

HAMEVASER

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PRAYER

I long to cry,
But I
cannot.

Divine that all
must, But I
do not.

Battling, grappling
even suffering,
But...still...
Nothing.

Why must I?

SHALOM BAUM

ART BY COHEN



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RESPONSE

Co-Education

by Dina Weiner-Pack

In the Tevet edition of *Hamevaser* my respected colleagues Alan Stadtmauer and Shoshana Jedwab argued in favor of co-education as the ideal environment for "Centrist" yeshiva high schools. Their articles responded to Mr. Asher Brander's argument for single-sex yeshiva education in the previous issue. As a woman devoted to women's Torah education I must disagree with both opinions presented. One can believe in all-women's schools and still be "open-minded" on women's issues.

As an educator, I expect my students to attain the highest intellectual levels and I intend to help them reach equally high standards of religious and spiritual achievement. But while I accept Mr. Brander's conclusion, I cannot agree with some of his arguments. His claim that the co-ed environment often disserves its female students is true, but I hope that by now the men at Yeshiva have realized that women can be as good at mathematics or physics as any man. Some women, and some men, find certain subjects difficult but many are gifted with superior mechanical and spatial abilities. And while some may be more comfortable by nature in less competitive fields others are as aggressive as any of their male counterparts. If in fact Mr. Brander is correct in that a gender-related difference between our male and female students exists, that disparity is most likely a product of the differences in their educations.

We have done a disservice to the men and women in our educational systems and ultimately to our communities by encouraging our students to master gender-specific skills and eventually enter fields solely because of their sex. I sympathize as much with the man who in an ideal world would have found satisfaction contributing meaningfully to society by caring for the sick or teaching young children as with the woman who would have become a physicist had we only accepted her potential and encouraged her in an unbiased and productive fashion. Studies have shown that teachers (even women) tend to treat their students differently according to gender. While boys are pushed to tackle difficult problems even after initial failure, the level of ability girls reach is accepted and they are often not pushed to overcome their difficulties and excel. The best way to help the next generation is to avoid inflicting gender-oriented expectations on it. I believe that all-female classes force teachers to recognize and attend to students' needs fairly.

I cannot accept the notion that women as a group are more capable in some fields and less so in others, and I object strongly to the extension of this idea to religious studies. Women have more experience in certain subjects, *Tanakh* for example, but Mr. Brander's claim that women are naturally better at learning *Tanakh* is undermined *leshita* by its highly analytical and technical, even "mathematical" nature. Philology hardly seems a "feminine" subject. Why did many great medieval Talmudists write commentaries on *Tanakh*, and where

are all the female exegetes our present system should have produced? Why are the majority of my teachers and the *Tanakh* teachers at SCW male? I suggest that capable women have given up too easily while men have been encouraged to achieve, and that academic positions are in all fields more frequently offered to men than to capable women. Our task is to find every student's potential wherever it may lie and help each to attain excellence.

Mr. Brander's assertion that young women should concentrate on *halakha* *Umaaseh*, while young men should spend their time learning Talmud, could only have been made by one who has learned Talmud. The study of *Gemara* is essential to a complete understanding of Jewish law. Respect for and understanding of *Chazal* cannot be imparted to students who never enter or interact with the *halakhic* process. Such students will never have the ability to distinguish between *emet* and *sheker*, nor will they be able to deal with *halakhic* texts on their own. Any curriculum capable of preparing young Jews for a lifelong struggle with modernity and giving them the tools necessary to continue learning is surely appropriate for both genders. We should not close doors to young women with the capacity to make significant religious, social, and intellectual contributions to our community.

High school is a difficult time for many students. Social and internal pressures coupled with an as yet malleable set of values and convictions often create great psychological struggles. Adolescence is a time for personal growth, a time for the testing of one's limits and those of others. While I do not advocate total social separation, the educational environment within which our students are developing should be free of distraction, social or other.

Women's schools can provide an important testing ground for the young woman. Female students should be given the opportunity to explore ideas and roles without considering social implications and without competing with men. The opportunity for competition will be there in the future, after important skills have been acquired. Ms. Jedwab envisions a world in which men and woman learn from one another. The act of learning and growing together can indeed greatly enhance their mutual understanding and make them better able to elucidate questions at hand. I appreciate the gains of this approach but high school is not an appropriate time for this.

Rabbi Stadtmauer argued many of Mr. Brander's points persuasively. I agree with his contention that our basic curriculum should not be gender-specific. We should strengthen both our men's and women's programs by neutralizing their deficiencies. His arguments do not however necessarily lead to the conclusion that the genders should be studying together.

I believe we must prepare men and women for the roles they will be called upon to play as adults. As nurturing fathers and mothers, as professionals, and as active members of the Orthodox community let us strive to create both male and female role models for these young people to follow. Let us help them achieve the limits of their potential.

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Letters to the Editor

An Open Letter

Dear Rabbi Lamm:

Yeshiva University influences the quality of Jewish life both in America and abroad. Its ideology of Torah U'Mada enables the Orthodox Jew to integrate both religious and secular studies into his daily life and live his life in a meaningful synthesis.

Unfortunately, a sizable group of Jews has been denied exposure to that *hashkafa*. During my recent trip to the Soviet Union I became painfully aware that the refuseniks have been denied the opportunity to experience this philosophy. Yeshiva recently took an important step by sending Stern and Yeshiva College students to Russia, but a greater need remains unfulfilled. We should be sending rabbis and teachers capable of explaining and exemplifying Torah U'Mada to Russian Jewry.

The Jews of Baku and Odessa, for example, have had no contact with Judaism and assume religion requires a complete separation from the outside world. They consider the commandments imprisoning; one man acknowledged that even if he were in Israel he would not attempt to observe the commandments. A well-educated Torah U'Mada-oriented leader could profoundly change their attitudes.

Many Russian Jews interested in learning more about their heritage have had nowhere to turn for advanced Jewish education. At the *ulpan* in Baku, for instance, the students' hunger for knowledge far exceeds their teacher's capacity to impart it. The potential impact of Yeshiva's rabbis and teachers is evidenced by the success of the few who have gone. Rabbi Michael

Goldberg of Michigan visited Odessa shortly before my trip and during my stay there the refuseniks could not praise him enough. I sensed that these communities were groping for religion but lacked the proper teaching and leadership to find it.

I suspect that the group which first effectively presents its ideology to the refuseniks will be the dominant force in their *hashkafa*. In Baku, a refusenik hearing that I was religious immediately asked whether I belonged to Chabad. The situation in Moscow, home of the largest Soviet Jewish community, was no different. The numerous recent *baalei teshuva* seemed without exception members of Lubavitch. The Chabad movement has been consistently sending representatives, seforim, and kosher food. Chabad knows how to take care of its fellow Jews.

Non-Orthodox groups are also presenting their theologies to the refuseniks. A Reform rabbi I met in Russia had been there before and will undoubtedly be there again. Unless Yeshiva actively involves itself in educating those Jews who are cognizant of their national identity, others will fill the void. Zev Darshefsky, a prominent Moscow refusenik, implored me to convince more teachers from Yeshiva University to visit. Darshefsky stressed that now, as many Soviet Jewish educators are receiving permission to leave, the religious future of Russian Jewry is especially precarious.

Yeshiva's constant involvement in crucial Jewish issues is a matter of record. The condition of Soviet Jewry demands immediate attention. While the recent trips of two prominent Yeshiva rabbis were important and constructive, the work has barely begun. We must act now.

Mirec Greenspan
SCW

HAMEVASER extends an ebullient *yasher koach* to the students involved in the procurement of *neilas yadayim* cups for all dormitory rooms. It is truly refreshing to see our governing bodies working together to facilitate an atmosphere of greater spiritual purity.

