anything they could find which mentioned Ethiopia's Jews. Ten years later Dr. Berger visited Ethiopia in order to encounter in person the community about which he had read so much. During his visit Berger reports being impressed with their simple piety and charmed by the quiet but friendly dignity. At the same time he was appalled by their squalid social, economic and religious status. They were called by the Ethiopians 'Falashas' which means bastard, or illegitimate one. They were the poorest of the poor, barely managing to eke out a starvation income and were subject to the whims of the surrounding anti-Semitic population. Berger became convinced that unless something was done to save them the days of Beta Israel, the world's oldest Jewish community, were surely numbered. He returned to America to tell their story. Unfortunately for the Ethiopian Jews the Jewish establishment wasn't interested in listening. Between 1965-1969 he wrote letters and appeals to every major organ of the American and Israeli Jewish establishment. Being intimately familiar with the workings of the establishment he understood that reaction and action might take a little time; what he did not anticipate was the stone wall of apathy and indifference which he encountered on every strata and on every level of Jewish leadership. In 1969 unable to single-handedly prod the establishment into action, Berger founded the American Association for Ethiopian Jewry, the organization that would ultimately be responsible for keeping the issue of the Falashas alive and would eventually push the establishment into action. Between 1965-1975 every major Jewish organization was approached and begged to help Ethiopian Jews. All refused, not for policy reasons (for they had no policy) but because Ethiopian Jewry wasn't a 'major issue' of public concern so why get involved.

Although the Jewish Agency had been sending 'a magnanimous' contribution of \$6500 a year since 1951 to Ethiopia for Jewish education (clearly indicating that they were considered Jews by someone) Israel did not officially recognize their status as Jews and thus their entitlement under the Law of Return until 1975. At that time former chief rabbi Ovadiah Yosef publicly recognized these Jews as descendant of the lost tribe of Dan. During the years 1965-1975 the federation consistently refused to allow resolutions to be introduced by the American Association for Ethiopian Jewry on behalf of the Falashas to the Jewish Council on Welfare Funds. The reason given was that the AAEHJ was not a member of the council and thus could not sponsor

resolutions. No one else who was on the council was interested in sponsoring resolutions on behalf of Ethiopian Jews. Every major Jewish organization, including the American Congress and Committee, the Anti-Defamation League, Hadassah, Ort, the Jewish Agency and HIAS were too busy writing memos and publishing position papers on everything and anything.

Empty Planes to Israel

Between 1955-1973 the Israeli embassy staff in Ethiopia was one of the largest in the world. Israel was Ethiopia's chief supplier of military hardware training and agricultural assistance. It was pivotal in the development of the cotton industry, economic development and social planning. Planes flew into Ethiopia every day with weapons and flew back to Israel with empty cargo holds, holds that could have been filled with Ethiopian Jews. One Israeli diplomat claims that the Emperor Haile Selassie wouldn't release the Jews because he needed them to balance the Christian and Moslem populations. The only problem with that theory is that there are only 25,000 Jews to balance 40 million Christians; further most of the country was blissfully unaware that there were any Falashas in the Tigre and Gondar province. The truth is that although the Israelis successfully raised and negotiated several important and delicate issues with Selassie, the subject of Ethiopia's Jews was never raised seriously because it just wasn't an Israeli priority.

In 1975, after Rav Ovadiah Yosef finally declared the Falashas Jews, Dr. Yosef Burg for reasons known only to himself publicly declared in an official statement by the Ministry of Interior that they were not Jews. Although the statement was quickly withdrawn in the face of pressure it is indicative of how uncomfortable the Israeli religious establishment was of accepting the Falashas as black Jews. Even if Beta Israel had not been declared officially Jewish, they were living and dying as Jews. They had endured hundreds of years of oppression and persecution as Jews. They observed every part of the Torah as Jews, (certainly much more than most members of the American Jewish establishment observe). Shouldn't this have been sufficient grounds for rescuing them? Let them go through a conversion process if they are not legally Jews. Does not however the overpowering ethos of the law obligate us to rescue those that live and die as our people? Is not the delaying of a rescue effort resulting in the deaths of thousands while deciding the letter of the law not a gross violation and perversion of the spirit and telos of the law?

Between 1975-1977 the Israeli government dragged its feet in a series of bureaucratic maneuvers and not one Falasha was rescued. Finally concern for the Falashas by Israeli's new prime minister M'zachem Begun brought some action and prompted the only officially sanctioned aliyah of over 100 Ethiopian Jews. After that group came to Israel in 1977 there were no Ethiopians rescued again until 1979 because of government claims that the logistics of a rescue operation were too complex.

