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University Request for Health, Financial and Employment Records of Plaintiffs in LGBTQ Suit Rejected; Assemblymen Condemn Request

By **ARIEL KAHAN**
AND **JONATHAN LEVIN**

A recent request by Yeshiva University for access to mental and physical health, financial and employment records “quantifying claimed injuries” from the four plaintiffs in *Yeshiva University v. the YU Pride Alliance*, which were rejected by the Pride Alliance’s attorneys last month, drew condemnation from five New York State Assembly members Monday.

The requests, denied on Feb. 2 by Emery Celli Brinckerhoff Abady Ward & Maazel LLP, the firm that represents the YU Pride Alliance, were made on Jan. 13 by YU’s legal counsel Eric Baxter, senior counsel of the Becket Fund.

Baxter told *The Commentator* the requests were necessary to assess damages alleged by the four plaintiffs in the case, three who have graduated YU and one who is still attending.

“Beyond asking for club recognition,” said Baxter, “Plaintiffs state they have suffered ‘grave dignitary, emotional, and psychological harms’ that have impacted their ‘health and well-being.’ They state they have suffered ‘feelings of isolation, rejection, and

fear.’ They state this has ‘exacerbated certain existing mental health challenges’ and caused severe ‘burnout, increased anxiety, exhaustion, and disrupted sleep.’ They want Yeshiva to compensate them for these asserted injuries.

“In any case where plaintiffs make claims for financial compensation, they must prove how much compensation they deserve,” continued Baxter. “A defendant is entitled

to know the scope of the injuries ... Where (as here) the claim is that ‘existing’ injuries were ‘exacerbated,’ the defendant has the right to understand the pre-existing injury to know how bad the exacerbation is.”

Attorneys at Emery Celli Brinckerhoff Abady Ward & Maazel LLP, the firm that is representing the Alliance, told *The Commentator* that they rejected the requests, made during the discovery phase of the trial,

since, according to the attorneys, they were not relevant. According to the attorneys, the plaintiffs are only seeking basic damages for discrimination, which the law does not require evidence for, and that releasing the information could harm the plaintiffs.

“The law recognizes that the experience of discrimination harms people; it’s upsetting, humiliating, and distressing to be treated differently and worse because of who you are,” said Katie Rosenfeld, the lead attorney for the Pride Alliance and a partner at Emery Celli Brinckerhoff Abady Ward & Maazel LLP. “To seek basic damages for discrimination, Plaintiffs are not required to produce mental health records, establish a particular diagnosis or condition, or waive their therapist-patient privileges. Rather, their own testimony is sufficient to establish this type of damages.

“YU should not pursue a scorched-earth litigation strategy against its own students who it claims to care about,” Rosenfeld added.

“How can their tax, employment, and psychiatric records be relevant to the straightforward claims of discrimination in this case?” questioned Max Selver, another



New York State Court of Appeals

WADESTER16 / FLICKR

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Beren Campus Students Receive Access to Pool on Upper East Side

By **RIVKA BENNUN**

The Stern College for Women (SCW) Athletics Department began offering weekly open swim sessions for Beren Campus students at no cost last month. The sessions take place in two one-hour-long shifts every Tuesday evening at the Moise Safra Center on the Upper East Side, and are accompanied by free round-trip transportation provided by the university.

“It is a high priority to provide these type of health and wellness opportunities for women.”

—
Greg Fox, Athletics Director

Athletics Director Greg Fox announced this initiative early February, with the first open-swim session taking place on Feb. 7. According to Fox, the initiative was spearheaded primarily by Associate Director of Athletics Carly Moss and Director of Athletics Operations and Administration Sarah Hiller.

“My associate director [Moss] and I frequently discuss how we can best increase, improve and enhance recreational programming for students at Stern College,” Fox shared with *The Commentator*.

The Moise Safra Center is located on the Upper East Side and provides services to the Manhattan Jewish community, including access to a four-lane swimming pool. The center was contacted by the athletics office, and was open to the idea of providing a female-only swim night, with female lifeguards, for Beren Campus students.

Shifts take place at 7 and 8 p.m., with shuttles leaving from Beren a half hour before the start of a shift.

Fox shared that students in the past have requested swim opportunities on Beren Campus, and Moss added that in a survey sent out to Beren Campus students last semester, over 100 students showed interest in having swim opportunities.

The Gottesman Swimming Pool, located on Wilf Campus, has never been open to Beren students.

