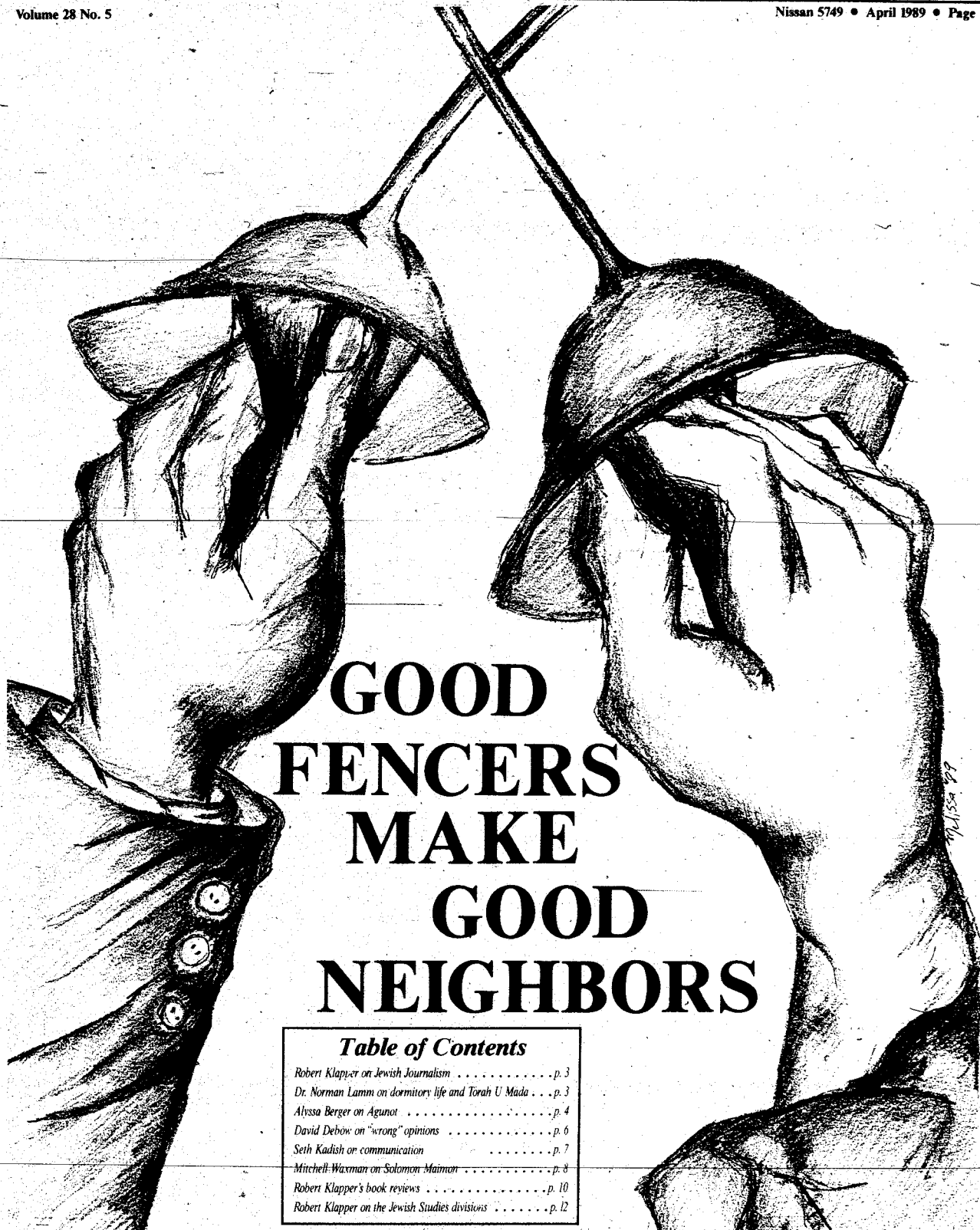


HAMEVASER

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GOOD FENCERS MAKE GOOD NEIGHBORS

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EDITORIALS

Mandating Halakha

In this issue of **Hamevaser**, Dr. Norman Lamm clarifies the dormitory regulations concerning breaches of *halakha*. He says that students must not do anything which, offending the majority of students, will disturb the potential for study, conversation, fellowship, and relaxation. What if the majority of Yeshiva suddenly decided that they enjoyed *chilul shabbat*? Surely our president must have meant to also exclude action which might impair the Judeo-spiritual development of the residents: namely, violations of *halakha*.

If he does mean to mandate halakhaic observance, he should in all fairness warn

every student before their dormitory registration. A request to observe *halakha* on campus is standard in the JSS interview, but few JSS students can remember such a request. Nothing of the sort exists in the standard YC, IBC or MYP interview. Oblivious to this nearly ex post facto rule, non-observant students cannot be expected to immediately adopt orthodox Jewish practice.

We should inform, (if not in the recruitment mailings then in the dormitory regulations every student receives and accepts) registering freshmen that halakhaic observance is obligatory.

All For One

Much concern has been raised regarding the alienation and insensitivities between students of the different Jewish Studies divisions. Some in JSS feel that YP students look down on them, and some in YP close their eyes to anything outside their immediate four cubits. **Hamevaser** feels that it is the responsibility of the leaders of the student body and our administration to see to it that a greater awareness-~~abs~~-affinity be created among these diversified yet not opposite groups.

We suggest that to facilitate this relationship the leaders of SOY, IBC, and JSS should form an umbrella student forum in which the different concerns of each may be raised. Another function of this council would be the creation of inter-divisional

events. This year, no JSS representative could be found acting in the Purim *shpiel*, that should change. We understand the need for different groups to have different activities, but that is no excuse for total disassociation and alienation. Perhaps if such a step is immediately taken, and would be only a small first step, we will be on the road to diminishing the rift and bridging the gap between all those here at Yeshiva.

Our natural tendency is to close our eyes and think that it is the burden of the administration to be the panacea for all our woes and differences. But such is not the case. Change begins with the students and a receptive student leadership. The potential benefits of our proposal are enormous, the opportunities abundant, the risks small.

...One For All

Torah U Mada, our much-maligned motto, is not a simple concept to grasp. Beyond the motto's intrinsic ambiguity, numerous theories of Torah U Mada abound. However, certain general principles are clear. Torah U Mada is not a combination of yeshiva values and university values, nor should Yeshiva be a yeshiva and a college existing independently, side by side.

We are a yeshiva, and the point extends beyond the semantic. Our value base consists not only of adherence to the *halakha* but also

of a faithfulness to the thought implicit in that *halakha* and explicit in *Tanakh, Agadda, etc.* While Western thought can help us understand Torah and ourselves, no decision in Yeshiva can be reached solely based on their ideals. In the context of a yeshiva, the values of Columbia University or the New York Times have no inherent significance.

Values have no inherent significance simply because they are the ideals of secular universities of journalism

Here No Evil

The president stated during his recent meeting with student leaders that many students absent from the beit midrash might be learning in their rooms. Another administrator stated in the ensuing discussion that no more than 5 or 10 students actively desecrate the shabbat in the dorm. The most optimistic student would not dare to deny that this understates the unfortunate weekly reality. Somehow, it seems the facts have become clouded and somewhat distorted on their way up the administrative grapevine. But this administrative illusion need no longer continue.

The need for communication between the student body and the administration is evident. Two suggestions that seem appropriate would serve to inform those in high places of relevant and accurate student concerns and attitudes. The first is for Dr. Lamm, Dr. Miller and Dr. Nulman to respond to legitimate student statements and questions in a formal forum held semi-annually. Secondly, we encourage those incredulous of the non-shabbat atmosphere at Yeshiva to actually experience a shabbat in Yeshiva's dorms, "and" to witness the dispassion and disgrace first-hand in something other than a sound-proofed guest room.

HAMEVASER

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The photo credit for the cover of our February 1989 issue was inadvertently omitted. All photos were by Avraham A. Witty.

LETTERS TO THE EDITOR

To the Editor:

Regarding the article "Larger Than Life" (Feb. 1989) you may be interested in the following anecdote.

I showed this article to an associate at work who is "a bit more to the right". He states that his conception of Rav Moshe Feinstein zt"l is such that he would not believe that Rav Moshe read newspapers "cover to cover" — even if Rabbi Tendler were to tell him that face to face. In effect, he admitted that he would consider Rav Tendler a fabricator of information rather than change his own preconceived view of how a *gadol* should live/ behave! In all fairness to Rav Tendler, he initially would not impugn him — preferring, instead, to cast aspersions on the accuracy of the phone interview with Rav Tendler (thus only impugning Mr. Haber and **Hamevaser**). It is also of interest that he is so certain of his viewpoint that he would not even bother to check whether, indeed, Rav Moshe "read newspapers". He told me that he treats this assertion regarding Rav Moshe in the same way he would treat someone's assertion that a cow jumped over the moon!

Clearly, Aharon Haber has done a fine job discussing such a delicate issue. My commendations on a job well done.