Amateurs to the Rescue

In 1979 reports were received that a group of Ethiopians had crossed over into the Sudan and were waiting for Israeli assistance. The Jewish Agency refused to act, claiming the reports were false; instead a certain activist group hired 2 young men who went to Sudan and gathered together 32 Ethiopian Jews waiting to be rescued. The activists then confronted the Jewish Agency with this information; the agency still balked at their rescue. Finally in response to explicit threats by leading Jewish activists to expose the agency as being unwilling to rescue Jews, the agency acted. The scenario was to be repeated numerous times in the next several years. The Israeli establishment would rescue a few Jews and then stop, pressure would be exerted by 'amateur groups' and a few more Jews would be saved. Five hundred Jews were rescued in 1980, 650 in 1981 and 750 in 1982. At the end of 1982 the Jewish Agency stopped the rescue altogether claiming it was logistically impossible to continue. At this point a group of courageous amateurs independently went to the region and rescued 135 Ethiopian Jews from Sudan at precisely the time, and under the same conditions, that the agency claimed would be impossible to rescue them. Once again, the amateur groups threatened Dulzin with exposure to the world media if the Jews were not saved. At this point, the agency, having little other choice, stepped up its rescue effort and during 1983 dramatically saved 2,000 Ethiopian Jews from Sudan.

Even at the height of the rescue, Israel only rescued Jews who had managed to escape from Ethiopia to Sudan. Israel refused to rescue anyone directly from Ethiopia, citing insurmountable technical obstacles. Somehow, however, private groups were able to overcome these insurmountable obstacles and rescue Jews directly from Ethiopia.

Beginning in January 1984 Ethiopian Jews, hearing that their brothers were being saved in the Sudan began moving in large numbers towards the Sudan. In the first several months of 1984 approximately 12,000 Jews made the long and perilous trek from Ethiopia to the Sudan, from total despair to hope for life. By the time they arrived at the refugee camps in the Sudan they were close to death. In the camps 15 Jews died every day from malnutrition, starvation, disease and overtly anti-Semitic violence. The American Association for Ethiopian Jewry and other activist groups, pleaded with the Israeli government to step up its rescue efforts. The government refused, saying it was unnecessary. Letters were sent to the leaders of every major Jewish organization pleading with them to exert pressure on Israel to step up the rescue. Evidence was presented by the activists that over 2,000 Jews had already died in the Sudan. The evidence was dismissed as preposterous and an intensified rescue effort was ruled out as unnecessary (in January 1985 the *New York Times* published a story confirming what the activists had said months before — 2,000 Jews had died in the Sudan during the summer of 1984). On February 27, 1984 in a report by the establishment organ the N.J.C.R.A.C. the National Jewish Community Relations Advisory Council the following blatantly false statements were made in an attempt to

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And Dan Shall Judge His People

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downplay the urgency of the situation.

ESTABLISHMENT STATEMENT:

1. "Most Ethiopian Jews live in the areas of Gondar Province where rainfall is adequate and therefore not faced with starvation or malnutrition."

THE TRUTH:

1. At the time these words were published in the federation report it was known that Ethiopian children were dying every day of starvation and malnutrition. It was also an uncontested and reported fact that the Gondar Province, home of most of Ethiopia's Jews, was the hardest hit by famine.

ESTABLISHMENT STATEMENT:

2. "For the most part physical threats to Jews ended in 1980 with the pacification of Gondar province by the Marxist government."

THE TRUTH:

2. In 1983 the U.S. State Department (certainly not a bastion of Jewish activism) report on human rights practices reported that the Ethiopian Jews were in serious physical danger. The report noted that the Jews were resisting the government's Marxist indoctrination and were prime targets for the anti-government insurgency. The Jews, the report concluded, were endangered and caught in the crossfire.

ESTABLISHMENT STATEMENT:

3. "The Aliyah of Ethiopian Jewry did not become possible until around 1979 when they began to flee Ethiopia along with tens of thousands of other Ethiopians in the wake of revolutionary turmoil. Prior to this time Ethiopian Jews were not located in refugee camps where Israel could rescue them. Although before the revolution Israel's relations with Ethiopia were better under Haile Selassie, even he did not permit emigration. Their aliyah was also impeded because they were not recognized as Jews eligible under the Israeli Law of Return until shortly before the Marxist revolution 1974."