Previous attempts to offer swimming opportunities to Beren students have been unsuccessful or else did not last.

“Often natatoriums have windows, shared locker rooms for genders or were unable to confirm that only females would have access to the facilities and that a female lifeguard

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YU and Yad Vashem Form Partnership in Holocaust Education

By **JONATHAN FELMAN**

Yeshiva University’s Emil A. and Jenny Fish Center for Holocaust and Genocide Studies and Yad Vashem announced the signing of a Memorandum of Understanding (MOU) on March 6, with both entities pledging future collaboration in Holocaust education.

While the MOU, signed by YU President Ari Berman and Yad Vashem Chairman Dani Dayan, does not commit the parties to any specific initiatives, the partnership is planned to include study trips abroad in Israel, graduate courses taught by scholars affiliated with Yad Vashem and lectures about Yad Vashem’s artifacts and resources, Director Shay Pilnik of the Fish Center told *The Commentator*.

“The partnership,” said Pilnik, “will include a whole range of programs — a study abroad trip to Israel, MA courses taught by Israeli scholars affiliated with Yad Vashem and a series of lectures introducing the treasures and resources of the world’s foremost Holocaust memorial museum.

The “focal point” of the partnership will be a course offering certification in Holocaust education offered by YU for middle and high school-level educators nationwide. The course will feature instructors

and scholars supplied by Yad Vashem, according to Pilnik.

“We want the world to know what the crime was, who committed it and who the victims were.”

—
Director Shay Pilnik of the Emil A. and Jenny Fish Center for Holocaust and Genocide Studies

What sets this partnership apart from other Holocaust study programs, Pilnik told *The Commentator*, is its point of view. He hopes the venture will enable YU and Yad Vashem to educate people about the Holocaust from the perspective of those victimized by it. Pilnik believes that rather than directly fighting antisemitism, Holocaust education can prevent its rise.

“If the ADL [Anti-Defamation League] are antisemitism’s firefighters, we are the fire prevention inspectors.”

The partnership comes amidst a

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FROM THE EDITOR'S DESK

Night Seder Or Yom Ha'atzmaut Program? Making Decisions Based on Values Rather Than the Herd

By **ARIEL KAHAN**

I think it is widely recognized on campus that many YU students walk a tightrope in which they tend to focus on their areas of interest, whether it is learning, a major, or an extra-curricular, and tend to exclude from their minds what takes place outside their “*daled amos*.” In general, I think this is true both with respect to other campus activities and groups, as well as with respect to broader issues. For example, although the vast majority of YU students are deeply committed to Israel (more on that below), it is striking how little discussion there appears to be on campus of the internal battles that are consuming Israel today.

I do not intend the above observations as unqualified criticisms. I think the laser-like focus reflects the fact that YU students have such an identified set of values and are in many cases under such substantial financial and time pressures, that they only participate in things that will help them achieve their goals. And I am certainly as guilty as the next person of elevating my own personal goals over broader concerns.

But I do worry that sometimes we are missing the forest for the trees and want to focus in particular on tensions that many students feel with respect to night seder as a lens to consider larger questions of how to find community and fulfillment at YU. Many YU students have serious learning aspirations when they enter YU and organize their day to fit in as much learning as possible. This is certainly praiseworthy and a legitimate reason to miss most events between the hours of 8–10 PM (not that any of this needs my *haskama* [endorsement]).

But is this true of every single event? While most on-campus events held by YU do not attract major attention or consideration for attendance, there are in my experience at least three exceptions: The Yom Hashoah Program, Tekes Ma'avar (the Yom Hazikaron/Yom Ha'atzmaut Program) and Stomp Out the Stigma (mental health Awareness). Throughout my tenure at YU, I have noticed that these three events are all scheduled in conflict with night seder, presenting many YU students with an interesting and often agonizing struggle. To skip night seder or not?

Below, I seek to give over some brief thoughts on the topic without telling people what to do. This is certainly not an easy dilemma, and it can be attacked from many different angles.