Zvi I. Weiss
YC 71, RIETS 74

To the editor:

As a serious, committed *s'michah* student that intends to work in *avodat ha-kodesh*, I care very much about the reputation of the *s'michah* program and its graduates. For this reason, I am concerned that there is no test of character of the students that the *yeshiva* is allowing to pass through the system and become *musmachim*. As long as a student passes the necessary exams he is assured of

s'michah, even though he may be neither God-fearing nor even observant. I feel that Rabbis who lack these two characteristics can do no credit to the *yeshiva* no matter how proficient they be in *Yoreh Deah*.

The problem, of course, is how to impose a restriction that while removing those who lack these basics, does not create a "Thought Police" or Inquisition-like tribunal that each *s'michah* student must survive. I also would like to recognize the freedom of thought and the left-right spectrum approved within the *yeshiva*, which I feel is healthy. If the decisor of a person's *yirai shamayim* is a single person or small group of people, this spectrum would likely be greatly narrowed.

For this reason I suggest a simple solution. Require every *s'michah* student, before being awarded his *klaf*, to obtain the endorsement of one of the roshai *yeshiva*. This roshai *yeshiva* would be required to vouch for his good character and dedication to *halakha*. As the roshai *yeshiva* are a large and varied group, it should not be hard for any *s'michah* student, after four years in the program, to find an endorsement, assuming he is within the pale.

This would also improve two other situations. Firstly, it would require potential *musmachim* to establish a personal relationship with at least one roshai *yeshiva*, which not all currently do. Secondly, it would encourage roshai *yeshiva* to take personal responsibility for their *talmidim*. This might cause them to keep in contact with the *musmachim* they endorse in the years following their graduation and support their further growth. I think the implementation of this proposal would do a lot to ensure that these *musmachim* will be people that not only their *rebbe* but the *yeshiva* as a whole can be proud of.

Murray Sragow
YC 87
RIETS 90

President's Statement to Student Leaders

Hamevaser prints Dr. Lamm's statement to student leaders at the President's request. We feel it important to inform students of Dr. Lamm's views on dormitory policy and Yeshiva's ideology as it affects student life.

by Dr. Norman Lamm

I rarely comment on articles or reports in student newspapers. It is not that I do not experience strong reactions from time to time, but I have always felt that the common sense and good will of the student body would eventually prevail over the occasional errors in judgement by the editors or their staff.

However, the two issues in Commentator at the end of February and the beginning of March which focused on the same theme and somehow led some readers to infer that I agree with the views of the editor impel me to speak out and to do so forcefully.

I am upset and distraught by the impression abroad that this editorial position is subscribed to by a significant number of students of Yeshiva University and by myself as President.

Dormitory residence is a privilege, not a right. Residence hall rules have as their goals the safety of the residents and the creation of an atmosphere that is conducive to study, serious conversation as befits budding scholars and *b'nei torah*, to good fellowship, and to well deserved relaxation. Moreover, residents are entitled to feel comfortable and "at home", and just as the majority are expected to respect unpopular opinions and idiosyncracies of individual students, so are all individuals expected to refrain from doing anything that would gratuitously offend the majority of residents. Such mutual respect is fundamental to the proper functioning of any community. Our residents know what the standards of behavior are and should therefore not complain if they are enforced.

By giving the impression that there is a sizable number of students who are in contempt of *halakhah* our student press has regretfully slandered our student body and has tarnished the image of Yeshiva. This is irresponsible and unforgivable. The Mishnah taught that *b'makom sh'yesh chitul hashem ein cholkin kavod larav*. Certainly then, *ein cholkin kavod latalmid*; any student who occasions a desecration of the name by sully the reputation of Yeshiva as *a makom Torah* forfeits our respect.

I am especially disturbed by any implication, however remote, that Yeshiva University's philosophy of Torah U Mada condones infractions of the *halakhah*. Anyone who knows the least bit about Torah U Mada recognizes that this is a dastardly calumny and an offensive distortion. It is a melancholy commentary on the deplorable intellectual quality of those who confuse Mada with *hefkerut*.

Torah U-Mada is not "less religious" than its alternatives. It is, if anything, more spiritual because instead of confining the sacred to the limited domains that our secular culture provides for it, it views all of creation — all knowledge, all culture, all experience — as possessing enormous potential for the growth and deepening of the human spirit in its quest for the Transcendent.

The persistent questioning as to whether we are "a yeshiva or a university", thus, betrays an ignorance of the fundamental mission of our institution — which is both Yeshiva and University. It is unfortunate that there are some who find such a relatively simple concept too vast to swallow and too hard to digest; they prefer facile dichotomies which help them view the world in discreet little boxes, regardless of whether or not such

pigeonholing conforms with reality. All an advocate of Torah U Mada can offer in response is the pious hope that with time will come maturity and the intellectual ability to cope with ideas that defy simplistic definition.

A yeshiva is a community of commitment. It is an ensemble of scholars — *rebbeim* and *talmidim* — who strive to experience, understand, and perpetuate the Torah in common dedication to the Ultimate, the transcendent One who revealed it and is revealed in it.

A university is a community of inquiry. It is a group of teachers and students who strive to ask questions that grow out of universal human experience and to offer provisional answers that have to be tested and retested.

Each of these communities has a different approach and a different methodology. But difference is not the same as irreconcilability; human beings are capable of embracing both simultaneously without violating the integrity of either one, and of integrating them in one multi-dimensional personality.

Yeshiva University is an institution which comprehends both a community of commitment and a community of inquiry. It is not an easy task to be both at the same time while respecting the imminent nature of each of them. Tensions persist, and a sense of balance must constantly be attempted and corrections made. But successful Torah U Mada education has been done, is being done, and will be done. The unemitting probing, "Which of the two are you?", is thus an irrelevancy which betrays ignorance of the mission of Yeshiva University and an underestimation of human capaciousness.

The vast majority of our students are halakhically and morally upright and a credit to any Yeshiva as well as to any university. Whoever maligns them — no matter how good his style, how engaging his rhetoric, and how well-meaning his intentions — owes them an apology.

Student journalists, along with all other students, have the right to inquire and to criticize, but they must do so responsibly. That means that they must be intellectually responsible in appreciating complexity; morally responsible in reporting accurately and without distortion and exaggeration; and halakhically responsible in refraining from *lashon hara* and *chitul hashem*.

I regret that circumstances have forced me to be critical of young men for whom I feel personal affection and whose talents I respect. I hope that your innate decency and their commitment to the Torah ideals that inspire the entire institution will prevail over a misguided understanding of what is expected of student journalists.

Editor's Column

by Robert Klapper

The guiding credo of the press can best be expressed as the firm belief that dissemination and investigation of the truth ultimately leads to the advancement of the public welfare.

Behnam Dayanim

There is a mitzvah not to lie, but I have yet to find a mitzvah to tell the truth.

Dr. Norman Lamm

Hamevaser editors generally print their articles like those of any other author; we are "a journal of traditional thought and ideas", and the exalted status of editor gives no special competence in those areas. But with regard to internal yeshiva matters, editors have access to information not generally available. And when the internal Yeshiva matter involves journalism, personal experience also gives a different and perhaps better-informed perspective.

Once again, and with some bitterness I am tempted to say "as usual", Yeshiva's corridors are filled with invective and slander. The cause this time, as it has been many times in the past, is religious-idealism. Students and *rebbeim* have professed their outrage at the *haskafic* opinions expressed by Behnam Dayanim in his column "From the Editor's Desk" in *The Commentator*.

Many of Mr. Dayanim's opinions should be vigorously disputed, and I will disagree with several later in this column. But in their zeal to stamp out "heresy" or "near-heresy", many student idealists or ideologues have attributed to Mr. Dayanim anti-halakhic opinions that he rejects, thus committing transgressions nearly as great as those they rush to convict him of. Mr. Dayanim, who read this column prior to its publication, does believe that human beings should not compel their fellows into religiosity; he hopes, however, that all will eventually be convinced of the truth of Orthodox Judaism.

In general, both students and faculty at Yeshiva seem to find denouncing people before speaking to them acceptable behavior; I thank Dr. Lamm for becoming a notable exception by reading his statement to Mr. Dayanim before releasing it. Is not the potential avoidance of *hotzaat shem ra* worth a little time? Perhaps some feel that they are sure careful and accurate readers as to never distort an author's opinion. I know from personal experience the extremely negative consequences that result from such overconfidence. Have these people never read a *rishon* incorrectly? Perhaps they are near-perfect readers. But again, isn't the potential avoidance of *hotzaat shem ra*, or for that matter *halbanat pnei chaveiro b'rabim* if one attacks in public, worth a little time?

In recent weeks, a conflict between religious ideals and professional responsibility has made headlines in New York City. Various

apostles of liberty and freedom of thought have wondered publicly whether Roman Catholic Father Timothy Healy is an appropriate choice to head the New York Public Library, as many of the books in its collection vehemently disagree with Catholic doctrine. Father Healy replies that his church vows, including his vow of obedience, do not interfere with his contract, and that anyway true Roman Catholicism believes all knowledge and therefore all books valuable.