THE TRUTH:

3. The above few lines are a blatant attempt to cover up the establishment's scandalous behavior with regard to Ethiopian Jews. The establishment which had, only a short time before the publication of this memo, set up an Ethiopian desk as pathetically attempting to explain away 20 years of organized apathy and callousness with regard to the plight of the Falashas.

The facts are as follows:

1. Israel, never according to her own highest ranking diplomats, brought up the subject of Ethiopian Jewish emigration with Selassie. Had they done so, considering the enormous economic and military leverage Israel had with Selassie he undoubtedly would have allowed for some form of Aliyah. Unfortunately, no one cared enough to raise the issue.

2. The "amateur" rescue groups proved conclusively that Jews could be brought out directly from Ethiopia.

3. Even if one assumes that Beta Israel could not be rescued earlier because their status as Jews remained blurred, three burning questions remain unanswered:

1. Why after Rav Kook affirmed their Judaism in 1922, after Rav Herzog reaffirmed Rav Kook's position in the late forties, after the Torah Department of the Jewish Agency clearly indicated their Jewishness by sending the Falashas \$6,500 a year since 1951 for Jewish education, why after explicit halachic pronouncements by many earlier credible halachic authorities — why did it take until 1974 for Israel to recognize the Falashas as Jews, and why, even after Rav Ovadiah Yosef's statement did Mizrahi find their Jewishness so offensive that they publicly (through Dr. Berg) disavowed Rav Yosef's verdict?

2. Why, between 1974-1979, after they were declared legally Jewish were

only a pitiful handful of Falashas rescued? By 1979 Israel could have easily rescued the entire community three times over.

3. Why did Israel only begin serious rescue efforts when it was pushed to the wall by activists on behalf of Ethiopian Jewry?

Rescue Not Priority

In June, 1984 a secret envoy from the Megistu Marxist government of Ethiopia met with Israeli leaders in Jerusalem to negotiate secret economic and military aid packages for Ethiopia. The Mengistu envoy indicated the government's willingness to discuss the matter of Ethiopian Jewish emigration. One of the Israeli negotiators, Mr. Moshe Gilboa replied "No need to discuss that, it is not now a matter of priority." The same Moshe Gilboa seems to have changed his mind, he expressed his deep pride and satisfaction over Israel's commitment to the cause of Ethiopian Jewry in an article in the *New York Times* on February 4, 1985.

The following is a statement published in February 1985 by the N.J.C.R.A.C.: "The government of Israel grants whatever budget is needed for the rescue of Jews in peril, including Ethiopian Jews. Therefore all funds needed for the rescue of Ethiopian Jewry are available to the relevant agencies. A campaign to raise money in the U.S. for the rescue of Ethiopian Jews is not necessary." Clearly the U.J.A. which has recently laun-

ched a special fund-raising to pay for the rescue and absorption efforts has dramatically changed its tune. The NJCRAC also quietly changed its tune in late 1984 and began to proclaim from its new "Ethiopian Jews" the precarious position of Ethiopia's Jews and how imperative their rescue must be. After twenty years of silence and inaction the establishment woke up. Tragically what woke them up was not an overpowering sense of social conscience or ethical sense; it was rather a combination of political pressure exerted by American politicians on Israel, newspaper ads taken out by the AJL which embarrassed Israel by suddenly hitting out her inaction, and the heightened profile which Ethiopia was generally receiving in the media because of the severe famine affecting the entire region. All these factors combined to embarrass the Jew, ever concerned about what the gentile might say, to launch a rescue effort on November 21.

One would think that the Israeli and American establishment, after finally going, would go quietly about the rescue and attempt to save the remaining Jews. However, the respectables of the establishment why for years didn't raise their voices or lift their fingers to help Ethiopian Jewry now would not resist playing the roles of heroes. So instead of worrying about the lives at stake in the rescue and the necessity for total secrecy, the establishment officials began dropping broad hints that a rescue was underway. Aryeh Dulzin, the same Dulzin who in 1979 wanted to have nothing to do with the Falashas and only rescued a handful under direct threat of media exposure, was suddenly transformed into the messiah incarnate. "A lost tribe of Israel is returning to its land!"

he arrogantly proclaimed to a fund raising audience in New York. Typical of this whole tragic story, it was a Jewish paper and a Jewish reporter who broke the secrecy and published the rescue story. Once the Jews were talking, the *New York Times* saw no reason to maintain silence and the story hit the front pages. And of course, the rescue was stopped by an embarrassed Ethiopia and Sudan and as a direct result more Jews died. In the words of one rabbi, "The establishment was silent when it should have spoken and arrogantly spoke when it should have been silent."