Spirituality For All

by Yitzchak Blau

Many Jews today seem to consider Gentiles incapable of spiritual growth, lacking in all cosmic significance. Non-Jewish religiosity arouses little interest in them and generates almost no discussion. Yet prophetic and Rabbinic literature respect their religiosity enough to discuss the subject extensively.

The Seven Noahide Laws incumbent on Gentiles presume no capacity on their part for active experiential religious life. Six are negative and can be seen as the basic tenets of a moral society. Even *dinim* (the obligation to establish a judicial system), formally an *aseh*, requires only enforcement of the six negative (Maimonides) or rules for monetary conduct (Nachmanides).

Several Biblical texts offer a different perspective on the religious capacities of non-Jews. Isaiah (56:6) describes the Messianic Temple as "a house of prayer for all nations", and Zechariah (14:16) foresees a *Sukkot* celebrated in Jerusalem by all nations. The majority of commentators translate *nachri* in these texts as "Gentile", in accordance with the simple reading. Furthermore, Solomon stated in his

dedication of the First Temple "And also, concerning the *nachri* who is not of thy people Israel... he shall come to this house and pray." (Kings 8:41) Thus we find clear evidence of active Gentile *avodat Hashem* both *b'achahari hayamin* and *b'zman hazeh*. He can worship, and celebrate in the home of the Divine presence.

The *nachri's* privileges at the Temple Mount include the right to bring sacrifices. Rabbi Akiva and Yosi (Menachot 73b) dispute whether an *akum* can bring *sh'lamim* (peace-offerings) as well as *olot* (burnt-offerings) but leave his prerogative to be *makriv* unquestioned. In fact, the *Gemara* (*Chulin* 13b) allows Gentile idolaters to sacrifice even while prohibiting their Jewish counterparts to do the same.

Rabbi Meir's equation of the *akum* who learns Torah with one of Judaism's most sacred images, the High Priest (Sanhedrin 59a), powerfully affirms the non-Jew's religious potential. Rabbi Yochanan, however, believes that an *akum* who learns Torah is deserving of the death penalty. The Talmud (*ibid.*) explains this seeming contradiction by limiting Rabbi Meir's dictum to one who studies the Seven Noahide Laws. This qualification is itself limited as many *Rishonim* expand the range of the Seven Laws. For example, the *Sefer HaChinukh* (416) believes that the *nachri's* obligations not to steal or engage in illicit

relations include all related laws binding on Jews. In fact, the *Meiri* asserts that the *nachri* may study *rov gufei Torah*, the majority of the Torah's principles.

The non-Jew's *chiyuv mitah* (liability to capital punishment) for studying laws inapplicable to him may stem from Jewish privilege rather than Gentile inadequacy. The *Gemara* derives this prohibition from the Torah's self-description as a *morasha*, an inheritance; the right to learn the entire Torah is part of the exclusive Jewish covenant with G-d. (Editor's Note: Possibly "*chayav mitah*" should not be taken literally in this context.) The ban on *nachri* observance of *shabbat* can be understood similarly.

Mitzvat between man and his fellow also provide an opportunity for the non-Jew's spiritual growth. *Tunaim* dispute (Baba Batra 10b) whether "*v'chesed lumim chatat*", "and kindness (of) the nations is a chatat" (Proverbs 14:34) refers to the Gentile's *hesed* as a *cheit*, a sin, or as the equivalent of a *chatat*, a sacrifice. However, Rabbi Ammi considers charity a *zechut*, a privilege, for the non-Jew, implying that the *nachri's* charity is recognized. The *Tiferet Yisroel*, on *Avot* 3:14, praises various Gentile *hasadim*, acts of kindness.

Two *Midrashim* further highlight the non-Jew's spiritual capabilities. The *Yalkut Shimoni* (429) on Isaiah that explains "Your priests will be clothed with righteousness"

(Tehilim 132:9) as referring to the righteous among the nations of the world also gives high praise to the worthy Gentile. The *Tana Devei Elyahu Rabba* (Chapter 9) leaves *ruach hakodesh* accessible to both Jew and Gentile: "All is in accordance with his actions."

Rabbi Eliezer and Rabbi Joshua disagree (*Sanhedrin* 105a) as to whether non-Jews have the potential to share in the World to Come. The implications of Rabbi Eliezer's negative view for Gentile spiritual life are unclear. The *Yad Ramah* believes that the entire dispute only relates to the seven nations that originally inhabited the land of Israel. Furthermore, the *Mishna* and *Rishonim* clearly follow Rabbi Joshua.

The Gentile's ability to serve G-d extends beyond the Noahide Laws, but while observance of these laws is required for *ger toshav* status (*ger-joshav* status has many halachic ramifications), a non-Jew without this status should certainly not be viewed as devoid of spiritual life. None of the sources quoted above are expressly limited to *geri toshav*, and several clearly refer to *ovdei kochavim* (idolaters). As the *Tiferet Yisroel* states (*ibid.*), the reader is encouraged to see the entire piece regarding all righteous Gentiles. "Would we think that these great deeds would not be repaid in the world to come? G-d does not withhold reward from any creature."

"His soul told the Baal Shem Tov that his privileged knowledge of supernatural things arose not from his devoted study of Talmud and Halacha, but from praying regularly with intense concentration." (*Tzavaat HaRivash*)

Jews often feel linked to each other through the shared experience of *tefilah*. Petty and superficial differences can be overcome when people count equally toward the same *minyan*, or when the unified voice of the *tzibbur* rings out in prayer. But ironically, many aspects of prayer actually separate and distinguish Jews. Differences in garb, behavior during *tefilah*, and the text of the *siddur* actually reflect different philosophies of prayer. The above story typifies one such approach to prayer — that of the founder of Hasidism, Rabbi Israel Baal Shem Tov, known as the *Beshi* to his many thousands of followers.

The *Beshi* envisioned *tefilah* as the centerpiece of Jewish life. Prayer, he felt, should not only serve as the primary means to a Jew's spiritual goals of *d'veikut* but ultimately be part of that goal itself.

The concept of *d'veikut* actually sprouts from a number of *hashkafic* roots. The Baal Shem Tov based his ideas on the Kabbalistic belief that everything in the universe contains Divine sparks — all is in G-d. According to this doctrine of panentheism, as Louis Jacobs labels it in his book *Hasidic Prayer*, all the seemingly disparate things in this world actually exist as a unified whole, dissolved in the absolute reality of G-d. The human eye fails to perceive this because the forms and appearances of this world hide and screen its essential Divinity.

The *Beshi's* primary disciple, the *Maggid* of Mezritch, described the finite forms of the physical world as garments that clothe G-d's presence within all things. His metaphor explains *d'veikut* well; if G-d is covered in these "clothes", man's task is to strip them away to encounter reality, and ultimately embrace G-d fully. He must penetrate the barriers separating him from his Maker, and reveal the G-dly essence they hide. The final step, in which man merges his individual soul with the totality of Hashem, is *d'veikut* — clinging to G-d.

Rabbi Kalonymus Kalman Epstein of Cracow writes in *Maor VaShemesh* that "From the time of the Baal Shem Tov the light of prayer's great holiness has...

Stairway To Heaven by David Glatt

illuminated the way for everyone who wants to approach G-d and serve Him." In the Baal Shem's view, *tefilah* by its very nature constitutes the most direct route to *d'veikut*. *Tzavaat HaRivash* requires man to remove himself from all physicality during *tefilah* and nullify his sense of corporeal existence. This transcendence, known as *bitul hayesh* — annihilation of the self — fuels the Divine spark within him to ignite, rising and uniting with its source.