Mr. Dayanim pointed out correctly in his last column, and in the student leaders' meeting with President Lamm, that the imperatives of journalism often clash with those of *halakhah*. His solution parallels Father Healy's first answer rather closely. The journalist's job is to expose the truth, come what consequences may. When an Orthodox Jew becomes a journalist, his religion cannot prevent him from publishing the truth, else he would not be a journalist at all.

Let's explore Mr. Dayanim's argument. Why should we simply not claim in response that every well, an Orthodox Jew should not be a journalist as the term is commonly defined? Surely Judaism does not desire Jews to enter professions in which they must violate *halakhah*. Unless, of course, journalism as defined by Mr. Dayanim, the relentless search for and publication of truth, is a halakhically-recognized necessity for societal health. But no evidence exists in support of such a notion. Rather, *halakhah* is replete with opposing concepts, such as *lashon harah* and *halakhah vein mariv kein*.

If Mr. Dayanim's argument is to have any validity, then, it must be justified on contractual grounds. Readers of a newspaper expect to receive all the significant knowledge its editors and reporters have access to: a journalist who withholds such information would be defrauding them. Thus an Orthodox journalist covering a story on "Income Tax Evasion Among Orthodox Jews" faces a real ethical dilemma. He might legitimately decide to publish, despite the inevitable *chitul Hashem*, on the grounds that another reporter would write the story if he resigned. Similarly, an Orthodox reporter from Time might feel compelled to publish a story on *m'challlei shabbat* in Yeshiva University.

However, no such argument can be made by a reporter for or editor of *The Commentator*. That newspaper is chartered by a college that professes belief in *halakhah* and paid for by a student body with similar beliefs. *The Commentator* violates no explicit or implicit contract with its readers when it fails to publish material that halakhically should not be published. In fact, by publishing material that *halakhah* would suppress it violates its mandate.

A newspaper does have legitimate functions that may at times allow the suspension of various *mitzvot lo taaseh*. Should the *shabbat* situation in a yeshiva threaten students' spiritual development, and the administration fail to respond appropriately, newspapers and journals should and perhaps even must publicize the facts. Student journalists at Yeshiva face a particularly difficult situation in that any criticism of Yeshiva is almost inevitably blown out of proportion by the "right wing" world. The decision to publish should not be taken lightly, and the burden of proof should be on the prosecution.

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TALKING TO OTHERS

On Saying "You're Wrong"

by David Debow

The conversation happens anywhere, a bus-stop, airplane, laundry-mat. The *kipa* on the head, regardless of my debating skills or erudition, seems to designate me spokesman for Orthodoxy and *kaveyakhol* defense attorney for God. The conversation continues, I give my impressions, he gives his; I tell my experiences, he tells his, I give my reasoning and he gives his. We reach an impasse: "You are wrong," he tells me. "No, you are..." I hesitate. On what basis do I call him wrong? I examine the steps that lead me to my belief, some but not all of them airtight logical progressions, not all of them readily communicable. Certainly I think he is in error, else I would not continue the argument. But can I pronounce unequivocally that one who chooses to disagree with Orthodox Judaism is wrong?

I brought this question before my teacher, Mr. Gary Levine, and he presented me with a paper he had written entitled "On the Possibility of Religious Knowledge." Below, I outline Levine's analysis, my problems with his construction and my tentative solution to the problem of calling another "wrong." "Wrong," for the purposes of this article, means maintaining a logically untenable position.

Anthony Flew viewed religious knowledge as less meaningful than empirically derived knowledge, arguing that a statement that something is "true" includes the assertion that its negation is false. If the possibility of the negation being false is inconceivable no matter what the evidence against it, then the original statement includes a meaningless assertion and is meaningless itself. Empirically derived knowledge can be proven false in the laboratory. We have observed the fact that matter is not conserved; therefore "matter is conserved" was a falsifiable statement and therefore a meaningful one before being disproved. But...

"could a religious person accept the possibility that 'God did not create the world no matter how overwhelming the evidence?' For every claim made against his religious 'assertions,' the believer would find reasons why the claim did not count. In effect, no proof could count to the believer as a negation of his assertion."

Levine, however, demonstrates that religious knowledge systems are as meaningful as any other, i.e. that knowing that God is good or that He created the world is as meaningful as the empirically derived laws of physics. All systems base their knowledge on untested and untestable absolute pre-suppositions. He bases his argument on the theory of Conceptual Relativism, which can be summed up in a statement by Ludwig Wittgenstein: "Whenever we test anything, we are already presupposing something that is not tested."

Levine argues that "what we hold to be true, then, is determined not exclusively by objective judgement based on some totally objective criteria. Rather, at least to some degree, what one holds to be true is going to be grounded in his acquiescence to a 'general agreement' in terms of definition and judgement. Underlying each different knowledge system, then, is a conceptual framework which is accepted by the adherents of that system. The concepts which form that framework cannot be independently validated, nor is it required by the adherents to the

system that they be so. Rather, as the philosopher Roger Trigg sees it, they are the presuppositions to the development of further knowledge within the system."

Religious knowledge, then, does not differ from any other body of knowledge. We can judge any system on the basis of its internal coherence, utility, etc. But we cannot validate, through logical or empirical means, the basic concepts upon which the system is built.

Therefore the empiricist's view of the universe: "since I don't sense God, He does not exist," is no more meaningful an assertion than the religionist's statement that God is just.

Though we have demonstrated that religious knowledge does not lack the meaning granted to empirically derived knowledge, in so doing we may have forfeited the ability to compare disparate systems, because we judge

a scientific system in his uncle's workshop etc. The boy will balance them and evaluate them, day by day, committing himself more to one today and less tomorrow. That is the process of learning and of growth."

But we still require a common language to evaluate competing systems. From where do we derive this common language? Here Levine uses the concept of "forms of life" developed by Wittgenstein. Levine understands forms of life to be "so basic to the conceptual/propositional background network of a person within a given society that he is not even aware of them, much less skeptical about them." Norman Malcolm cites as an example that someone noticing his law chair missing from the front stoop would never conclude that the chair simply vanished. The concept that things simply do not cease to exist is so ingrained in our subconscious that

his religious commitment to a God of Justice. Levine posits that this act of wondering, of questioning whether or not God acts justly, is evidence of rational inquiry. But on what basis does this evaluation take place? Furthermore, what determines if Rabbi John is even troubled by the incident? I am forced to conclude that really all such decisions rest with the intuition. Although Rabbi John and Bill may communicate logically on the problem of theodicy, thereby clearly outlining the issue at hand, and Rabbi John may employ logic to construct solutions within a framework of religion, the final decision must, because of the lack of any over-arching system of analysis, rest solely with the intuition. Rabbi John must intuit towards a religious belief or in the extreme situation break with the past and choose commitment to his senses. No "evaluation or judgement" between



each system only with regard to its internal coherence. I chose monotheism and interpret my world accordingly, but the man I dispute does not. How can we call each other wrong?

"When truth is divided into watertight compartments, so that what is true for one group may not be true for another, and may not even be intelligible to them, the notion of an all-embracing rationality must be completely abandoned" (Trigg).

Levine outlines the problem clearly. "If our commitment is unquestioning, then the very criticism of religious knowledge which we noted in our introduction would be true of all knowledge systems: that no argument could count as proof against it." Levine, however, claims to solve this problem. He redefines the concept of "commitment" to a system. He asks us to consider even those *largely* committed to a system's absolute pre-suppositions as adherents of that system. Therefore, one may question and wonder about the absolute pre-suppositions governing one's own system without stepping outside it. This wondering, posits Levine, points to rational critique of a system by a member of it. An individual may "examine whether his framework concepts are congruent with his present experience of the world." Furthermore, Levine suggests, one may analyze his own system using points of references from other systems as individuals maintain varying degrees of commitment to several competing systems. "A young boy may learn a religious system at home and in church, a more profane social system in school and out on the street,

we are not aware of its presence. Forms of life constitute the back-drop to everyone's conscious analysis.

Levine states that believer and non-believer share forms of life, enabling meaningful communication to occur between them. They can describe to each other the natural world and historical events. Surely they must share some common concepts, since empirical man and religious man can exchange poetry describing the beauty of love. According to Levine, this common background allows an individual to evaluate competing systems. Were he correct, our question would be answered. A largely committed member of one system may call a largely committed member of another system wrong on the basis of the argumentation and communication they share, for he has weighed and balanced the two against each other using shared concepts and found the other to be wrong. But no where in his paper does Levine detail this "evaluation and judgement" process.

To my mind, it cannot exist as a rational process. Earlier in the article, Levine outlined a case of Rabbi John, who upon officiating at the funeral of a young boy began to wonder about his own absolute pre-suppositions. Bill the empiricist, Rabbi John's high school chum, challenges Rabbi John at the funeral. They share the concept of justice as a form of life and so can use it in communication. Bill asks Rabbi John, "Is it just that God should take the life of an innocent boy?" Rabbi John must now weigh his commitment to his senses, which sees no justification for the act, against

systems is possible; an individual is attracted to one over the other.