Needless to say, the easiest way to solve this conflict would be to change the schedule. If these events were

planned around night seder, it would ensure that more students come to these events. That being said, while many YU students complain about scheduling (not enough time for finals, vacation days), I have come to realize that the people making the schedule have thought about timing for these programs ten times harder than I have and that it is very difficult within the

If you are too worried about what the “chevra” is thinking, the YU experience will be harder and less growth-oriented for you. If you are someone who wants to go to a program, you should stick with your convictions and go — you will not regret it.

constraints of the full day-and-night learning cycle of YU. Although many suggest that key programs should start after 10 p.m. (myself included), this is too late and would deter similar amounts of people from coming and be inconvenient for guests who do not live on campus. Similarly, canceling the 6:45–8:00 PM class slot to accommodate a program would result in significant complications for the academic schedule, and it would be unfair to the university professors, especially in the case of Yom Haatzmaut because their classes are canceled the next day.

In my experience there is a significant contingent of people who know exactly what they want to do but are afraid of what their peers might think. Being comfortable with yourself and your decisions is a major key to enjoying student life at YU, but it is not always easy (and probably not as easy as it should be), and we should be wary of when to impose conformity. If you are too worried about what the “*chevra*” is thinking, the YU experience will be harder and less growth-oriented for you. If you are someone who wants to go to a program, you should stick with your convictions and go — you will not regret it. And if you feel differently, you shouldn't shame the person who goes — there is a place for peer pressure in some areas of religious life (talking in shul comes to mind) but this is not one of them.

For those who are struggling, there are other practical approaches. You could schedule the two hours of learning you missed for another time of the week or squeeze in another half hour here and there. Similarly, you could stay for some parts of these programs that you find essential and squeeze out the rest of the time for learning. Showing up for a reasonable amount of time is doing most of the job.

At the end of the day, if you think

attending the program would be too much of a disruption for you, it is an understandable and respectable choice. But I do think it is important while on campus you find something to do in the realm of acknowledging *Yom Hashoah*, *Yom Ha'atzmaut* and *Yom Hazikaron* to make sure you are taking personal responsibility for the community's needs.

Ultimately, I do not suggest there is a perfect solution to this conflict for everybody. Reasonable people can take different approaches. However, in summary, there are a few important points that can be learned from the dilemma facing YU students.

First, as mentioned above, people should be hesitant to complain about scheduling because the people planning these events work hard, and just because it didn't go your way doesn't mean it was obvious. The problems are harder than a simple fix.

Second, students make these decisions by themselves in accordance with their own values and reasoning and not in response to peer pressure or expectations from others. Similarly, others should respect the decisions of their peers without overtly or covertly judging them. And that goes in both directions.

Lastly, and maybe most importantly, while prioritizing learning schedules over these events is reasonable, it is important that people who do this should find other ways to commemorate important community days and events. Even if you don't think anyone will care if you personally take time or not, acknowledging that you are part of a broader community is important, and a core tenet of what it means to be a Jew.

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The Commentator is the student newspaper of Yeshiva University.

For 88 years, The Commentator has served students and administrators as a communicative conduit; a kinetic vehicle disseminating undergraduate social, religious and academic beliefs across the student bodies; and a reliable reflection of Yeshiva student life to the broader Jewish and American communities.

The Commentator staff claims students spanning the diverse spectrum of backgrounds and beliefs represented at Yeshiva.

We are united by our passion for living the ideals of Torah Umadda, and a commitment to journalistic excellence.

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RECORDS REQUEST REJECTED
Continued from Front Page

attorney at the firm. “The fact that they sent out these discovery requests is normal; it’s the fact that they include such broad and incredibly invasive demands that concern us.”

In response to the university’s request, five New York State Assembly members sent a letter to YU President Ari Berman and the board of trustees, condemning the move, saying that the request for “their Federal and State Tax Returns and unrestricted access to their mental and physical health records including psychology, psychiatric, and social work treatment, employment, and educational records” was intended to “intimidate the LGBTQ members and allies of the University’s undergraduate community.”

“There is no legitimate legal reason for these students to provide such personal documents,” stated the letter. “Not only has the University chosen to discriminate against them, but the goal is clearly to punish the students and their families because of who they are and because they choose to fight for equality.”

The assembly members also wrote that providing these records could be a “safety issue,” because the students may not have “made their sexuality, gender identity, or allyship with the LGBTQ community public out of fear of retaliation.”

Baxter pushed back at the assembly members, saying that their letter “shows a misunderstanding of the facts.”

“Well-meaning politicians are kindly asked to learn the facts before attacking Jewish education,” said Baxter in a press statement. “The Assembly members are being used and misled by those who resort to publicity stunts because they know the lawsuit ultimately will not prevail.”

“The documents Yeshiva requested,”

Baxter told The Commentator, “are all relevant to these inquiries and typical in any lawsuit where plaintiffs seek monetary compensation for psychological or emotional injuries.”