Obviously, attaining *d'veikut* requires great effort. The Baal Shem thought death should be the natural result of putting all one's strength and effort into prayer; only G-d's incredible mercy enables men to live after *tefilah*. Jacobs quotes the *Beshi* as saying that "The main thing in prayer is the belief that G-d fills the whole earth with His Glory." The Baal Shem compares prayer to a stairway to Heaven, and each component, each letter, to a step, the highest step, *bitul hayesh*, results from intense and fervent concentration on the greatness of G-d — on His absolute power and all — encompassing Being. By concentrating on the oneness of everything, man feels himself drawn into that oneness — he communes with Hashem.

The *Beshi* delineates the steps preceding self-negation. He recognizes the difficulty of opening with great *kavanah*. Thus he prescribes serious preparations for prayer. While the *Mishna* in *Berachot* speaks of the "First *Chasidim*" spending an hour before *tefilah* steeling themselves, the *Beshi* feels that preparation applies to all. "It's impossible to pray without strengthening oneself," he declares, "so a person should request G-d's assistance." But he also warns against preparing too much, and thereby sapping one's strength before *davening* actually begins.

Even after actually beginning *davening* one still may find intense concentration on the abstract notion of G-d difficult if not impossible. The *Beshi* sought to counter this problem by advising people to ascend within their *tefilot* level by level, thereby constructing solid foundations of *kavanah* while preventing their strength from spuzzing too quickly. Still, he agrees that someone capable of sustaining long periods of *d'veikut* should not restrain himself. Optimally, a person should cling to Hashem continually.

The way to build *kavanah*, the *Beshi* advises, is through a primary level of concentration — *kavanah bamilim* — contemplation of the words. For the Baal Shem, influenced as he was by *Kabbalah* and by Rabbi Isaac Luria in particular, the letters of the Hebrew alphabet contained a special significance. Jacobs writes, basing himself on an article by J.G. Weiss, that "the letters express metaphysical realities. They are the counterpart on earth of G-d's creative processes and are themselves endowed with creative power." "Every letter in the *tefilah* is a complete world," according to the *Beshi*, and by concentrating on each letter within a word the *Chassid* unifies the worlds and the holiness that exist in each letter. Further contemplation of the unification of the letters into words pulls him towards a more sublime unification — that of all souls and Divine sparks of earthly things with G-d. (See *Keter Shem Tov*, p.48a); *Sefer Baal Shem Tov*, vol.1, p.122, for further explanation of the unification of letters and its place in prayer.)

The *Beshi's* mystical doctrine of prayer led him to adopt the Lurian *Siddur*, which is closely related to certain Kabbalistic notions of the methods and affects of prayer. The *Beshi* stressed certain ancillary aspects of *tefilah*. Here too he recognized a fissure between two levels of prayer. In *Tzavaat HaRivash* he remarked that using a *siddur* benefits those on a low level of *kavanah*; an open text allows them a greater degree of concentration, especially in regard to *kavanah bamilim*. But those on higher levels should daven with eyes closed to prevent distractions from the climb to *d'veikut*.

Similarly, the *Beshi* concedes the needs for loud shouting or wild thrashing and gesticulations to shake a person's thoughts from external annoyances and arouse his mental powers. He likens these actions to those of a drowning person: "The man who gestures while he prays... is trying to save himself from the waters of presumption — the strange thoughts which attempt to prevent him from concentrating on *tefilah*." But the quintessential prayer, "when man is merged with the Almighty," should be said in a whisper, a silent shout, "without the slightest movement," to prevent the shattering of the fragile state of *d'veikut*.

Strange Thoughts — the psychological darks from the outside — pose the sharpest

threats to a state of *d'veikut*. The *Beshi* believes, however, that man can not only repulse these thoughts, he can even elevate them in accordance with the Kabbalistic teaching. Since the essence of everything in the world is a Divine spark, holiness exists even behind facades of evil. Thoughts of evil should therefore be analyzed and broken down until their kernel of good is identified. The *mitpalel* should then concentrate on that holy spark and elevate himself along with the transformed thought. Thoughts of illicit relationships should be elevated to thoughts of the most complete and perfect relationship — the clinging of man to G-d. Thoughts of *avodah zara*, which are prompted by man's innate desire to worship, should be elevated to thoughts of the one Being worthy of worship. (See I. Tishby's *Torat Hara V'Halpita B'Kabbalat HaAri* for explanation of the Kabbalistic intricacies in the idea of Divine sparks of good within evil.)

Bakashot — requests and supplications — occupy a large part of *tefilah*. But the very idea of *bakasha* seems absolutely incongruous and antithetical to the *Beshi's* concept of *tefilah*. *Bakashot* seemingly encourage attention to the self and the self's worldly needs. They appear prototypical obstacles to *d'veikut* and *bitul hayesh*.

The Baal Shem answers that G-d created the universe for the sake of His creatures. While He obviously gains nothing from the world, His purpose remains unfulfilled so long as one of His creatures lacks something. "The *Shechinah*, as it were, lacks something because man is in essence part of the *Shechinah*, and if man lacks something, the *Shechinah* does too." So, the Baal Shem explains, "your *tefilah* is not for your particular need, rather for the general need," meaning the need of G-d, who exists in all, and is thus the *klall*, the unifying general force. Even petitionary prayers are for the sake of G-d, not the self.

The Baal Shem's original doctrine of prayer absorbed fierce criticism from *Rabanim Mitnagdim* and even his spiritual descendants, the Hasidic *Rabanim*, altered, developed, and at times partially rejected his ideas. But there is little doubt that his teachings on prayer played an important role in the spiritual wave of Hasidism that broke over Eastern Europe in the 18th and 19th centuries and whose currents touched all elements of Judaism.



Raayonot: On Tefilah

by Jerry Zeitchik

Rabbi Yosef Dov Soloveitchik's insights on the structure and sources of prayer reveal moral conduct as a central condition for and consequence of tefilah. His insights point to a conception of religious experience which requires man's encounter with G-d to extend beyond the synagogue to every aspect of life.

Several aspects of our liturgy express halacha's demand that man morally transform himself prior to encountering G-d. The placement of the Shema, which embodies acceptance of ol malchut shamayim, before the Amidah points up an intrinsic link between our acceptance of G-d's commandments and the legitimacy of our attempts to communicate with him. Furthermore, the Talmud (Berachot 32a) states "L'olam y'sadeh adam sh'chuno shel makom, v'achar yelech v'yitpallel." "A person must construct praise of G-d and then begin to pray." The Rav believes that the first three blessings of the Amidah were formulated with this idea in mind. He shows that the praise they contain is geared toward inspiring man to emulate the Divine actions

they describe. Reading them, we realize the obligation to "walk in G-d's ways" and transform ourselves in light of that realization. As G-d "heals the sick" and "liberates the oppressed", so must we. As G-d acts compassionately, so must we.

Rabbi Soloveitchik views prayer as an extension of the prophetic dialogue between G-d and man. Thus, he uses the prophetic experience as a model for the nature of prayer. G-d's revelations had primarily normative purposes, with the prophet's function being to deliver his message to the Jewish nation. Sinai was the initial revelation and acceptance of the commandments; later prophets exhorted the Jews to keep the original commandments. The goal of prophecy was the transformation of human conduct. "If man craves to meet G-d in prayer he must purge himself of all that separates him from G-d." The G-d-man encounter during prayer must be grounded in a willingness to submit to G-d's will. The prayer of an immoral person is repulsive and rejected by G-d.

Prayer (the Amidah particularly) offers man the opportunity not only to express his wants but also to discover what his real needs are. Ignorance of one's authentic needs is the source of sin, leading man to seek gratification of illegitimate and corrupting desires. Prayer seeks to enlighten man and implement within him an authentic identity grounded in awareness of his needs — both physical and spiritual. The Amidah contains the request man ought to perceive as his deepest wants. Man must strive to experience a need for G-d's forgiveness in addition to desiring health and financial security.