So we return to the opening dilemma. Can I call another person wrong? If all knowledge flows from absolute pre-supposition, and my adversary's position is internally coherent, the only way to attack his position is to attack the absolute pre-suppositions upon which it rests.

Since the choice of axioms remains wholly with the intuition and even choosing between competing axioms remains an intuitive process, I cannot state logically that my adversary is wrong. The problem lies with intuition. I may ask, "Has he, honestly evaluated his experiences? From where does an erroneous intuitive decision flow and how is a person held accountable for it?"

This approach of granting logical consistency to other systems refutes a claim I find disturbing (perhaps explaining why I intuit towards this explanation to begin with). The claim that only fools fail to see the truth of Orthodox Judaism denies the existence of clear thinking, well informed and sensitive non-Orthodox individuals.

This position also effects two attitudes. First, it changes my approach in dealing with people holding beliefs contrary to mine. It also makes clear what Jewish educators have known for a long time. In introducing the non-Orthodox to the claims of Judaism clear argumentation must be accompanied by a positive experience which affects the intuition as well.

TALKING TO YOURSELF

The Dangers of Idealism

by Seth Kadish

"A stone has weight, sand is heavy. But a fool's vexation outweighs them both" (Proverbs 27:3, JPS).

Rabbi Shlomo Yosef Zevin *z"l* brought life to this verse by comparing it to the *mishnah* in *Avot* (5:12) that describes the four types of personalities people have in regard to anger. The heavy bag of sand, says Rav Zevin, represents people who are easy to anger: just as individual grains of sand are light but a sackful is very heavy, so too the person easily angered will find this trait very destructive throughout his or her life. The weighty stone represents the person difficult to appease: although he may seldom be angered, each outburst, because of the refusal to be mollified, "has weight." The worst sort of people are those both easily angered and hard to appease. But the point of the *pasuk* is that "a fool's vexation" is more destructive than even the worst sort of called-for anger.

Rav Zevin *z"l* offered one limited application for the above *derashah* (see *La-Torah Vela-Mo'adam*, pp. 143-4). I would like to propose a much wider usage, one I hope he would have agreed with. The verse from Proverbs becomes a basic lesson in human conduct once we realize that the dangerous "fool's vexation" being spoken of need not come from a stupid or light-headed person. It might just as well describe anger not thoroughly thought out, anger that might even come from a brilliant, serious, and fully committed *oved Hashem*. Such anger is a massive problem in today's community of *shomrei mitzvot*.

Rav Aryeh Levin *z"l* was known for his brilliance in dealing with and understanding his fellow Jews. In the 1930's, a very pained rabbi complained to him about the constant fighting and mutual anger found within *Eretz Yisrael's* religious community at the time. Rabbi Levin responded: "Of course I am appalled by all the contention and strife... Only by drawing together in friendship can our people be rebuilt in strength... Yet to my mind the causes of this divisiveness lie in nothing less than our spiritual superiority, the high levels of awareness in Torah that we attain, and our profound conceptions of Judaism. This strife and division testifies to a spiritual dynamism and vitality that is ready to yield to no one. The firm unflinching stand that every group among us takes, which inevitably leads to clashes and quarrels, has its basis only in an advanced spiritual vigilance that will not compromise a hairsbreadth on matters of faith" (*A Tzaddik in Our Time*, by Simcha Raz).

The outstanding leaders that we find today in all the various camps of the religious community clearly illustrate that, as Rav Levin said, *talmidei chachamim* usually get angry only because of their intense concern with *Kelal Yisrael*, and because of their complete commitment to doing exactly what they believe right. But the present state of hatred and division certainly isn't the optimum condition. "Spiritual dynamism and vitality that is ready to yield to no one" is a positive characteristic every committed Jew must have. However, before we take

unflinching stads and attack others for the mistakes they have made, we must think a few critical issues through thoroughly. If we err, if our rhetoric at all reflects destructive "fool's vexation", then the consequences of our stand will almost certainly be worse than if we hadn't fought at all.

zechut doesn't just apply to matters of *issur ve-heter*. Especially when dealing with *talmidei chachamim*—whom the *halakha* requires us to judge favorably even when appearances condemn, and this isn't limited to world-famous *roshei yeshivot*—we must assume that others' *hashkafot olam* have substance. The wise man learns from all other men (*Avot* 4:1) and you will often find, when following this rule, that your own *hashkafot* needed clarification.

Also, while not all *derakhim* are legitimate in all ways—we shouldn't use "*eilu ye'ulu divrei elokim chayim*" glibly as an excuse to stop criticizing real faults in other *derakhim*—remember that some alternatives are necessary to accommodate differing personalities, whether in approaches to Torah study (method and content) or in structuring *avodat Hashem* into particular peoples' lives.

Criterion #2: Make sure the issue is worth fighting about. This criterion is less frequently met than the last. *Machloket*, even when *le-shem shamayim*, always has negative fallout. Be sure that the issue is worth the pain, anger, *bittul Torah* and *chillul Hashem* that will inevitably be caused by it.

The last Israeli election perfectly illustrated the consequences of this criterion being ignored. (I'm not talking about whether "Who is a Jew" was worth fighting about, although that issue fits in this category, too.) Each of the religious parties that made it into the Knesset claims to be interested in making Israel a more religious country, and each takes pride in its educational institutions and in the many *ba'dei teshuvah* who identify with it. Unfortunately, the positive phenomenon of *chozrim bitshuvah* hides a larger issue. Imagine the impact the *dati* community would have on the State of Israel if we were a model community non-religious Israelis would feel compelled to respect. The impact might not be open and blatant, but it would have more positive influence on Israel's Jewish character than all the *chozrim bitshuvah* we have reached, and will, God willing, continue to reach in our present divided state. The bickering, anger, and possibly even lying that characterized our representatives in the last election did enormous harm to the cause of Torah in *Medinat Yisrael*, and most of this fighting grew out of *hashkafic* disagreement.

Criterion #3: Be sure to preserve complete respect for your opponents' sincerity and intellectual integrity, despite your certainty that they are wrong about this issue. Most people find this criterion practically impossible to fulfill. But consider: if you can't fulfill it, you probably lack complete *Ahavat Yisrael*, and if you can't be sure that your motives are pure then you should consider dropping the issue.

This third condition becomes easier to meet if we look into our own lives, and remember times when we erred even after careful thought, and even when the truth was staring us in the face. When others make mistakes, we have to judge them no less favorably than we would judge ourselves. I apply this last criterion even outside the religious community, because it is especially important when dealing with Jews not *shomrei mitzvot*, both here and in Israel. Rav Kook *z"l* explained the friendly, loving way that he dealt with the *chilonim* of his time by pointing out that these people only left

Torah observance because of sincere ideological considerations. Rav Kook, of course, considered them mistaken, but he still took the time to learn to understand how they thought, and even tried to respect their ideologies even though he considered them wrong. According to Rav Kook these early Zionists left Torah because, as they saw it, they were "warriors for the good of society...When they enlisted in the forces of the ideological battles of the day...they had an intellectual goal according to their understanding, and when they return it will also be a *teshuvah* of the mind...Simply intellectual repentance, like one who realizes an error in his arithmetic...*Teshuvah* of the mind is truly a repentance out of love...the sinners and the rebels who are not really caught up in their lusts, but rather are intellectually mistaken, can return in complete repentance." (*Igrot Ha-Re'iyah*, Vol. II, pp. 170-172) Rav Kook saw modern ideology as a "temptress", but this *yetzer hara* was of a different quality than that which motivates Jews who drop the *mitzvot* out of convenience.

Most Orthodox Jews carry a glib conception of non-Orthodox Jews in their minds. They see a non-Orthodox Jew as a *tinok she-nishba* who knows nothing about *Yahadut*, and his rabbis or leaders as people who have decided to water down Judaism out of laziness, selfishness or both. This generalization may be true in countless cases, but it isn't the entire story: some of the finest people we could possibly reach are at least somewhat knowledgeable and are sincerely committed to non-Orthodox ideologies. These people usually have alternative constructs of "Judaism", as well as certain doubts about and objections to Orthodoxy; unless we take their ideologies seriously and treat their opinions with respect we will rightfully lose any chance of influencing them. And any negative stereotypes that we foster about Orthodoxy through our own misconduct and internal warfare will make this task infinitely more difficult.