The deplorable situation was perhaps most fairly and accurately summed up in an article published by Professor Howard M. Lebnoff from the University of California in the winter of 1984. "Now that pressure by grassroots American and Israeli Jewry is mounting to bring the Ethiopian Jews home to Israel the bureaucrats of Israel's Foreign Ministry and Jewish Agency are trying to explain away nearly twenty years of inaction during the period when Israel had good relations with Haile Selassie. Their most used excuse is that the emperor opposed emigration of the Falashas to Israel as it would reflect badly on his reportedly benevolent role. That response was countered by a high-ranking Israeli diplomat who had served in Ethiopia (see Haaretz, December 17, 1982) "and if the emperor opposed it and Israel tried to change his position on the subject, he changed his attitude on other subjects that were important to us . . . when foreign minister Abba Eban was asked why Israel did not encourage the immigration of the Falashas he answered that the subject was never 'significant.'" The diplomat concluded, "The Falasha problem, even today, does not stand high on the list of priorities of the government. Governments of Israel, in the past and in the present, know how to make difficult decisions when they want to. The government simply needs to decide."

Objective observers might understand why Israel, a young country of limited resources faced almost daily with severe military and economic problems has not put the rescue of its Ethiopian co-religionists higher on the national agenda. On the other hand it is difficult to comprehend why world Jewish leadership outside the state of Israel, especially leaders of such powerful aid organizations as the Joint Distribution Committee and HIAS, an organization heavily involved with Russian immigrants, has not made the rescue of the Ethiopian Jews a major priority.

The same leadership knew that a major tragedy was about to upset European Jews in the 1930 and 1940's and did little. To make the same mistake a generation later with less than 20,000 Jews struggling to survive in Ethiopia not only desecrates the memory of the 6 million Jews who died in the holocaust but placed an added guilt on the conscience of world Jewry, one that is just too much to bear.

I write this article with a heavy heart for two very different reasons. The first is that indeed the establishment which I indict I am very much a part of, as are we all. The elders of every generation, the midrash observes in Leviticus, reflect the essential nature of the generation. We live in a generation where the spirit has been crushed by the overbearing weight of hedonistic materialism. The issue that most concerns Americans, the polls tell us, is the economy — not the Middle East, not the famines, not any lofty concept; but money. It thus should come as no surprise that we in America willfully choose our leaders, the leaders that set American Jewish communal policy, not based on scholarship or piety, not based on knowledge but based on how much money they contribute. I in no way mean to depreciate the importance of financial support. I direct an outreach organization which depends, whose financial infrastructure depends, on the generosity of private backers and federation grants. Our organization views itself with pride as part of the federated system. However, one cannot remain silent when our leadership, made

"The establishment was silent when it should have spoken and arrogantly spoke when it should have been silent."



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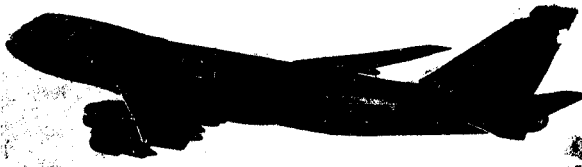
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Reciting Birkat Hagomel on Airplane Travel

By HOWIE JACHTER

The Gemara in Berachot 54b lists four types of experiences when one should recite Birkat Hagomel upon emerging in good health from these situations. The four cases are: "those who have traveled on the sea, those who have traveled on the desert, those who have recovered from illness, and those who were released from prison." The Rishonim disagree if the Gemara limits the requirement of reciting Birkat Hagomel specifically to those four cases. However, we are accustomed to recite Hagomel after emerging in good health from any dangerous situation, as the Magen Avraham notes (Orach Chaim 219:10).

Furthermore, the Rishonim disagree about the circumstances in which one is required to say the blessing of Hagomel. On one hand, the Rambam (commenting on Berachot 54b) asserts that one must say Hagomel after traveling regardless as to whether there was any element of danger involved. His contention is predicated on the statement that appears in the Yerushalmi Berachot 4:4 "all roads are assumed to be dangerous." On the other hand, the Meiri (also commenting on Berachot 54b) cites an opinion which contends that Hagomel is required only if one had encountered serious danger while traveling. For example, if one was lost and later found his way, he would be required to bless



Hagomel.