Rabbi Soloveitchik's insights allow us to view the effectiveness and meaningfulness of tefilah as intrinsically related to commitment to G-d's will and spiritual values. Prayer depends on that commitment even while clarifying those values. The mitpallel who enters prayer having recommitted himself to obey G-d's will emerges with a new knowledge of his inner self and a heightened ability to live righteously as a result of that knowledge.

Reflections On A Shabbat Afternoon

by Robert Klapper

אחה אחר ואחר ושקד אחד • ומי בעמך ישראל נוי אחד בארץ •
הפארת נדלה • ועמרת ישועה • יום מנוחה וקדשה לעמך נחה •
אברהם ניל • יצחק ירגן • יעקב ורגו ונחו בו • מנוחת אהבה
ונדבה • מנוחת אמת ואמונה • מנוחת שלום ושלוח והשקט
ובטח • מנוחה שלמה שאחה רוצה בה • יקרו בך וידעו כי
מאתך היא מנוחתם ועל מנוחתם יקדשו את שמך •

Life imitates art . . . Where, if not from the Impressionists, do we get those wonderful brown fogs that come creeping down our streets, blurring the gas lamps and changing the houses into monstrous shadows?" Oscar Wilde

Jewish tradition strongly affirms the ability of words to affect reality. G-d "looked into the Torah and created the world", and the Talmud (Berachot 7b) claims that Ruth's name in some way caused David's birth. And I wonder whether shabbat afternoons would be as sublimely restful and spiritual, as clearly protomessianic, were it not for the magnificent poem that serves as the centerpiece of, the shabbat mincha amidah.

You are echad and Your Name is echad. The poem opens with a clear allusion to Zechariah 14:9: "On that day G-d will be echad and his name will be echad." But it relates the prophecy in present tense, reminding us that shabbat is a partial fulfillment of the Messianic ideal. And the juxtaposition of 2 Samuel 7:23 "and who is like your nation Israel a people echad in the land" adds that kedushat shabbat transforms not only time but even men.

The ambiguity of "echad" creates a web of multiple interdependent interpretations in the opening line. As in the original Biblical contexts, "echad" can here be translated either as unity or as singularity. Both interpretations apply equally to G-d Himself, but singularity seems somewhat irrelevant as a quality of His Name. On the other hand, Klal Yisroel's distinction is its unique relation to G-d. Stylistically, the constant shifts in meaning compel us to reread and reinterpret the entire line after each phrase. Spiritually, the comparison between the "echadness" of G-d's Name and that of the Jews teaches us that unity is a requirement for speciality, that a divided Jewish people cannot fulfill its spiritual mission.

Glory and greatness and a crown of redemption, a day of rest and sanctity You have given to Your people." The second line makes explicit the connection between shabbat and redemption and begins to explain the qualities at the heart of that link. Shabbat is a day of "rest and sanctity", possibly of sanctity through rest. The story of creation is recalled with a twist; G-d did not merely bless the seventh day, he gave it to us together with the potential for "greatness and glory".

"Avraham will rejoice, Yitzchak will celebrate, Yaakov and his sons will rejoice in it." Shabbat's Messianic nature comes into even sharper focus as the actions of

the patriarchs are described in the future tense. But the tchiyat hameitim described is still to come, and the poem maintains that our rest is only mein olam haba, "a taste of the World to Come". The ultimate shabbat will unify historical klal Yisroel.

"Rest of love and generosity, rest of truth and faith, rest of peace and serenity and tranquility and security, a perfect rest in which you find favor." The attributes of menuchat shabbat clearly parallel those exemplified by the avot possibly are their reward; Avraham's chesed earns "love and generosity", Yitzchok's avoda "truth and faith", Yaakov's Torah "tranquility and security". The referent of these descriptions can be the rest either G-d gave us or that Yaakov and his sons will enjoy, reminding us that every shabbat contains the seeds of, in fact has the potential to become, the latter. This point is further emphasized by the last phrase's formulation in present tense.

Your children will recognize and know that from You comes their rest and on their rest will sanctify Your Name." The poem concludes by outlining the goal of shabbat observance, hakarat haborei. By making us rest, by forcing us to, abstain from creative labor, shabbat stresses the role of G-d as the only true Creator. We eventually realize that even rest comes from him. Thus our rest accomplishes "yakhshu et shmecho", holiness in the sense of prisha, separation, recognition of the utter singularity of His Name — and we are forced back to the poem's opening to reinterpret and understand.

Several devices enhance the poem aesthetically and meaningfully. It comprises five three-part units, with the first two line segments usually parallel and the last generally referring to Bnei Yisroel. But occasionally the structure is altered slightly to prevent monotony or to make a point. The opening segments of line two rhyme perfectly, but at least in my translation are not syntactically parallel, and the initial segment of line five is actually a continuation of line four. And the transition from description to purpose, from story to moral, occurs simultaneously with a transition from poetry to prose.

We achieve proper kavana during prayer only rarely, and our failure to concentrate spiritually is too often accompanied by a failure even to read the text of the siddur. I hope to have shown that merely paying close attention to the words of tefilah enables us to learn and grow as we daven. By simply reading the siddur we can transform ourselves and the world.

by Neal Lehrman

Rabbi Isaac Meir Alter of Ger once told of a shoemaker who came to him with a particularly difficult question. The shoemaker's customers were poor men who each owned only one pair of shoes. Besides his normal workload during the day, he would work late at night until early in the morning in order that the shoes be ready the the time that the men had to leave for work. The shoemaker wanted to know whether he had to take time out to pray each day despite his hectic schedule, or whether it would suffice if every so often he should look towards heaven and sigh, "Woe unto me, I haven't prayed yet!"

The shoemaker's dilemma grants us insight into our frequent inability to pray. Just as he sincerely desires to pray but cannot, modern man often finds himself incapable of proper prayer. Rav Alter's shoemaker is hampered by his professional responsibilities, modern man by spiritual road-blocks. Ultimately both are frustrated.

Abraham Joshua Heschel claims in Man's Quest for G-d that men who do not pray are passively withdrawing from the challenge of prayer rather than refusing to daven. They are not mocking G-d but have simply not attained the level of spirituality necessary for communication with Him.

According to Heschel, man is responsible for his failure to communicate with G-d. Men today "lose sight of what fate is, of what living is. Rushing through the ecstasies of ambition, we only awake when plunged into dread or grief. In darkness, then we grope for solace, for meaning,

for prayer." Man is selfish, too wrapped up in pursuing the ephemeral to appreciate the everlasting. Heschel challenges man to open his eyes to the world around him and be always sufficiently sensitive to the wonder of the universe to be capable of praying properly.

But perhaps man's selfishness is not his fault but rather an unavoidable consequence of his inability to constantly perceive G-d. The popular aphorism "there are no atheists in foxholes" does not merely encapsulate man's need for G-d when in a state of duress; it also grasps the truth that man only reaches the level of spirituality necessary for prayer when pushed into such a predicament. When man is not inspired by fear, however, he can achieve genuine prayer only through great fortitude. For to do so he must overcome his fear of dejection and endure the embarrassment suffered from shamelessly baring his soul.