As an added bonus, here are a few typical reactions you may find yourself having during casual conversations or in serious debates; they should make you think twice about whether you may be committing fool's anger while you defend your opinions:

- "I'm not *goreis* that." (This means that you refuse to listen or think, by definition. Maybe the other side does see the issue from an angle you haven't yet thought of.)
- "Most *gedolim* don't hold of that." (Who's majority are we speaking of, and why should being in the minority disqualify what may be the truth?)
- "Certain rabbis who claim to be..." (Don't dismiss their claims to be anything until you've truly listened. It's shallowing to set up a straw man.)
- "I've heard that he isn't reliable." (It is simply forbidden to say or believe such things without first investigating. Be wary when a person's reliability is questioned by someone on the other side. And reliable or not, is he definitely wrong about this issue?)
- "But everyone holds..." (Maybe not, maybe you haven't learned or listened enough.)
- "I'm not *mekabel!*" (Mildly funny, but this makes no sense in a debate outside the context of *lashon ha-ra*.)
- "That's not kosher material." (You can't know that an idea is *pasul* until it's been fully explained to you. And who says that all kosher material is on the shelves of your own *beit midrash?*)
- "I'm only relying on my *rebbe*." (We certainly must have *rebbeim* to guide our own lives in matters of *hashkafah*. But when it comes to declaring war on others, do the research yourself first; otherwise let your *rebbe* who has done the research be the one to condemn others. Remember: your opponent has a *rebbe*, too.)



From Ilui To The Life Of

by Mitchell Waxman

Solomon Maimon was born around 1753 to a *posek* and community leader in the Lithuanian village of Nesvij. Recognized early as an *ilui*, he received *smicha* at age eleven, inheriting the religious traditions of his father.

Solomon Maimon died a heretic at age forty seven. The *chevra kadisha* abused his body before its interment, and his gravesite was scorned and shamed.²

In his short lifespan, Maimon evolved from honored *ilui* to despised intellectual. What caused a man with so auspicious beginnings to end so ignominiously?

Maimon's talented mind developed interests ranging far beyond his father's shelves of Talmud. While a child, he confined his struggle for enlightenment to nocturnal raids of his father's science cupboard and the astronomy works held off-limits there. But Maimon did not long allow himself to be contained in the Shtetl. His thirst for knowledge drove him from Poland to Germany, enduring an odyssey that eventually drove him to alcohol as "his sole comfort... [to] make him forget his misery."

Some of the foremost thinkers of his time praised Maimon's writings. Kant said "not only that none of my opponents had understood me and my main problems so well, but that very few could claim so much penetration as Herr Maimon in profound inquiries of this sort." Likewise, Fichte wrote that he cherished a boundless respect for that talent. Nonetheless, Maimon failed despite many attempts to achieve a place in the society of the intellectual elite.

Maimon received the usual Talmud-oriented Jewish education, but found it unrigorous and unsystematic. In his autobiography, he recalls his attraction to sciences and his desire to build a rational system, complaining that *m'tamdim* narrow-mindedly confined students to the Talmud's interpretation of the Bible, destroying any sense of distinction between *psht* and *drash*. He did however praise the works of Radak and Ibn Ezra, which he claimed were ignored by his contemporaries.

He believed Talmud to be generally inappropriate to the elementary curriculum. "The subjects of the Talmud, with the exception of jurisprudence, are dry and mostly unintelligible to a child - the laws of sacrifices, of purification, of forbidden meats, of feasts and so forth - in which the oddest rabbinical conceits are elaborated through many volumes with the finest dialectic, and the most far-fetched questions are discussed with the highest efforts of intellectual power... Compare these glorious disputations, which are served up to young people and forced on them even to their disgust, with history, in which natural events are related in an instructive and agreeable manner, and with a knowledge of the world's structure, by which the outlook into nature is widened, and the vast whole is brought into a well ordered system; surely my preference is justified."⁴

Maimon also criticized his contemporaries' method of Talmud study, claiming that they believed the highest stage of Talmud achievable to be "that of disputation. [Which] consists in eternally disputing about this book, without end or aim. Subtlety, loquacity and impertinence here carry the day. It is a kind of Talmudic skepticism, and [is] utterly incompatible with any systematic study

directed to some end."⁵

However cogent, Maimon's criticisms may be, he presents them more caustically than necessary for mere critique. The book's excessive bitterness reveals a motive beyond mere documentation of societal ills. Maimon wrote his biography in German in the hope that the German intellectual elite would take interest in him; his criticisms may have been intended to demonstrate his complete identification with "enlightened" thought. At the time of the book's writing, the wear and tear of life as a vagabond and alcoholic had taken their toll on him, driving him once to attempt suicide. Furthermore, he had no place to return to in Jewish Society even had he wanted one.

Considered in light of his aim to enter salon society, Maimon's ridicule of his father's religion as parochial is understandable: Upon learning the first verse of Genesis, the young Maimon reportedly asked

"But, Papa, who created God?"
"God was not created by any one," replied my father, "He existed from all eternity."
"Did he exist ten years ago?" I asked again.
"Oh yes," my father said, "He existed even a hundred years ago."

"Then perhaps," I continued, "God is already a thousand years old?"
"Silence! God is eternal."
"But," I insisted, "he must have surely have been born at some time."

"You blockhead," said my father. "He was for ever and ever and ever."⁶

His claim of precociousness isn't strange, but the story has a clearly gratuitous objective; the young Maimon never went in for unsophisticated Jewish thinking.

Maimon also claimed to be indifferent to the Talmud itself, not only its purveyors. "As the principles themselves have merely imaginary reality, they can not by any means satisfy a soul thirsting for knowledge."⁷ However, this may also have been an attempt to curry social favor.

But Maimon also claims to be a follower of Maimonides, and he never explains why his ostensible mentor made such great efforts at Talmudic mastery. That Maimon wrote a work refuting the Talmud's detractors only adds to the confusion.⁸ These anomalies can be understood if we realize that Maimon made the negative statements only to further his social aims.

The grievous quality of life and abysmal absence of social success that prompted Maimon's pandering to public opinion later drove him to attempt conversion to Christianity.
"I travelled back to Hamburg, but there I fell into the deepest distress. I lodged in a miserable house, had nothing to eat, and did not know what to do... I could not succeed in Germany owing to my ignorance of the language, as well as of the manners and customs of the people to which I had never been able to adapt myself properly. I had learnt no particular profession, I had not distinguished myself in any special science, I was not even master of any language in which I could make myself perfectly intelligible. It occurred to me, therefore, that there was no alternative left but to embrace the Christian religion and get myself baptized in Hamburg."⁹

Maimon clearly stated his purely social intent.

"So, [said the clergyman] your intention is to embrace the Christian religion merely in order to improve your temporal circumstances."

"Excuse me, Herr Pastor," I replied, "I think I have made it clear enough in my letter that my object is the attainment of perfection. For this, it is true, the removal of all hindrances and the improvement of my external circumstances are an indispensable condition. But this condition is not the chief end."¹⁰

Maimon tried to mask the purely utilitarian purpose of his conversion, but the clergyman refused to accept less than a full confession of faith. Maimon hardly seemed displeased, stating in response,

"I must therefore remain what I am - a stiff-necked Jew. My religion enjoins me to believe nothing, but to think the truth and to practice goodness. If I find any hindrance in this from external circumstances, it is not my fault. I do all that lies in my power."¹¹

Maimon's bitter tone actually exceeds even



Solomon Maimon

that necessary to endear him to German intellectuals. His denunciation of *m'tamdim* as "marvel-mongers," and his reference to the Talmud's "rabbinical conceits" indicate an overall resentment of and betrayal by his roots. Maimon resented his society's seeming inability to accommodate a uniquely critical personality such as his own.

According to Maimon, popular religion failed in the post-Talmudic period because the Rabbis intellectually tyrannized the Jewish masses.

"The learned men, who form the nobility in the nation, have been able for many centuries to maintain their position as the legislative body with so much authority among the common people, that they can do with them whatever they please... The nation is divided into unequal classes, namely the common people and the learned. The former, owing to the unfortunate political condition of the nation, are profoundly ignorant, not only of all useful arts and sciences, but even of the laws of their religion, on which their eternal welfare is supposed to depend... The Jewish constitution is therefore in its form aristocratic, and is accordingly exposed to all the abuses of an aristocracy."¹²

Maimon praised "reformers," such as Shabbetai Zevi and "the founder of the Christian religion," for attempting to oppose this tyranny and bring "back the whole ceremonial law to its origin, namely, a pure moral system to which the ceremonial law stands as a means to an end."¹³

In this critique we see the overriding importance of intellectual democracy in Maimon's thought. These harsh judgements come not from Maimon the rationalist, but

rather from Maimon the rejected *ilui*. Maimon makes no attempts to philosophically or historically base his condemnation of Rabbinism; he merely states his subjective opinion, an opinion strongly influenced by his harsh experiences.

In a more positive pursuit of a rational viewpoint and a Jewish egalitarianism, Maimon was drawn to Mendelssohn's sentiments about Judaism. Mendelssohn regarded him highly and introduced him to important people in Berlin, and during his time there Maimon translated a math textbook into Hebrew, wrote articles for *HaMeasef* (a *haskalah* Bible Journal), a commentary on *Moreh Nevukhim*, and a scathing critique of Johan Andreas Eisenmenger's anti-Semitic work *Entenkes Judentum*, strongly defending the Talmud against "the unjust recriminations and calumnies levelled... by Christian authors".