However, the Talmidei Rabbeinu Yonah (43a in the pages of the Rif) offer a compromise between the Rambam and the opinion quoted in the Meiri. They cite the opinion of the French Rabbis who say that one should recite Hagomel only if one has traveled a dangerous road. Hence, the custom of French Jews was not to bless Hagomel after intercity travel because they did not consider travel on the roads of France to be dangerous.

The French Rabbis interpret the aforementioned quote from the Jerusalem Talmud to be referring to Tefilat Haderech, when one is required to say this Tefillah regardless of the degree of danger in the journey. However, this opinion disagrees with the opinion quoted by the Meiri, in that if one has traveled on a dangerous road he must recite Hagomel whether a serious incident has oc-

curred or not. The Shulchan Aruch cites this view as the practice of German and French Jews (Orach Chaim 219:7).

Accordingly, it is the practice of Ashkenazic Jews to recite Hagomel only after traveling on a dangerous road. Hence, the question posed to us as to whether one should recite Hagomel after airplane travel, is contingent upon whether one considers airplane travel to be dangerous. Rabbi Lichtenstein Shlita has informed me that it is Rabbi Soloveitchik Shlita's practice not to recite Birkat Hagomel after airplane travel, unless a serious incident has occurred. Nevertheless, Rav Lichtenstein recalls the Rav saying that if an individual perceives airplane travel to be dangerous, he should recite Hagomel.

Rabbi Feinstein Shlita (Igrot Moshe Orach Chaim 2:50), however, has an entirely different approach to our question. He

believes that the degree of danger involved in airplane travel is irrelevant to our question. Rav Moshe asserts that the Machloket Rishonim we have discussed pertains only to the category of traveling on land. Airplane travel, though, is in the category of those who travel on the sea. Everyone who travels on the sea is by definition in a dangerous situation and therefore should recite Hagomel when he arrives on land.

Rabbi Moshe explains that traveling on the sea places one in a position of tremendous vulnerability. He explains that if a boat malfunctions and sinks, the passengers would be forced into the sea, where they could survive only for a few minutes. Similarly, if an airplane, God forbid, should malfunction, the passengers would be doomed. However, if one's car ceased to function properly, he merely drives the car to the side of the road and is reasonably safe.

Therefore, despite the fact that airplane travel may be safer than traveling on land from a statistical perspective, in the former case one is required to recite Hagomel, whereas in the latter case he is not. Accordingly, the question as to whether one should recite Hagomel after airplane travel is a matter of controversy between the two Torah giants of our generation, Rabbi Feinstein and Rabbi Soloveitchik. It should be noted, however, that each Rabbi maintains his respective position irrespective of whether a plane flies over land or seas.

Rav Kook

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Each nation, according to Rav Kook, has a peculiar national character which is promoted through the organization of a collective national unit on a particular territory. The striving toward national unity is a basic drive of man, as is the longing to be near to God. Connection with the Divine is as vital to man as is the need for food. Ideally, the Divine motive should be a moving factor in the formation and workings of a national unit. To the extent that it's members' spiritual needs are provided for, a nation moves further away from the Divine, the closer it is to ultimate extinction. The character of each nation, if properly developed, contributes to the general good of mankind.

The national character of the Jewish people, according to Rabbi Kook, is that of God-awareness in all areas of life. The essences of the collective character of every nation is incorporated in Klal Yisrael to some extent, but the Jews' special characteristic, that of closeness to God as a consequence of a God-inspired lifestyle, constitutes its unique contribution to the world. This national character is to serve as a unifying factor within the world, to influence all nations to center their national development around a higher ethical-spiritual goal.

Eretz Yisrael is the natural setting of Klal Yisrael, providing a land upon which a normal national existence, with all the various components of any other nation, but informed by a constant striving for nearness to God and the highest ethical, moral behavior. Religion is thereby to be perceived by mankind as a normal component of national existence, not as a lifestyle reserved for recluses and misfits. Because Klal Yisrael misused Eretz Yisrael in this respect, it was exiled among the nations. The lack of its own territory would remind Klal Yisrael of its national purpose, so that when it would eventually, it would utilize the land properly. Although Klal Yisrael contributed greatly to the spiritual development of mankind, only in Eretz Yisrael can it fulfill its task completely.