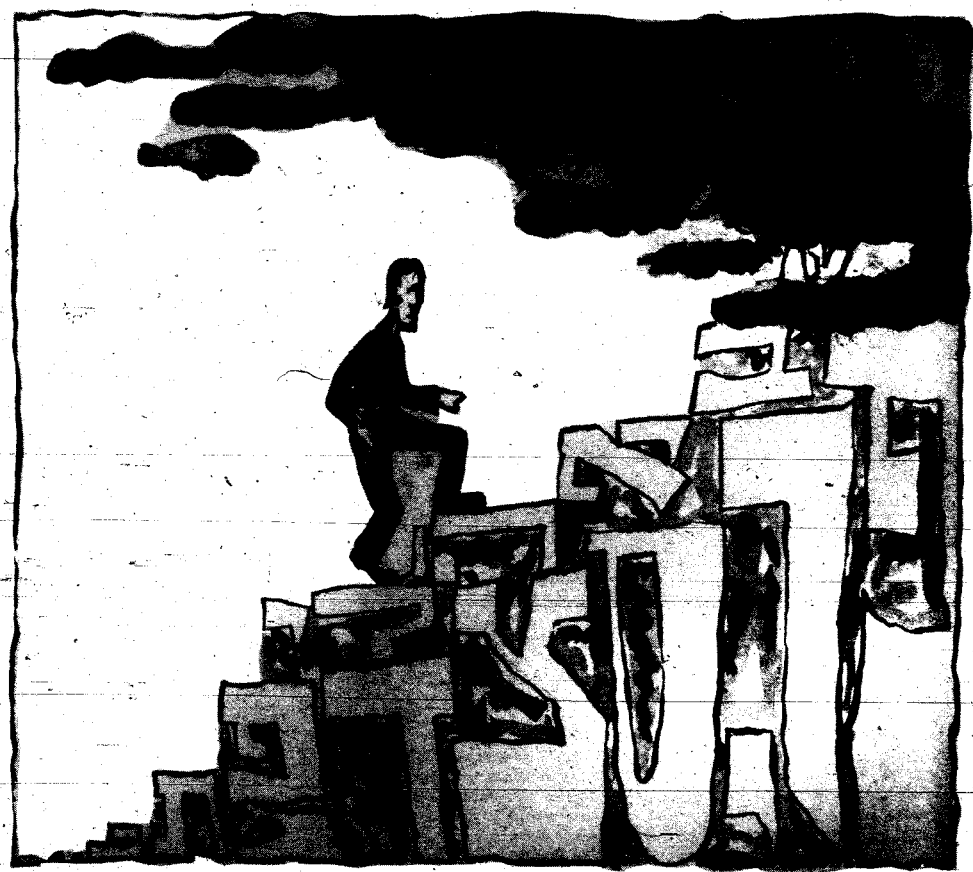
Prayer is a highly intimate experience, perhaps the most emotional relationship man can experience with anyone. Hence it intensifies man's natural fear of rejection; how heartbreaking it is to find one's prayers unanswered, or worse, answered negatively. It is not surprising that man often refrains from such a highly personal labor when that labor occasionally seems to bear no fruits.

Even when man experiences great spiritual fulfillment in his prayer, he must contend with the fear of future disappointment. Pascal referred to "The Error of Stoicism", the false notion that man can, always do

what man can sometimes do. Similarly, even when one feels he has ascended through prayer to the heights of heaven and claimed oneness with G-d he must cope with the realization that he will not always be able to attain the same level of spiritual ecstasy.

Perhaps the greatest barrier to proper prayer is the embarrassment prayer can entail. Man is given to introspection, often examining his inadequacies. But the problem is not so much crossing the bridge as getting on it to begin with. People who publicly ridicule G-d's commandments are often too embarrassed to even aspire to create a personal relationship with G-d. They believe themselves ludicrously unworthy of Divine audience. C.S. Lewis, in his Letters to Malcolm, writes that "a feigned emotion is a miserable affair." It is precisely this dilemma which creates a wall between man and G-d. Man's realization that G-d knows all of his shortcomings discourages the attempt to pray — yet he nevertheless sincerely seeks to receive a positive response for his prayers and attain a higher level of closeness with G-d.

Ultimately, man must overcome all his fears and apprehensions in order to remove the psychological obstructions blocking his path toward prayer, toward personal closeness to G-d. Can he succeed? Perhaps the essence of prayer lies in his struggle to pray. The desperate Tefilah of the shoemaker, "Woe unto me, I haven't prayed yet!", may well be the most genuine and eloquent prayer of all.



The Passion of Prayer

by Joshua Hoffman

The difference between one who prays and one who doesn't," Rav Kuk once said, "isn't merely in the time spent in that endeavor, but in the entire orientation of one's day." For Rav Kuk, prayer is the soul's means of expressing its incessant yearning to cleave to G-d, the most basic need and desire of mankind and of all creation (*Orot*, pg. 135, and *Maamarei Ha-Re'ayah* pg. 138). In truth, then, prayer is a perpetual state of the soul, with the formal moments of devotion resembling the blossoming of a flower opening its petals to greet the rays of sunlight shining upon it. In this fashion R. Kuk understands the *gemara* in *Berachot* in which R. Yochanan declares that it would be ideal for man to pray all day long (*Olat Re'ayah* 1:14).

Prayer fundamentally consists of the expression of man's desires and an attempt to harmonize them with the desire of G-d to create and order existence. According to Rav Kuk, the paradigm of prayer is *parshat ha-Akeidah*, wherein we read of Avraham's eagerness to execute G-d's will. Avraham's greatness lay in the joy with which he embarked to fulfill the difficult command of his Creator, a joy that reflected inner faith. Prayer, too, as *Chazal* point out, emanates from a sensation of joy. (Interestingly, Rav Dovid Cohen, the *nazir* of Jerusalem and R. Kuk's devoted student, recounted that his decision to become a disciple of Rav Kuk stemmed from hearing his inspiring recitation of *parshat-Akeidah*

one morning in Switzerland.

"Through prayer, man does not attempt to change the immutable G-d but rather strives to perfect himself. The soul expresses its wish to be elevated, and through this very effort becomes elevated, thus changing its relationship with G-d (*Olat Re'ayah* 1, 14). Rav Kuk differentiates between the roles played by Torah-study and prayer in *avodas hashem*. Torah-study enables one to comprehend eternal truths while prayer entrenches within the soul truths already comprehended. Torah-study is the intellectual approach to G-d, prayer the emotional path. While the intellectual approach should not be ignored during prayer, (see *Berachot* 29b — a *tefillah* in which one has no new insights is incomplete), the emotional element must predominate because it is more capable of attaching the soul to G-d (*Olat Re'ayah* 1, 15). It is in this sense that we are warned not to attribute to G-d's mercy the mitzvah of sending off the mother bird before taking her young. Basing himself on Rashi's limitation of that prohibition to prayer, Rav Kuk explains that while philosophical speculation can interfere with the unique function of prayer, it is entirely appropriate to delve into the reasons for *mitzvot* during Torah-study. Although prayer's immediate aim is the elevation of the soul and its attachment to G-d, its ultimate goal should be the elevation of the entire universe and the revelation of the Divine Will underlying everything in the world (*Mussar Ha-Kodesh*, pg. 227). In this spirit, Rav Kuk offers

a remarkable explanation of the *halacha* that synagogue windows should open toward *Yerushalayim* (*Olat Re'ayah* 1, 259). He writes: "Prayer is indeed a service, personal and individual to the worshiper. Yet a precondition to its completeness is his recognition of the world around him. Anyone whose individualized worship of the heart leads him to withdraw from association with the outside world will not attain perfection in prayer which is necessary for man's revival to infuse in him the Divine spirit, which will lead him to act with and be influenced by justice and righteousness.

Hence man should not pray in a house where there are no windows. The ability to look outside will arouse him to an awareness of his duty and kinship to the totality of the world in which he lives.