Maimon in fact declared agreement with Mendelssohn's theology in his autobiography, and his strongest statement of personal commitment strongly resembles Mendelssohn's theology.

"Personally, I am led to agree entirely with Mendelssohn by my own reflections on the fundamental laws of the religion of my fathers. The fundamental laws of the Jewish religion are at the same time the fundamental laws of the Jewish State. They must therefore be obeyed by all who acknowledge themselves to be members of this state, and who wish to enjoy the rights granted to them under condition of their obedience."¹⁴

Despite his obvious brilliance, Maimon's offensive personality prevented acceptance in Mendelssohn's circle. His egotistical abrasiveness is best illustrated, though, when Maimon ridicules the superstitious people of Posen. Maimon recalls an incident that occurred:

"One Friday when they were preparing fish for the Sabbath. The fish was a carp, and it seemed to the cook who was cutting it up as if it uttered a sound. This threw everybody into a panic. The Rabbi was asked what should be done with this dumb fish that had ventured to speak. Under the superstitious idea that the carp was possessed of a spirit, the Rabbi enjoined that it should be wrapped in a linen cloth and buried with pomp. Now, in the house where I lived, this awe-inspiring event became the subject of conversation. Having by this time emancipated myself thoroughly from superstitions of this sort by diligent study of *Moreh Nevukhim*, I laughed heartily over this story, and said that if instead of burying the carp they had let it sent to me, I should have found out how an inspired carp would taste. This bon mot became known. The learned men fell into a passion about it, denounced me as a heretic, and sought to persecute me in every way. But the respect entertained for me in the house where I was tutor made all their efforts fruitless. As I found myself safe, and as the spirit of fanaticism, instead of deterring me spurred me on to further reflection, I began to push matters a little further... at last my sins became so great that nothing could protect me any longer from persecution. At the entrance to the Communal Hall in Posen there has been, no one knows for how long, a stag horn fixed into the wall. The Jews are unanimously of the conviction, that anyone who touches this horn is sure to die on the spot; and they relate a multitude of instances in proof. This would

not go down with me at all, and I made fun of it. So one day when I was passing this the stag horn with some other Jews, I said to them, 'you Posen fools, do you think that anyone who touches this horn must die on the spot? See, I dare to touch it! Horror-struck, they expected my death on the spot; but as nothing happened, their anxiety for me was converted into hatred... This fanaticism stirred in me the desire to go to Berlin, and destroy by enlightenment the last remnant of superstition which still clung to me."¹⁵

The story presents a legitimate critique of superstition, but its implication that religion caused superstition rather than simply failing to prevent it is unjustified. More importantly, it displays Maimon's insensitivity and lack of human understanding.

Intellectual Solomon Maimon

universal validity and necessary for all operations of reason: 'an ideal of infinite perfection which we, by virtue of the nature of reason itself, must forever keep approaching."¹⁷

Maimon developed a highly original formulation of Kant's theory of the 'thing-in-itself'. He defines all of existence ideally and states that the relationship between phenomena and noumena is really a dichotomy within the process of cognition, leaving man's thought at the center of the universe in a decidedly anthropocentric rather than theocentric system. But at the same time he describes man's mind as a schema of the infinite, an idea scholars have paralleled with Maimonides' concept of *tzelem elokim*.

Despite his rational skepticism, Maimon seems to have believed in God and Judaism. "The true religion, natural as well as revealed, which constitutes Judaism, consists in a contract... between man and the Supreme Being, who revealed Himself to the patriarchs in person... and made known through them his will, the reward of obeying it and the punishment of disobedience, regarding which a covenant was then with mutual consent concluded. Subsequently, through his representative Moses, He renewed His covenant with the Israelites in Egypt... determining more precisely their mutual obligations; and this was afterwards formally confirmed by both on Mount Sinai."¹⁸

In addition to describing Jewish history as the history of Israel's relationship with God, Maimon ends his last book with "the wise and virtuous man in so far as he is such, enjoys already in this life immortality and union with God."¹⁹

If Maimon's actual beliefs seem convoluted and difficult for us to pin down, he certainly struggled with them until his death. A neighboring pastor recorded his final words. "You look so ill," his friend proceeded, "that I am doubtful about your recovery."
"What matter?" said Maimon, "when I am dead, I am gone."

"Can you say that, dear friend," rejoined the clergyman, with deep emotion, "your mind, which amid the most unfavorable circumstances bore such fair flowers and fruit - shall it be trodden in the dust along with the poor covering in which it has been clothed? Do you not feel at this moment that there is something in you which is not body nor matter nor subject to the conditions of space and time?"
"Ah!" replied Maimon, "these are beautiful dreams and hopes". After a while the dying man exclaimed, "Ah me! I have been a foolish man, the most foolish of the foolish - how earnestly I wished it otherwise!"

"This utterance," observed the pastor, "is a proof that you are not in complete accord with your unbelief. No," he added, taking Maimon by the hand, "you will not die; your spirit will surely live on."
"So far as mere faith and hope are concerned, I can go a good way; but how does that help?" was Maimon's reply.

"It helps us at least to peace," urged the pastor.
"I am at peace," said the dying man, completely exhausted.²⁰

Many of Maimon's views cannot be religiously justified, but his descent into heresy was not inevitable. His "propensity to submit all settled convictions to fresh examination did not endear him to his fellow man." But Maimon did so in a society that had not only many quirks to be challenged, but also a pronounced inability to integrate that challenge. Maimon failed, in his life and thought, to become a paradigm for the modern Jew, but his society aided and abetted that failure. A more open Orthodox society, one willing to confront the outside world, might have provided him a forum in which to contribute to his Jewish heritage. Instead, Maimon does not even merit a footnote in the history of Jewish thought; he only garners notice, as a secular thinker, in the brief overview of Jewish philosophy and Neokantianism.

This is certainly Jewish history's story of the one that got away. Maimon's travail is our own; the Jewish people lost as much in his devolution to Intellectual as Maimon did. The annals of Maimon should forewarn us against attitudes that might lead to our losing brilliant minds and inspired souls simply through our inability to deal with them.

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5. Maimon, Solomon. *Givat HaMorh*. Israel Academy of Science and Humanities, Israel, 1965.

Notes

- 1. Historians are unsure of the exact date, since Maimon doesn't mention it and no certificates are available.
- 2. Hugo Bergman, *The Philosophy of Solomon Maimon*. (Jerusalem, 1967; translated from the Hebrew by Noah J. Jacobs), p. 272 (quoted from Simon Bernfeld's biography of Rabbi Yehiel Michael Sachs).
- 3. Solomon Maimon, *The Autobiography of Solomon Maimon*, translated by J. Clark Murray (Horowitz Publishing Co. Ltd., London), p. 144.
- 4. *Ibid.*, p. 28.
- 5. *Ibid.*, p. 44.
- 6. *Ibid.*, p. 25.
- 7. *Ibid.*, p. 70.
- 8. Alexander Altman, *Moses Mendelssohn: A Biographical Study* (Philadelphia, 1973), p. 364. See text accompanying note 17.
- 9. Maimon p. 125.
- 10. *Ibid.*, p. 128.
- 11. *Ibid.*, p. 128.
- 12. *Ibid.*, p. 167, 168.
- 13. *Ibid.*, p. 169.
- 14. *Ibid.*, p. 163.
- 15. *Ibid.*, pp. 105, 106.
- 16. Maimon p. 88.
- 17. Bergman p. 273, with the interior quote from Maimon's article "Atheist," p. 27.
- 18. Maimon p. 181.
- 19. Bergman, p. 276, quoting Maimon from *Kritische Untersuchungen uber den menschlichen Geist* (Leipzig, 1797).
- 20. Maimon, from epilogue by J. Clark Murray, pp. 155, 156.

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Halakhic Man Meets Mammon



Economics and Jewish Law
by Rabbi Dr. Aaron Levine
Reviewed by Robert Klapper

Many Yeshiva students complain, and perhaps some boast, that their secular studies do not relate to their religious studies and vice versa. Torah U Mada touches their lives only when they curl their fingers around a paper cup in the cafeteria. Dr. Aaron Levine's latest book, *Economics and Jewish Law*, provides a

powerful illustration of the way Torah and Mada can enhance each other in at least one context.

Levine contrasts the free market ethos with halakhah's moral imperatives and expectations and discovers a contrast not only of means but of aims. Adam Smith, he explains, sought to control theft through consumer discontent, and his ultimate goal was

increased productivity. *Halakhah* also strives for increased productivity, but it believes personal moral development far more important. Thus free market economic models tolerate dishonesty where regulation would cause greater general economic loss, but *halakhah* prohibits even chicanery of minimal financial import. The market strives for material gain, *halakhah* for transcendental gain.