In order for Klal Yisrael to influence mankind, it must understand the workings of

the various nations, and it is therefore necessary to study their nature and intellectual make-up creating a basis for a love of mankind in general. (*Zri Yaron, Mishnato Shel Ha Rav Kook*, pg. 306). *Ahavat Yisrael* must come from a general love of mankind, as the two are very nearly closely intertwined. Although the basic thrust of Klal Yisrael's efforts must be the development of its own national character, the wider goal of universal redemption must always be kept in mind.

In a letter written in 1914, in connection with the distribution among the Jewish settlers in Palestine of a sampling from the Arab press, the purpose of which was to create an awareness of Arab society, Rav Kook reiterated his general philosophy. He expressed his hope that the project would be successful, and that all nations would soon realize that the goal of the Jewish people is to bring peace and blessing to the world, as mentioned in the *Birchat Avraham-V'nivrachu bicha kol goyei haaretz ub'zarecha*.

Greenberg

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Mizriam. In the ancient world women were brought and sold at will. The Torah allows an alma to be sold only for the purpose of marriage. This too does not seem to be a sweeping reform, but through the centuries the position of Jewish women has kept improving and becoming more dignified. Halacha has the power of dreaming and implementing realistic dreams over the course of centuries. Ultimately this revolution for human dignity must reach the world as a whole through Judaism and to some extent already has. We trust in our descendants to keep the tradition alive for the entire world. Once we start with our family we can recognize our extended family and our obligation towards them. If we work on ourselves we recognize our commitments first to our sons and daughters, then to our cousins, then further to our thirty-second cousin, Anatoly Scharansky in Moscow. Some day we will realize our commitment and our bond with our ninety-second cousin who is Chinese. The force for the develop-

ment of the *Tzelem Elokim* must grow with the generations.

So we raise the *Tzelem Elokim* through our sons and daughters, in fulfilling the mitzvah of *Pru Urvu*. Another key provided for our own life by the concept of *Tzelem Elokim* is the conducting of relationships with respect for others. Relationships are after all the key to humanization, and thus important for the development of man as an image of God. Since speech is the key to relationships and human contacts, the Torah is extremely wary of the power of the tongue, and regulates proper speech, it seems, more than eating. If I speak to you truthfully and respectfully, I am treating you as a *Tzelem Elokim*. Speech is important in all relationships. In the ultimate relationship of man and wife, sexuality is also an important expression of human communication, and a furtherance of the *Tzelem Elokim*. Thus sexuality even inside marriage is regulated by the Torah to insure the proper form of communication and respect on the physical, spiritual, conscious and unconscious levels.

Since man needs a healthier society, *mlacha* has inherent dignity and the development of technology is a worthy act, perhaps a mitzvah. We are imitating God, as He wished, by exerting our mastery and power for positive ends. Shabbat gives us one day to remind ourselves that we are not gods, and that God is the true Creator.

So there is not a single human activity — sexuality, work, childrearing, relationships — that the Torah does not consider potentially holy and an expression of the *Tzelem Elokim*.

Falashas

(Continued from page 10)