His affiliation with the outside world should consist of working towards true happiness, the knowledge of the true fear of G-d, and general peace; and this is the function of *Yerushalayim* from which G-d's word emanated (*Olat Re'ayah*, 1, 2, translation by Leonard Oschry in B...S. Jacobson's *Meditations of the Torah*). In light of these remarks, one can appreciate the prayer which Rav Kuk included in his will: "May it be Thy will that no one be punished on my account and G-d should send to all Jews only good and loving-kindness...deliver thy nation and speed the light of Your salvation, and sanctify your name in all the worlds (*Ha'Re'ayah*, ed. Y. Rofael, pg. 6)."

BOOK REVIEW

An Ill Wind From The West Bank

The Yellow Wind

By David Grossman
Translated by Haim Watzman
New York: Farrar, Straus and Giroux, 1988
Reviewed by Howard Sragow

Outspoken Jerusalem author and radio host David Grossman spent three months last spring interviewing Jewish and Arab residents of Judea and Samaria. In *The Yellow Wind*, he argues that Israel's military occupation of the Arab homeland has been harmful to both the occupier and the occupied. He records the Arabs' miserable living conditions and their dreams of the no longer existent "beautiful vineyards of Jaffa." But mostly he records their rabidly intense, barely checked hatred of Jews.

Many of his discoveries are frightening. A two-year-old Arab kindergarten boy points a small yellow stick at him, pretending to shoot. His teachers proudly ask him, "Who do you want to shoot?", and "mouth the answer 'Jews' with him.

And that two year-old isn't the only child who hates Jews. A study by Dr. Yoram Bilu of Hebrew University shows that 30% of the dreams of eleven to thirteen year-old Arab children in the Kalandia refugee camp between the ages of nine and eleven deal with hostile meetings with Jews; only 17% of the dreams of Jewish children in the Gush and Kiryat Arba deal with similar meetings with Arabs. Dr. Bilu concludes that Arab children are "obsessively involved with the conflict." If the youngsters are so heavily indoctrinated with hostility, one can imagine how fiercely the adults must feel.

This bitter animus results not from the Israelis' rule per se, theorizes Grossman, but rather from the brutality they inflict on the Arabs. Grossman repeatedly quotes their complaints about the time-devouring roadside searches, the shortcomings of the occupational judicial system, the frequent expulsions of natives, and other actions perceived as purposeless cruelty.

But though painted vividly, his picture of the Palestinian Arabs is incomplete. He chronicles the anguished cries of innocents mistaken for terrorists or families of terrorists during the humiliating interrogations, but never mentions the Jewish and Arab lives saved by those humiliating interrogations. He also never interviews (or, conveniently excludes from the book) Jews with strong convictions about their right to live in Judea and Samaria. Describing the plight of an oppressed people, he ignores the oppressor's justifications.

Perhaps he never intended to present them; perhaps he wished merely to confront the intransigent with the West Bank reality they face, and the opinions of ardent Zionists are irrelevant in a book conveying the idea that Arabs are people too. The Jews already know what they think. However, Grossman's avoidance of right-wing Zionist opinion is not total; he carefully transcribes each weak argument in favor of settlement that the Jews have to say. It seems his goal is to portray the Gush Emunim settlers as philosophically shallow squatters taking advantage of their fellow taxpayers and the resident Arabs, and the Palestinian Arabs as victims of an unjust, oppressive government.

His portrayal of the Arabs is partly true; the non-violent residents are victims, but not of an unjust government. The anti-terrorism war currently being waged in Judea and Samaria has caused much innocent suffering, both Jewish and Arab. It is unreasonable to expect the Israeli

government to place the convenience of the Palestinian Arabs above Jewish lives. So long as the threat of terrorism exists, the Arabs will have to endure the roadblocks and strip border-checks. It is unfortunate, but such is war.

Grossman's depiction of the Jewish settlers, however, is totally fallacious. Some of the settlers have justifiable reasons for living in the occupied territories, those of every religious Jew living in Israel. Israel is not just another tract of land the British abandoned; for almost three thousand years Jews worldwide have considered holy and yearned for not only the undisputed territory and Jerusalem, but also Hebron, Jericho, Bethlehem, and every acre of Judea and Samaria.

Ignoring the Jewish point of view, Grossman concentrates instead on the religious claims to the land, and does manage to evoke some genuine sympathy. Arab parents transmit their fervent belief in an eventual return to their old homes as effectively as West Bank schoolteachers train their students to hate the Jews. Grossman chillingly parallels the Arabs' present longing for their homelands with the Jews' longing 100 years ago. His impromptu interview with a youngster in the Deheisha refugee camp strikes a Jewish chord: "I ask a five-year-old boy where he is from, and he immediately answers, 'Jaffa,' which is today part of Tel Aviv. 'Have you ever seen Jaffa?' 'No, but my grandfather saw it.' His father, apparently, was born here, but his grandfather came from Jaffa. 'And is it beautiful, Jaffa?' 'Yes. It has orchards and vineyards and the sea.' 'A sixteen-year-old girl describes vividly the opulence of her 'home town'. 'Lod: '...And in every room a hand-painted carpet. And the land was wonderful, and the sky was always blue.' Then, quoting some of Halevy's and Bialik's wistful lines

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about the dreamworld of Israel, the author forces the Jewish reader toward an uncomfortable sympathy, for the Arabs in the realization that they also yearn for their homeland. Unfortunately, it is the same land for both peoples.

As long as the Arabs' and Jews' ideologies about the land so violently conflict, the chances for reconciliation are nil. The Israeli government's attempts to contain the Arabs only sever one of the hydra's heads; the violence will surely regenerate. And reducing security precautions can only result in chaos. Only two viable solutions avail themselves: mutual understanding and total subjugation. The first is unlikely in our lifetimes; the Reconstruction of the South after the American Civil War left scars still apparent today, even though no race or religion ever separated it from the North. The moral objections to the second option are clear. The choice is hardly simple.

It is very easy, however, to shake a finger and say "naughty, naughty" to the Israelis. David Grossman's shortsighted denunciation of Israel's policies and his call for economic and social reform cannot but aggravate the situation. Unfortunately, *The Yellow Wind* neither is the first nor will it be the last mass media product to do so. Personally, I will not tolerate it anymore. I have already incinerated my copy.



Sorry, Charlie: Or Maybe Not?

by Moshe Rayman

Once again the tuna fish controversy is in the spotlight. The current resurgence of interest has generated much literature. This article explores various halakchic aspects of the controversy.

The *poskim* discuss the applicability of *bishul akum* (the prohibition of eating food cooked by a non-Jew brought in the *Mishna Avoda Zara* 35b) to tuna fish. Rashi (ad loc) and *Tosafot* (ibid 38b) explain that *Chazal* feared allowing a Jew to partake of such foods lest he develop close social relationships with Gentiles and eventually intermarry. Canned tuna, which is cooked by non-Jews, seems liable to this issue.

The Talmud (*Avoda Zara* 38b) points out, however, that the prohibition of *bishul akum* is not universal. For instance, it does not apply to foods capable of being eaten raw. But while this exception is very helpful as far as most canned vegetables are concerned, it seems irrelevant to tuna fish. Rabbi Menachem Genack (*Or Hamizrach* p. 167) suggests that since some people do eat sushi, which is often raw tuna, the prohibition of *bishul akum* should not apply to tuna. However, it is unclear whether enough people eat tuna sushi for it to be considered a food that can be eaten raw.

Food not worthy of being served at a royal feast (*oleh al shulchan melachim* lit. served at a king's table) is also exempted from this prohibition (*Avoda Zara* op. cit.). This exception can be easily understood in the context of the reason Rashi and *Tosafot* give for the prohibition; foods to which people attach no special significance are unlikely to cause the development of the relationships *Chazal* feared. But this reasoning implies that "*oleh al shulchan melachim*" should be understood as a poetic description of important foods. I've never attended a wedding at which tuna fish was served, but it is served at other special occasions of lesser importance. One might argue that only foods to which people attach no importance at all are excluded from the prohibition.