Baxter also told The Commentator that “if Plaintiffs are uncomfortable documenting their injuries ... they could drop their claim for financial compensation” or “enter a confidentiality agreement” that would only allow lawyers to see the information, with private information being put under seal and inaccessible to the public. Baxter added that besides offering such an agreement, YU also offered to have the records first reviewed by a judge to ensure that “irrelevant information is not shared.”

“Under these procedures, there is no risk of Plaintiffs’ private information being disclosed to the public,” said Baxter. “But they cannot demand financial compensation and then refuse to provide documents that might support or refute their claims.”

Attorneys representing the Alliance told The Commentator that both of YU’s offers, though standard in lawsuits, would “fail to protect the students’ privacy in this case,” as the records would be available to YU and though made confidential during discovery, could become public during trial.

“YU skirts the real harm here: no LGBTQ YU student should have to share their mental health and psychiatric records with the Defendants in this lawsuit, who are the University, President Berman (and his advisors), and YU’s lawyers the Becket Fund for Religious Liberty,” said the attorneys. “Even if the entire public won’t see the records, everyone who works on this case at YU and all the lawyers would have access to them. Such records may address very

sensitive issues and it’s incredibly invasive and disturbing to imagine YU gaining access to this information.

“Would any student at YU want President Berman to see his/her therapy records, medication records, and tax returns? And then have President Berman’s lawyers discuss the student’s most private information at a public trial, based on reading those records?”

The attorneys also questioned why YU was seeking these records “when Plaintiff’s lawyers offered to agree in writing that Plaintiffs aren’t seeking the kind of serious damages that would implicate needing to review private mental health records, and YU refused to stipulate?”

For his part, Baxter said that the Alliance’s lawyers declined to bypass discovery and head directly to court, causing the case to be held up.

“Yeshiva has repeatedly asked the plaintiffs’ lawyer to bypass this discovery phase in the trial court and instead proceed quickly to the New York Court of Appeals to resolve the legal questions,” said Baxter. “Unfortunately, the plaintiffs’ lawyer has refused this offer.”

Rosenfeld, a partner at Emery Celli Brinckerhoff Abady Ward & Maazel LLP, pushed back at Baxter, and said discovery, a process where, per New York State Law, both sides share evidence before going to court to allow each side to build their case, is “not optional.”

“In the Becket Fund for Religious Liberty’s haste to disenfranchise the LGBTQ students at YU, they misstate the basics of legal practice in New York,” Rosenfeld said. “The Appellate Division remitted the case back to the trial court for discovery and trial: discovery is not optional.”

Yeshiva University has continued to seek

the records. A letter sent Tuesday from Kaufman Borgeest & Ryan LLP, which also represents the university, to Emery Celli Brinckerhoff Abady Ward & Maazel LLP, continued to request the documents, decrying “blatant misrepresentations” made to the media, and the firm’s “insisting on stipulating to limit their allegations to mere ‘garden variety’ emotional harm to withhold critical records.”

The letter, entered into the court record Thursday night, also alluded to a tense phone call between both parties on Monday.

YU can file a motion in court to compel the Pride Alliance to turn over these documents. If they do, Judge Lynn Kotler of the New York County Supreme Court, who issued the June ruling ordering YU to recognize the group in June, which YU is currently appealing, will make the final decision.

Yeshiva University’s appeal of Kotler’s June decision directing YU to recognize the group is now at the New York Court of Appeals, one stop before the U.S. Supreme Court, which declined to issue YU a stay in September.

The four plaintiffs Emery Celli Brinckerhoff Abady Ward & Maazel LLP represent are Molly Meisels (SCW ‘20), Doniel Weinreich (YC ‘20), Amitai Miller (YC ‘20), and a fourth student, currently in YU, whose name is listed as anonymous in court documents.

The five assembly members that signed the document are Alex Bores, Deborah Glick, Jessica González-Rojas, Daniel J O’Donnell and Tony Simone. All of them represent districts in the five boroughs.

BEREN POOL ACCESS
Continued from Front Page



Beren Campus students can now use a pool at the Moise Safra Center every Tuesday at no cost YESHIVA UNIVERSITY

would always be on duty,” Moss explained, clarifying the factors making it challenging to gain swimming space for Beren students.