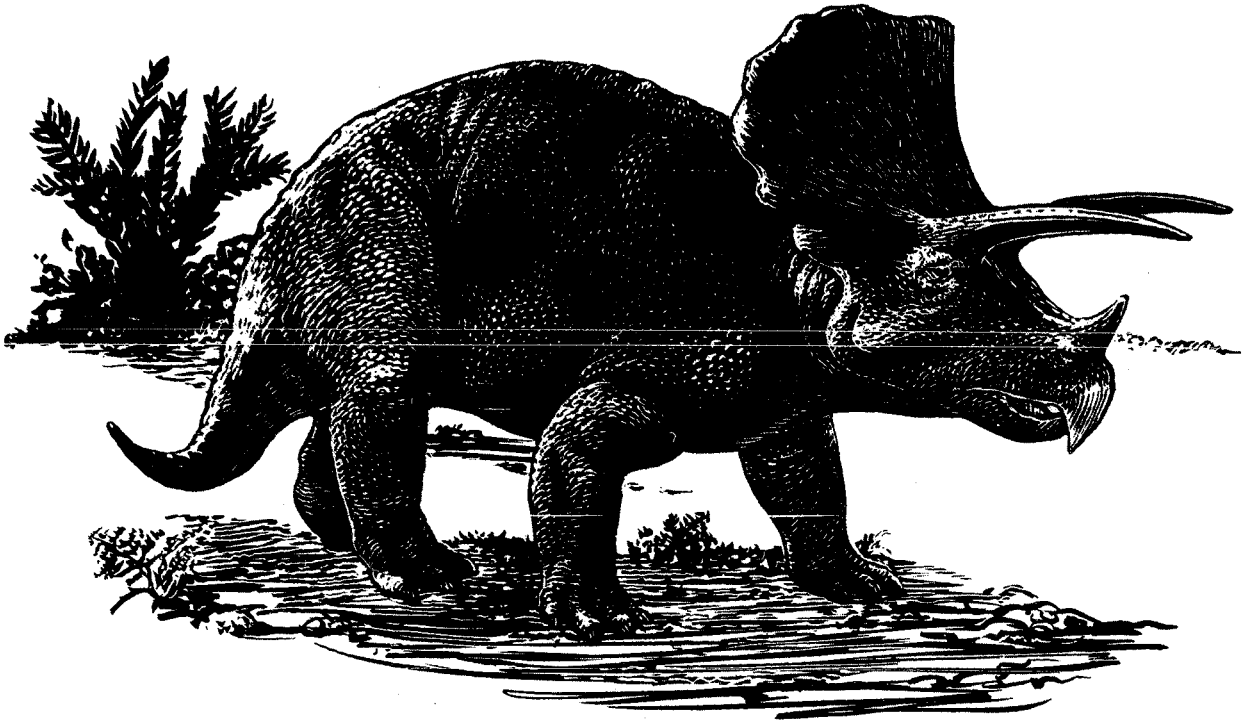
up of leaders who don't deserve to be Jewish leaders, so blatantly and tragically violate the underlying ethical motifs of all that deserves to be called Jewish. And yet, when we speak out against our leadership we cannot do so in a tone of righteous indignation for our leaders only reflect our desires, our goals and our values.

I write this essay with a heavy heart for a second reason as well. The outrage expressed in this article is directed at ourselves not only on a conceptual level in that leadership reflects the nature of the land but on a much more devastating and indicting personal level as well. How many people reading this article, myself included, in the last five years so much as lifted a pencil to write a letter on behalf of Ethiopian Jewry? How many of us went out of our way to attend a rally? Worse yet, how many of us even bothered to take the time and trouble to find out what was happening to our brothers in Ethiopia. I know I didn't. Ethiopian Jewry was for me always some vague cause that every once in a while I would hear some crazy activist talking about but for which I had no time. I was too busy, too busy doing a million things that seemed so important then and seem so trivial now. I was too busy and too wrapped up in myself, in my own mitzvot and in my own religious development to really have much time for anyone else. And so, when I ask myself incredulously why didn't the establishment do anything, how could they have been so apathetic and indifferent, even callous, I have only to look into myself to find the answer.

I hope at least that I have learned something from the tragic story of Ethiopian Jewry. I hope that I will never again be indifferent to the agony of others, I hope that I will never be so wrapped up in my talit that I cannot hear and respond to the plaintive cry of the sufferer, and I pray that even if our puny human efforts cannot by themselves alleviate the wounds and scars of our world they will at least bring the day closer when God the activist par excellence, will climax history in redemption and will bring a final end to suffering and evil in his world.

Chag Kasher
V'Sameach

Please Don't Shoot The Dinosaurs



By **LARRY YUDELSON**

The Great Dinosaur Hunt is on. You would think that extinction should exempt those great monsters from such indignities. When I was young I loved them, because they had one crucial advantage over dragons and gnomes and vampires: even adults believed in them. Or so I thought until I entered Yeshiva High School and learned that dinosaurs were dangerous heretics. A crime for which they're being hunted from Arkansas to Borough Park.

The heresy of the dinosaurs: they came too early. A quick look at the Torah reveals less than 3,500 years between the creation of the world and historical times, with no days to spare for dinosaurs. To listen to the voices of the fossilized bones, to raise them up and breathe into them the life of existence is impossible; one who resurrects a brontosaurus denies the Torah. The choice is clear: the dinosaurs must go!

Several strategies are used to attack the dinosaurs. One, which has appeared in several discussions on Torah and Science, points out the mathematical improbability of the natural evolution of man. These calculations, even if valid, don't disprove the existence of dinosaurs. They only suggest that their existence was miraculous — a state of affairs that may disturb an atheistic naturalist, but shouldn't surprise a believing Jew at all.