Levine's presentation of *halakhah's* attitude is beautiful and compelling, but his criticism of free market economics is overstated. Many of the examples he cites of *halakhic* requirements that supersede the profit motive, e.g. "*Vyareita mei'elokekha*" (You shall fear your God", Leviticus 19:14) and "*lifnei iver lo titen mikshol*" ("Don't place a stumbling block before the blind", applied halakhically to the giving of misleading financial advice: Leviticus 19:14) cannot be enforced by human agencies; they therefore are beyond the province of secular economic theorists, many of whom may personally believe morality more important than money. Economists, lacking Divine authority, cannot expect or require people to choose honesty rather than financial gain. Levine also admits that *halakhah* occasionally eschews enforcement procedures when they are economically counterproductive even if they are morally productive.

The heart of the book lies not in the general philosophic picture it presents, however, but rather in its comprehensive and detailed treatment of *halakhah's* response to specific economic theories and situations. Examples are numerous, relevant, lucidly presented and explained without condescension yet without assuming prior knowledge of either economics or *halakhah*.

Levine writes well, and his integration of homiletic interpretations of *Tanakh* into the book often enlivens the subject. However, his exhaustive and detailed treatment occasionally make this book heavy going. Read it a chapter or two at a time to avoid being overwhelmed. If you're interested in specific topics, the table of contents is superb and the index excellent, and the book should become a standard reference work.

Throughout the book, Levine argues and demonstrates persuasively that in many cases *psak* is dependent on economic analysis. His discussion of Jewish copyright law, for instance, shows that the extent of the ban on republishing religious works depends on such factors as market size and the degree of risk taken by the first publisher. But while economics determines the means in some instances, Levine never forgets that Judaism determines the aims. *Economics and Jewish Law* sets an admirable standard in both the intellectual and religious realms.

IN SHORT

by Robert Klapper

Crossroads: Vol I and Vol II
Zomet

Translated by Rav Ezra Bick

Crossroads: Halakha and the Modern World

Vol. I represents the disappointing fruition of an exciting idea. The editors sought to bring to the English-reading world articles grappling "with the problems found at the crossroads of Torah and the Modern World", and to do so while preserving "discussions of pressing halakhic problems with the full *shakla v'itaria* intact." Unfortunately, the product, translations (excellent translations) from the pages of the Hebrew journal *Techumin*, generally offers only collections of sources adequately explained.

Volume II starts off well but doesn't sustain the level of the first three articles, though it generally remains more interesting than Vol. I. Too many articles approach the crossroads and then sheer away, most tellingly a piece on blindness which opens promisingly by informing us that "A survey article of the World Health Organization listed sixty five (!) different definitions of blindness", then wanders off into one line summaries of the blind's mitzvah obligations and finishes by claiming that space forbids the treatment of all issues raised by modern ophthalmological advances!

I haven't read *Techumin*, so I don't know if the editors' selection is at fault here. It seems to me a pity that such superb translators have chosen such skimpy material to work with. The books are merely adequate sourcebooks and fail to meet the lofty goals the editors set forth in their introductions.

Women in Jewish Law
Rachel Biale
Schocken Books
1984

An impressive book. While Rachel Biale clearly is not Orthodox, and her occasional digressions into the history of *halakhah* are

distracting, *Women in Jewish Law* is an excellent sourcebook written by someone who clearly knows her stuff. Biale explains *sugya*, *rishonim* and *achronim* clearly and without assuming any prior knowledge, and as importantly without ideological tendentiousness. Her treatment is thorough if not comprehensive, and her discussion intellectually rigorous without becoming overly involved. I don't know if I've read a better book of the genre.

Jews in British India
University Press of New England
Joan G. Roland
1989

Another book with great potential that doesn't come close to achieving it. Jews in British India presents a golden opportunity to study how Jews' attitudes toward one another are affected by their environment. Furthermore, it offers a glimpse into a world where Jews openly practiced racism toward one another, a useful tool for understanding Ashkenazi-Sefardi relationships in Modern Israel.

Unfortunately, Joan Roland chooses to focus on the Jews' political rather than social activities, and almost all of her facts are presented through the newspapers of the two major communities rather than through individual voices. The book may be interesting to Indians, or to descendants of the Bene Israel, but to almost no one else.

The Underground Army
Chaika Grossman
Holocaust Library
1987

Chaika Grossman's memoir of the Holocaust effectively smashes the myth of Jewish non-resistance. *Grossman* details an organized underground with safe houses, forgers, and even weapons. Her own life as a courier was full of exciting escapes which she just

pulled off by virtue of her "Aryan" looks. More depressingly, she shows how even under the threat of extermination political and ideological differences kept the Jews from uniting effectively.

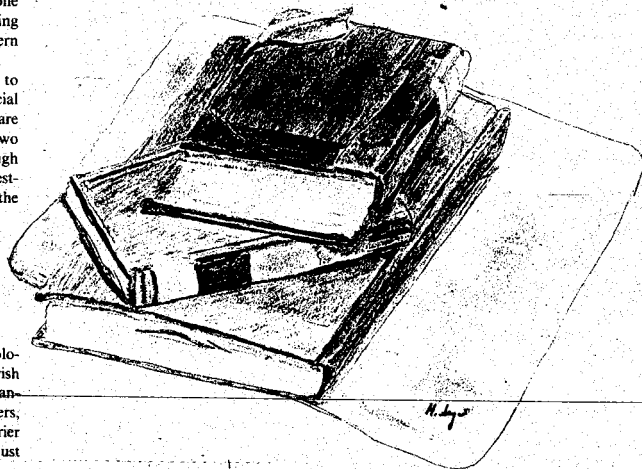
The book is generally pleasantly written but suffers from a paucity of descriptive adjectives; far too many girls are described as "the golden-haired" far too many times. Nor is it for those seeking religious morality tales; God is as hidden in these pages as He is in Esther. And I found the general cheerfulness of the book a bit annoying; the pain of the Holocaust never really hits. But the book provides good action, suspense, and pride that some Jews, at least, fought back.

In the Land of Israel
Amos Oz
Harcourt Brace Jovanovich
1983

Amos Oz travels to the cafes of pre-intifada

Israel and finds fanatic, hating Jews, and sympathetic Arabs. Not all the Jews he meets are haters, of course, and not all the Arabs benign, but enough switch stereotypes to confuse and disturb those with a monochrome view of the land's social tensions. Oz is a well-known dove, and he knows that many will doubt his data: in a final jab at his ideological adversaries he points out that some Jews were him denying that a particularly offensive right-wing Jew quoted in the book actually existed, and others wrote to declare their total agreement with that alleged phantom's positions.

I do doubt Oz's data. I wonder whether there really are Palestinians that gentle and understanding, or whether the likeable Jews in Israel simply avoid cafes. But the book's argument is powerful and its characters compelling, particularly now as the need for dialogue with some Palestinians grows ever more acute. One may ultimately disagree with Oz but one cannot discount him.



Internal Affairs

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students' minds as an alternate Jewish Studies curriculum.

JSS administrators and faculty consider students who have transferred into YP their greatest successes. Only a handful of such success stories occur every year, however. At least some of the rest actively downgrade YP, responding to the YPers perceived view of JSS as a remedial program for the failures of Yeshiva high schools.

Unfortunately, the negative impression these students react against is to some extent true; some students, and generally their rebbeim, teachers, and principals are more to blame than they, manage to float through *yeshivot* without learning anything. If those students sincerely wish to take a serious Jewish Studies program at the college level, certainly they should receive even more credit than those who enjoyed Jewish Studies in high school. However, some apparently enroll in JSS with the expectation of continuing their high school careers. Perhaps even worse, many knowledgeable students deliberately do poorly on placement exams in order to get into JSS, where they expect to ride their previously gathered knowledge to easy academic success.

Seventy percent of present JSS students came from yeshiva high schools, many if not most after eight years of day school. While these students are surely sincere when they write on their applications that they "seek to grow religiously", the good intentions of many fade under social and academic pressure. Particularly in a program such as JSS, which is supposed to be highly inspirational, the presence of large numbers of apathetic students can be devastating. The situation cries out for keen and constant observation and a rather short hook.

To sum up, both YP and JSS suffer from overenrollment, or at least from the presence of generally absent students. IBC fails to attract many students it might serve well. Yeshiva as a whole suffers from the gulf

between students from different divisions. In a community as small as ours, there should be no excuse for stereotyping; nonetheless, students from all three divisions tend to classify classmates into a priori categories.

The general thrust of a solution to many of the difficulties outlined above should be clear by now. A modified IBC-type curriculum would be ideal for overworked but serious students by enabling them to satisfy college requirements in the morning, and additionally allow them to treat their non-Talmud Jewish Studies with the respect they deserve. It would also provide a structured but challenging environment for students with reasonably strong backgrounds who lack the interest or patience to learn Talmud five hours daily. To fill that role, however, IBC must somehow overcome the stigma attached to it, in other words develop a "yeshiva" identity. Simultaneously, it must attract the disinterested Yeshiva high school graduate without sacrificing intellectual rigor.