“It is a high priority to provide these types of health and wellness opportunities for women,” Fox said. “We are hopeful that we can sustain this momentum, continue to have great turnouts at Tuesday night swim and field suggestions from SCW students as to other opportunities that we can delve into.”

Transportation costs to and from the pool

are sponsored by the Dean of Students’ office and are available to students at no cost.

YAD VASHEM
Continued from Front Page

national increase in antisemitism and decline in Holocaust knowledge. Antisemitism is at its highest in decades, according to the ADL, and surveys show that nearly half of Americans are unable to name a single concentration camp.

“Both Yeshiva University and Yad Vashem are global leaders in the field of Holocaust education,” Berman said in a statement. “The intention of this partnership is to amplify the impact of institutional resources during an unprecedented rise in antisemitism and decline in Holocaust literacy. We are excited to partner Yeshiva University’s world-class educators with Yad Vashem to help advance the mutual goal of increasing Holocaust awareness in America’s classrooms.”

The Emil A. and Jenny Fish Center for Holocaust and Genocide Studies was created in 2019 and named for Holocaust survivor Emil Fish and his wife, Jenny. The mission

of the Center, according to its website, is “to apply the lessons learned from the Holocaust and other genocides to combat prejudices, hateful ideologies and future atrocities.”

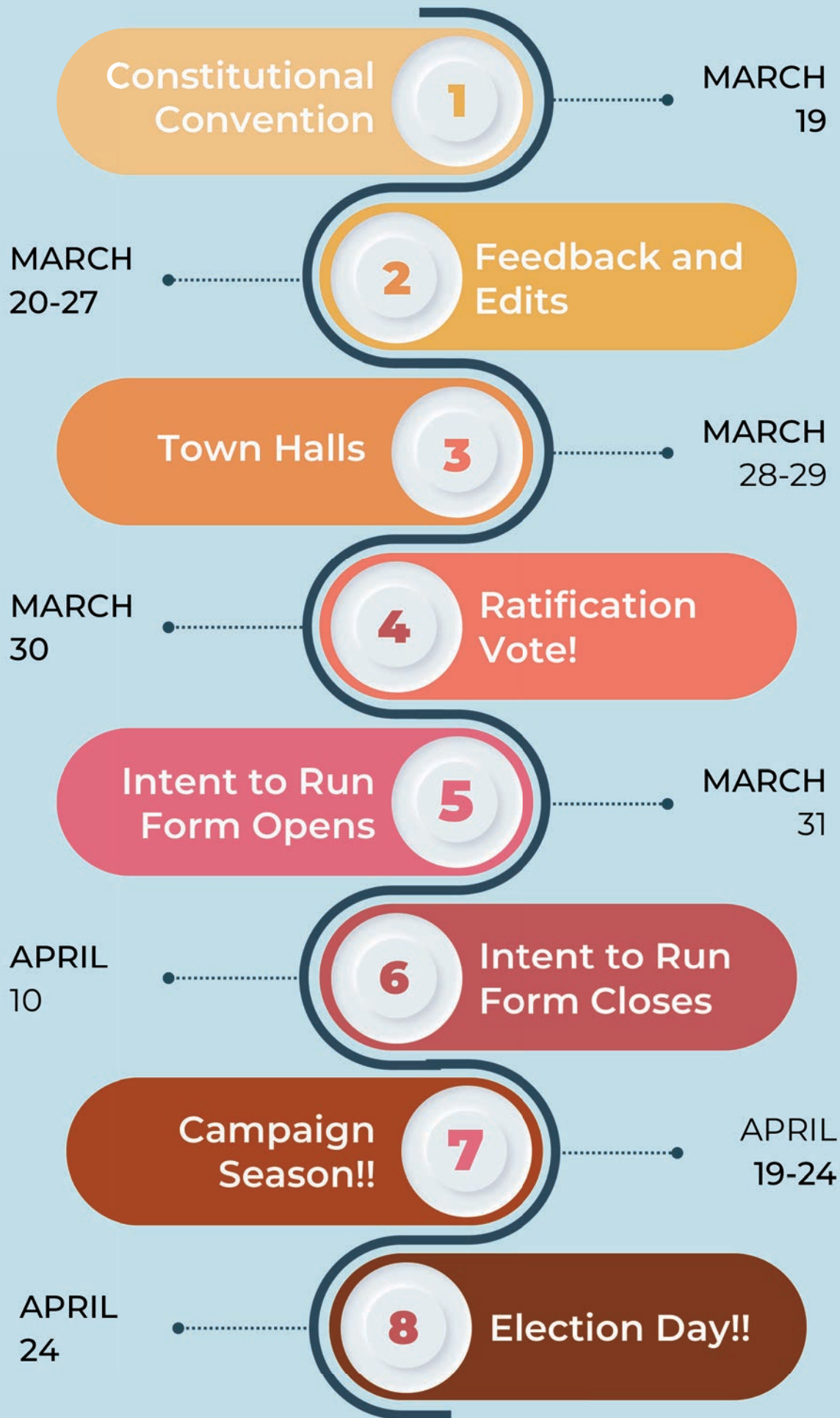
“This is a powerful partnership between two international entities and communities,” said Pilnik, “that want to ensure that the Holocaust is never de-Judaized, never diluted and become this vague reference to the murder of 11 million people by a faceless group called Nazis. We want the world to know what the crime was, who committed it and who the victims were.”