Furthermore, the evolution of man and dinosaurs is but part of the scientific history of the world, a history that stretches billions of years before and millions of years after. The simplest solution to the conflict this poses with the Biblical account is to deny it all: deny that fossil records indicate a billion-year evolution of man from molecule, deny the dating of paleolithic bones from prehistoric settlements, and deny that the light from distant galaxies has been traveling for 200 million years.

Can one deny all the evidence and still be intellectually honest? Yes. The established

cosmology's fundamental underlying assumption, the constancy of nature, is open to attack. If rates of radioactive decay, the speed of light, the gravitational constant have in fact been constant — then the correct deduction is that the universe is billions of years old. But if the "constants" are not, if the substructure of physical laws change with time, then one can deduce nothing. We have no way of knowing what the universe was like a century ago, nor what it will be like tomorrow. All of our reconstruction of the past is purely hypothetical.

A similar approach has been offered which, while making no claims at being a scientific theory, is logically consistent, and makes valid claims upon us as believing Jews. Science, as we have mentioned, assumes an inviolate order to nature; Judaism believes in a God who transcends causality. To a Jew, where there is a burning bush there was not necessarily a careless smoker. So too, a fossil need not indicate a natural geologic process, but a supernatural, instantaneous divine creation.

Adherents of this view argue that indeed, the world appears to have existed for a million millennia, but in actuality it has existed for only six. The world was created to appear as if it had evolved naturally. Just as Adam was created adult, and would therefore, if given medical tests, "prove" that the world was at least twenty years old, so too do our scientific tests show the world as being older than it in fact is. Dinosaurs, from this perspective, never really roamed the paleozoic prairie, but if they had, their footprints would be those in the Museum of Natural History.

The essence of the preceding arguments is that just as God transcends nature, the word of God is more powerful than the record of nature. But we believe that nature, having been created by God, reveals His will. "The heavens declare the glory of God; and the firmament proclaims his handiwork." Our

problem is not of a denial of God, but rather of two Divine verses that contradict one another.

What is the reconciliation between the statements of Torah and Nature? It is that one of these cannot be understood on the level of literal *pshat*. Which one? Should nature be treated allegorically, as a might-have-been, forged to test our belief in God's explicit, revealed world? But does the source of Truth make false statements to mislead us? If so, we not only lose all knowledge of the physical universe, but even the knowledge of the divine is suspect.

On the other hand, does the Torah account exclude the alternative? Does the description of a 2,500 year-old (at the time of *matan Torah*) world mean that God was denying the scientific view? What if, hypothetically, God did evolve the world over billions of years? Could He have begun the Torah with a description of "Billions and billions of years of pre-human history?" Were our ancestors, at the foot of Mount Sinai capable of understanding the cosmology of the big bang? The evolution of organic chemicals and life? All the secrets of creation 20th century man has not yet discovered? Whenever and however God created the heavens and the earth, God's relation to Israel at Revelation was not that of a cosmic Carl Sagan.

Indeed, why should the Torah say anything about the origin of the universe? This is Rashi's question on the first verse in the Torah. It should begin with the first halacha, *hachodesh hazeh lachem*. Rashi answers that the creation of the world is described to show God's ownership of it, and His right to assign Eretz Yisrael to the Jewish People. Rav Soloveitchik has explained that Rashi accepts the premise of the question, that the Torah comes only to teach halacha, not to teach history; however, halacha is derived not only from explicit mitzvot, but even from the narrative portions. Our divine right to Eretz Yisrael has practical, and therefore halachic,

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ramifications.

The halachic significance of the creation account is magnified by examining how it was understood at the time of *matan Torah*. Four thousand years ago, the scientific question "how did the world begin?" was answered by mythological accounts of gods and their warfare. The practical, "halachic" implications of such a theory of creation are obvious: *avoda zarah*. In contrast the Torah presents, in the words of Umberto Cassuto,

Not many gods but One God; not theogony, for God has no family tree; not wars nor strife not the clash of wills, but only One will, which rules over everything, without the slightest let or hindrance; not a deity associated with nature and identified with it wholly or in part, but a God who stands absolutely above nature, and outside of it, even the sun and all the other entities, be they ever so exalted, are only His creatures, made according to His will.

This is a lesson far more important than a geology lecture. Of course, the description of creation not only negates the pagan mythology: it opposes any normative inductions from the scientific account, even though the it may be accurate. The century since Darwin has seen too many justifications of cruelty in the name of "survival of the fittest." The halachic implications of evolution are radically different from those of *Beresheit*, and it is the latter we must live by. The Dinosaurs may not be heretics, but we cannot appoint them *poskim*.