I offer as food for thought two suggestions for solving those rather serious difficulties. 1) JSS students with twelve years of pre-college Jewish education should be forced into IBC after their sophomore years. Students incapable of handling that curriculum after fourteen years of Jewish education probably shouldn't be in college. Although *Ivrit b'Ivrit* is no longer really a relevant reason to avoid IBC, possibly such students should be required to take Hebrew Language sometime during their first two years. Individual exceptions might be permitted, but a heavy burden of proof of incapacity would be placed on the student. 2) YP students should be allowed to take three credit hours a semester in IBC, and I don't mean only during their last semesters so as to be able to graduate. This would relieve the pressure of college requirements on those students without requiring them to leave "yeshiva" while simultaneously integrating "yeshivish" guys into the IBC student body.

Hamevaser wishes its readers a

Chag Kosher V'Sameach

Mazel Tov

to

Moshe Ratman

and

Melissa Danto

on their engagement

The Educators Council of America

is pleased to announce that at its last convention the following authors of recent works received Safra awards:

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Passion and Peace

Dr. Alvin I. Schiff

**Contemporary Jewish Education:
Issachar's American Style**

Rabbi Mordecai Besser, President

Yeshiva INTERNAL AFFAIRS

by Robert Klapper

Recent articles and columns in **The Commentator** have raised issues fundamental to the mission of Yeshiva. Articles have described *chilul shabbat* or at least near *chilul shabbat* in the dormitories, and columns have argued that non-public transgressions of *halakha* should not be dealt with by the administration. Even more disturbingly, columns have argued that as a significant number of students do not wish to live within the spirit of *halakha* as determined by the administration, Yeshiva should modify its standards of behavior to accommodate those students.

Several factual notes are in order. Firstly, well under twenty percent of YC students stay in the dorms over *shabbat*. Even were half of those to watch television, they would comprise less than ten percent of the student body. The impression which appears to be taking hold outside Yeshiva that masses of Yeshiva students are not *shomer halakha* is false, and those repeating it are liable for *ho'zaat shem ra*. Nonetheless, we must realize that many weekend dormitory residents, while not actively *mechallel shabbat*, are not actively *shomer shabbat* either. The phenomenon of students locking themselves in their rooms to study or sleep for the entire *shabbat* is perhaps even more disturbing than the rather limited television-watching, for it arises not out of correctable halakic error but rather out of sheer spiritual apathy.

The *shabbat* situation is symptomatic of major problems in Yeshiva's admissions, guidance, and academic divisions and policies. The past several years have seen major improvements in several of these areas. While this article contains occasionally harsh assessments, they should be treated not as ad hominem criticisms but rather as suggestions for further advances. Nor should they be used to impugn Yeshiva's deserved reputation as a *makom Torah* of the highest caliber.

I thank *Mashgiach Ruchmi* Rabbi Yosef Blau, JSS Director Rabbi Benjamin Yudin, IBC De'an Rabbi Jacob Rabinowitz, Dean of Jewish Studies Dr. Leo Landman, Dean of Students Dr. Efreim Nulman, Assistant Director of Admissions Judah Harris and Rabbi Manfred Fulda of the JSS faculty for the time they gave helping me gather information and understand issues. I also thank the students from all Jewish Studies divisions who submitted to my questioning, and the *roshei yeshiva* and faculty I spoke with. Finally, I thank President Lamm for discussing this issue with student leaders, and I hope our meeting convinced him of the importance and value of student input, and that he will avail himself of it more frequently in the future.

ADMISSIONS

Some have charged that the presence of students not *shomer-halakha* on campus is the fault of an admissions office geared to increasing Yeshiva's enrollment. This indictment is at best partially true. Admissions certainly tries to increase applications, and also tries to sell Yeshiva to academically qualified students. But the Jewish Studies Divisions conduct their own interviews and can reject students, and logically they should be most concerned with determining a student's spiritual readiness for Yeshiva.

The majority of students from all divisions I've spoken with do not recall being informed

during the admissions process that halakic observance is mandatory for Yeshiva students, and interview transcripts support their lack of recollection. Administrators claim that students know that Yeshiva is an Orthodox institution with all that implies. Their argument fails on two grounds. Firstly, students from observant homes (approximately sixty percent of JSS students, seventy percent of IBC students, and eighty four percent of YP students consider their homes very observant; see **Hamevaser** May 1988) equate Orthodoxy with the practice of their homes, which may permit television on *Shabbat* clocks, et al. Secondly, applicants may not realize that Yeshiva imposes its institutional religion on students, either because they know the college to be non-sectarian or because they've heard from friends that Yeshiva tolerates non-observant students.

Rabbi Lamm argued during his meeting with student leaders, and other administrators make similar points, that Yeshiva should be lenient with students who are not yet fully observant but may still become so. I agree wholeheartedly; no policy should be so rigid as to stifle a potential *baal teshuvah*. But leniency should be the exception, granted to individuals whom faculty testify are sincere — and those individuals should be aware that they are here only through administrative grace. No student should be able to argue that his enrollment at Yeshiva was a *mekach tau* because he did not expect enforcement of *halakha*.

I argued earlier that the admissions office is not entirely to blame for students' belief that Yeshiva does not mandate *halakha*, but neither is it entirely blameless. The literature sent to potential applicants makes no mention of *halakha*, mandated or otherwise. Thus students presently enrolled may be justified in complaining that they never expect enforcement of *halakha*. Any student who makes this complaint honestly should be treated understandingly for the rest of this semester, but he should have no occasion to make it next year.

Yeshiva administrators frequently repeated to me their belief that applicants "know what Yeshiva stands for". Surely, then, there can be no objection to reiterating our commitment to

and enforcement of *halakha* in our recruiting literature and at appropriate points in the admissions process.

GUIDANCE

In the May 1988 **Hamevaser** survey, 43% of JSS students, 44% of IBC students, and 65% of MYP students expressed a desire "to receive more spiritual guidance from qualified advisers at YU. Several initiatives have been taken in YP and JSS to address this felt need. The regrettably lapsed night *sefer* program gave students a valuable chance to converse with their *rebbeim* without the pressure of preparing for *shiur*, as well as giving them a chance to meet *rebbeim* other than their own. The constant presence of Rav Meir Twersky in the *beit midrash* is noted and appreciated. In JSS, Rabbi Wruble's minyan and presence in the neighborhood have been valuable.

But all these innovations help only the already converted, the students in the *beit midrash* at night or who already attend minyan. What is needed is a concerted effort to reach the students who appear on *shiur* lists but not in *shiur*, or who wake up with just enough time to get dressed and to class. Those *talmidim* can only be reached by *rebbeim* who keep track of attendance at least generally and, more importantly, think it their duty to seek out students who fail to appear. Some do, but far too many think that *talmidim* have the obligation to make the first move. One frequently hears the complaint that *rebbeim* are treated as if they were only lecturers in Talmud. They cannot expect to be treated as more if they do no more.

ACADEMIC DIVISIONS

YP

YP has been strengthened in recent years by the appointment of several new *roshei yeshiva*, and students who wish to find a serious and well-attended *shiur* can do so. But YP has not been effective in inspiring students not particularly interested in learning. The knowledge that students can spend their academic years in YP without ever attending *sefer* or meeting a *rebbe* attracts loafers to the program, depresses morale, and damages the intellectual and religious reputation deservedly enjoyed by the serious students.

Furthermore, many students simply cannot handle a full, rigorous college load and a nine-to-three *sefer* simultaneously. This problem affects some students throughout their college careers. It affects many more during particular semesters, for example pre-meds taking Organic Chemistry or students attending Kaplan's.

Many Yeshiva program students also fail to take real advantage of Yeshiva's unique diversified Jewish Studies. The weight of college requirements forces some corner-cutting, and very often *Tanakh*, Jewish History, and Hebrew Language are the corners cut.

IBC

IBC theoretically provides an alternative Jewish Studies curriculum for students interested in areas of Jewish Studies other than *Talmud*. In its original incarnation as Teacher's Institute, IBC was supposed to produce elementary and high school teachers capable of teaching Hebrew language and texts to students of limited background. Thus classes were given *Ivrit b'Ivrit*. The insistence on teaching classes in Hebrew, however, now serves mainly to discourage interested students from enrolling. Actually, however, more than half of IBC courses are now taught in the vernacular, and fluency in Hebrew is no longer a prerequisite for academic success.

IBC suffers greatly from its reputation, perhaps acquired during the Vietnam years, as a haven for less-than-religiously-committed guys. It also suffers because "it's not a yeshiva", and therefore many potential students feel uncomfortable about enrolling.

JSS

JSS was originally intended to attract exclusively students with very weak backgrounds. When the Talmud Torah movement collapsed, its original constituency could no longer provide sufficient enrollment. However, the influx of marginally committed students lowered day school standards, and many students began emerging from Yeshiva high schools unprepared for independent learning. Recently JSS has to some extent usurped IBC's supposed function, serving in

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