The *Shulchan Arukh* (*Yoreh Deah* 113:13) rules that smoked foods are not included in the prohibition of *bishul akum*. Many *poskim* (v. *Darhei Teshuva Yoreh Deah* 113:15) equate steaming with smoking; as tuna fish are steamed, they would therefore be permitted. However, Rabbi M.D. Tendler argues that steaming is fundamentally different in that it involves direct application of heat. He further argues that since tuna is steamed in cans containing water, it is considered as having been cooked in pots containing water and therefore is *bishul akum* according to all authorities. Actually, there is confusion among the *poskim* as to whether tuna is steamed prior or after canning. Possibly the process varies from place to place and each canning facility must be checked separately.

Many *poskim* (v. *Bedei Habayit* 3:7) exempt commercial products from the prohibition of *bishul akum*, arguing that since they are sold in large quantities and distributed and redistributed there is no

fear that Jews eating them will become friendly with non-Jewish producers. Canned foods would therefore not be included in the prohibition of *bishul akum*.

So much for *bishul akum*. The *Mishna* (ibid.) prohibits eating *chelek* (young tiny fish which have not yet grown scales) purchased from non-Jews because they cannot be distinguished from non-kosher fish possibly mixed in with them. Rashi asserts that this prohibition applies even though the ratio of *chelek* to the non-kosher fish may be 1000:1. The *Gemara* brings one exception: if the non-Jew selling the *chelek* was an *uman* (expert salesman) we can rely on his claim to have removed the non-kosher fish. Since he is an expert, he can differentiate between *chelek* and non-kosher fish, and since the presence of non-kosher fish cause *chelek* to spoil, we can assume that he removed the non-kosher fish in order to preserve his merchandise. Rabbi Yisroel Belsky (*Hameitivá* 1986) argues that the concern for the possible presence of one non-kosher

Therefore, it is only prohibited when it has been chopped up. Unlike *chelek*, no exceptions are brought as far as *tarit* is concerned: In a similar vein, the Talmud states explicitly (*Avoda Zara*, 39b) that meat or fish sent by a Jew to another Jew via a non-Jew requires two seals in order to assure that the non-Jew did not replace the item with an identical-looking *traif* item. This prohibition is commonly known as *basar shentalma min haayin*, meat which was hidden from the eye. If fish that were known to be kosher are prohibited when found in the possession of a non-Jew, fish never seen in the first place by a Jew should certainly be forbidden. Based on the two halachot of *tarit* and *dag shentalmah min haayin*, many *poskim* prohibit the eating of canned tuna. Rabbi H. Schachter (*Or Hamizrach* op. cit.) argues. He feels that the *uman* exception is a particular manifestation of the more general concept of *uman lo mareh umnatei*, that a businessman will not ruin his own business. Rabbi Schachter contends that this principle

on a non-Jewish butcher who tells us he purchased his meat from a Jew? He answers that only in cases in which there is a difference even to a non-Jew, as in that of the pomegranate wine, can we rely on *uman*, whereas in the case of the meat, where the difference is purely a halakchic one and therefore significant only to a Jew, we cannot rely on *uman*. Based on the *Magen Avraham*, we can argue that since the tuna company is interested in selling tuna alone for purely non-halakchic reasons, it is comparable to the case of the pomegranate wine, and we can thus rely on the word of the company that the fish in the can is indeed tuna.

Rabbi Yechezkel Landau (*Noda B'Yehuda, Orach Chaim* 72) has a fundamentally different understanding of *uman lo mareh umnatei*. He claims that it does not mean that a non-Jewish businessman will not lie but rather that he will not actively perform a fraudulent action (*maaseh ziyuf*) such as pouring vinegar into the pomegranate wine or tying *tzitzit* invalidly. But in a case of meat, in which any possible fraud would involve not an action but rather a simple lie, we cannot rely on *uman lo mareh umnatei*. We must conclude that according to Rabbi Landau, we cannot apply the rule of *uman* to tuna (Rabbi Eliyahu Henkin, *zi"l*, concurs with this opinion).

Rabbi Yehiel Epstein (*Arukh Hashulchan, Orach Chaim* 20:3) opines that although there may not be any basic difference between the case of the meat and the case of the pomegranate wine, the heter of *uman lo mareh umnatei* cannot override the prohibition of *basar shentalmah min haayin*. Only in a case of normal doubt can we rely on *uman*. However, where the doubt is substantiated by rabbinic legislation, we cannot rely on *uman*. Therefore, according to Rabbi Epstein as well canned tuna is forbidden.

It must be noted that Rabbis Landau and Epstein will have great difficulty explaining why the *uman* exception applies to the *chelek* prohibition. We must say that they held that *chelek* is a unique case owing to Rashi's 1:1000 rule and hence, as Rabbi Bleich pointed out, any leniency applying to *chelek* may not apply elsewhere.

Rabbi Tendler additionally insists that it is very difficult to rely on *uman lo mareh umnatei* in a society in which businesses are sued for consumer fraud on a daily basis. He therefore believes that it should be applied as narrowly as possible.

However, Rabbi Genack (ibid.) quotes Rabbi Yosef Dov Soloveitchik as stating that since there is such an overwhelming majority of tuna in the tuna canneries, we may be able to rely on the majority alone without resorting to *uman lo mareh umnatei* altogether.

The issues of the tuna controversy are clearly very complex. Conclusions drawn by the *poskim* are often based upon subtle and hence debatable distinctions drawn between different cases. I have done my best to explain each opinion in its plainest sense.



fish in a thousand applies to all fish; the most minute doubt is sufficient to prohibit fish purchased from a non-Jew. He therefore believes that since we can never be absolutely, positively, 100% sure that cans of tuna contain no non-kosher fish they cannot be eaten. He further argues that the *uman* exception may not apply to commercially canned tuna.

Since non-kosher fish do not spoil tuna as they do *chelek*, we cannot be convinced that tuna canners are as careful to remove them as the Talmudic *umanim* were regarding *chelek*. Rabbi Herschel Schachter (*Or Hamizrach*, p. 156) advances three arguments for permitting tuna. He cites the contention of the *R'shsh* (*Suca* 18a) that Rashi's concern for the presence of one non-kosher fish in a thousand applies only to *chelek*, which are indistinguishable from their non-kosher barrelmates even when whole. A fish whose scales were removed, such as processed tuna, is not subject to the same stringency despite being similarly indistinguishable. R. Schachter further argues that the absence of any mention of Rashi's concern in the other *Rishonim* implies that their standards are not as stringent. And he believes that even if we were to apply the stringency of *chelek* to all fish, the *uman* exception would suffice to permit canned tuna. The *Mishna* (ibid.) forbids *tarit terufah* (chopped *tarit*) purchased from a non-Jew since the removal of its scales leaves no way of ascertaining its *kashrut*. Rashi (ad loc) explains that *tarit* differs from *chelek* in that it cannot be mistaken for non-kosher fish when whole.

provides a rationale for permitting canned tuna fish. Just as we can rely on the *uman* regarding *chelek*, we can rely on him here. *Chelek* and *tarit* only differ in that *chelek* are indiscernible from non-kosher fish even when whole. However, as we pointed out earlier, the prohibition of *chelek* is unique in that it requires us to be concerned about even one non-kosher fish in a thousand. Hence, as Rabbi J. David Bleich points out, we may view the *uman* exception too as being unique to *chelek*. Rabbi Schachter, who feels that most authorities do not share Rashi's 1:1000 rule, clearly does not consider *chelek* to be unique in this sense and hence feels comfortable in applying the *uman* exception to other cases as well.

Furthermore, the Talmud (*Menachot* 43a) states that although *tzitzit* tied by a non-Jew are *pasul*, one may purchase a *talit* from a non-Jewish salesman who claims to have acquired it from a Jew. The reason, again, is that of *uman lo mareh umnatei*. Rabbi Yosef Karo (*Beit Yosef, Yoreh Deah* 114) additionally cites Rabbi Nissim of Gerona as ruling that one may purchase pomegranate wine from a non-Jewish businessman for medicinal purposes and not suspect the non-Jew of having mixed non-kosher vinegar into the pomegranate wine. Since the addition of vinegar would neutralize both the medicine and his reputation, we can rely on *uman lo mareh umnatei*, as we do in the case of *talit*. The *Magen Avraham* (*Orach Chaim* 20:1) poses the following question: If we can apply the law of *uman* indiscriminately, as did Rabbi Nissim, why can't we rely

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On Conservative Judaism

by Seth Kadish

The purpose of Conservative Judaism has always been unclear. Popularly, it is viewed as a reactionary effort to avoid the "extreme" views and practices of Orthodox and Reform. But in recent years the desire of active Conservative Jews for a positive ideology led to the creation of the Commission on the Philosophy of Conservative Judaism. Dr. Robert Gordis, Professor Emeritus at the Jewish Theological Seminary, published an historical-ideological explanation of the commission's task under the title "The Struggle for Self-Definition in Conservative Judaism" in the Spring 1987 (Vol. 39 (3)) edition of *Conservative Judaism*.

To "know thyself," according to Gordis, has been more difficult for Conservative Judaism than for any other modern Jewish movement. Traditionalist German scholar Zeev Frankel gave only vague historical reasons for founding the Conservative movement: "Judaism was the result of a historical process, but the product was positive in its content and therefore binding upon its adherents." But beyond avoiding the extremes of Gieger's German Reform and S.R. Hirsens's Orthodoxy he gave no specifics. Conservative Judaism still lacks a sound ideology.

The most important influence on Conservative Judaism was the man who molded the Jewish Theological Seminary, Solomon Schechter. He viewed the Seminary and its corresponding movement as *reactions* to the American Reform movement and hoped that the Seminary would someday represent all traditional Jews. His legacy to the movement was his vision of "Catholic Israel." *Klal Yisrael*.

Schechter stated that *Klal* [sic] *Yisrael* should be the ultimate arbiter of Jewish law. Thus, he maintained that traditional *halakha* was mandatory since the vast majority of Jews in his time still scrupulously adhered to the major elements of *halakha*. Of course, as Gordis points out, "It is doubtful whether Schechter's evaluation of the status of Jewish observance was statistically sound, or whether it was essentially a lie...affirming myth which became fundamental to Conservative Judaism." Whatever Schechter had in mind, Gordis points out that "in the three quarters of a century since Schechter's day, the measuring rod he proposed has all but disappeared; the process of assimilation and secularization in Western Europe, the Americas and even Israel, has eliminated the effective majority for Jewish tradition

on which Schechter relied."

Gordis also identifies two other factors leading to the lack of clear ideology in Conservative Judaism. First, the leaders feared that stressing ideology could discourage traditional Jews from joining the movement. Second, there were "the sheer intellectual and spiritual difficulties involved in applying the insights and attitudes derived from historical scholarship to the dizzying phenomena of modern life." But although the intellectual challenge is tremendous, Gordis valiantly declares that

Chayim, according to the needs of Schechter's *Klal Yisrael*. It is unclear whether these justifications for the movement still have substance.

Reform Judaism is objectionable because of its rejection of halacha and Gordis, speaking for Conservative Judaism, demands an alternative to Orthodoxy because "right wing Orthodox groups are isolated and close-minded, and even the modern orthodox seek to maintain the monolithic dogma of the Torah throughout the ages, while closing their eyes to the obvious changes



"In the three quarters of a century since Schechter's day...the process of assimilation and secularism has eliminated the effective majority for Jewish tradition on which he relied."

it must be met "if we seek to determine which aspects of modern life and thought are to be accepted, which are to be modified, and which are to be opposed or rejected. In Rabbi Meir's words, 'I found a pomegranate, its rind I cast off, its essence I ate.'

"In writing of the need for a Conservative philosophy, Gordis presents the movement as intrinsically valuable in two ways: as a necessary and positive answer to Reform and Orthodoxy, and as a movement embodying the Torah in a form of *Torat*

in the pattern of halachic practice and ignoring the equally evident challenges posed by modern science and philosophy."

His description of Orthodox Judaism is false and intellectually arrogant. Dr. Gordis ignores Orthodox Jews' productions of critical editions of rabbinic texts, influential works in Jewish History, Philosophy, and of course, Biblical scholarship. Many outstanding Orthodox Jewish scholars in all fields see no need to apologize for their open-mindedness by calling themselves "Conservative." They

confront the "sheer intellectual and spiritual difficulties involved in making religious decisions" no more simplistically than Conservative Jews. Yet when Orthodox men and women decide to reject the Conservative movement's *halakhic* or ideological innovations, Gordis accuses them of "closing their eyes" rather than acknowledging their opinion as based on an intellectual difference of opinion.

Gordis, conceding that totally non-observant Jews cannot reasonably be allowed to participate in the *halakha* making process, reformulates Schechter's notion of the Catholic Israel as the "consensus of the concerned": "Theoretically, every Jew is a Member of Catholic Israel and has a right to affect the character and content of Jewish Law. Practically, however, Jews who have surrendered the authority of Jewish Law and broken completely with the pattern of Jewish observance cannot fairly ask to be consulted in determining its content and objectives. Only those who in some substantial degree adhere to Judaism and accept the authority of the *halakha* need be taken into account." But if Gordis is willing to go so far his "common consensus" should disband Conservative Judaism. Granted that Conservative Judaism was for decades the largest religious movement in organized Jewish life and even now is only exceeded slightly by the Reform, serious Conservative Jews, those who base their lives on Jewish law (whether or not the details are "Conservative" or "Orthodox"), are truly a tiny minority in the halachic communities of the world. The vast majority of Jews whose lifestyles are intimately concerned with the Torah are Orthodox and do not accept the Conservative movement's halachic standards. This fact greatly undermines the Conservative movement's claim that its decisions respond to the consensus of the "Catholic Israel" that accepts the authority of the *halakha*.

Gordis applies his reasoning to the issue of mixed seating in the synagogue. In a recent article entitled "Mixed Seating in the Synagogue: Minhag America" (*Judaism*, Vol. 36:1) he argues that mixed seating is justified because the "consensus of the concerned" here in America wants and needs the innovation. Therefore some legally ingenious method of changing the *halakha* must be contrived. Gordis's argument fails even when judged by his own standards. The overwhelming majority of members of synagogues with mixed pews are not part of the "concerned", and don't attempt to fully lead their lives according to any *halakha*, Conservative or otherwise.

The criticisms here should not be misinterpreted as condemnation of the Conservative movement. Its efforts to increase religious knowledge and commitment among its members through such means as the Ramah Summer Camps and the Solomon Schechter Day Schools are certainly commendable. And although Orthodox Jewry does not believe that *halakha* depends on public opinion for its legitimacy, it would be wonderful if more members of the Conservative Movement would become sufficiently a part of the *halakhic* community to qualify for inclusion within the "Catholic Israel" Gordis describes. But the majority of people presently included within Gordis' "Catholic Israel" are Orthodox Jews, and hence Dr. Gordis' article dismally fails to illustrate the intellectual or halachic necessity for Conservative Judaism as an alternative to Orthodoxy.

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As Hamevaser went to print, the Commission on the Philosophy of Conservative Judaism issued "Emet Ve'Emanah: Principles of Conservative Judaism."