YU and Yad Vashem announced a partnership on March 6

NOAM CHEN / ISRAELI MINISTRY OF TOURISM

TIMELINE



Please contact WCSG@yu.edu with any questions or feedback



Born YU: A Biography of President Rabbi Dr. Ari Berman, Part I

By **ARIEL KAHAN**

If you looked at President Berman's Wikipedia page, it would say that he was born on Feb 18, 1970. He would dispute that claim: "I always start my identity before my own life, with my parents, grandparents and earlier. Today, there is a focus on the individual that doesn't give people roots."

Berman comes from a historic YU family. His father and grandfather were major *talmidim* of the Rav, and his grandfather had a close relationship with Rav Moshe Feinstein. In fact, Rav Moshe would retreat to Berman's grandparents' house in West Hartford, CT, to work on the *Igros Moshe* in the summers. "Those are the types of people my grandparents were," he said. "They hosted Rav Moshe in the summer."

President Berman grew up in Forest Hills, Queens, and attended Yeshiva Tifereth Moshe in Kew Garden Hills for elementary school. Half the students in his elementary school went to Modern Orthodox high schools; others went to more yeshivish high schools. Growing up, his family attended Young Israel of Forest Hills, where Berman worked as youth director during his teenage years. He spent his summers at Camp Morasha.

As a kid, Berman enjoyed hanging out with friends and playing hockey. He also

revealed that he is a huge Dallas Cowboys fan who thinks Tony Romo was an excellent quarterback. In case you were wondering what President Berman wore on Purim, it was a Roger Staubach jersey.

For high school, Berman attended MTA. Although he knew he wanted to attend yeshiva in Israel after high school, he did not

Aleph and begged his parents to allow him to stay Shana Bet. His parents allowed it.

Berman described his years in yeshiva as a fully Israeli experience, crafted in every way by Rav Lichtenstein. After learning under Rav Yair Kahn and Rav Ezra Bick his Shana Aleph, Berman studied under Rav Lichtenstein during Shana Bet in Gush and

assistant rabbi at The Jewish Center, and eventually became the head rabbi of The Jewish Center. While serving at this pulpit, Berman developed a relationship with Rabbi Dr. Norman Lamm, who attended his shul. After every speech, Lamm would give Berman constructive criticism and help him improve. Ultimately, Lamm offered Berman a position as a *rosh yeshiva* in YU. While it took time for Berman to figure out how to manage his schedule, he ended up serving as a rosh kollel for Rav Schachter's Kollel, in which students were transported to his shul on the Upper West Side to learn.

Everything was perfect for Berman. He had a major position as a pulpit rabbi and the title of *rosh yeshiva*.

But he felt unfulfilled. He was not in Israel.

As their son entered eighth grade around 2007, the Bermans knew that if they did not try aliyah, it would not happen until they were retired. Thus, they took a sabbatical to try it out, and at the end of the sabbatical year, the Bermans decided to stay in Israel.

During his years in Israel, Berman worked on his doctorate at Hebrew University, where he studied the *Rishonim* and *Acharonim* under Prof. Moshe Halbertal. He wrote a doctoral thesis on *ger toshav*, as "it was important as a category of a non-Jew that *Chazal* thought had a status similar to Jews in some cases, and the explanation of the commentators about why the *ger toshav* deserved these rights is revealing about the lives of the commentators."

In 2015, Berman began receiving calls from search committees and *roshei yeshiva* asking him to be president of YU, an offer Berman initially rejected. However, as the calls added up, Berman became more "thoughtful about the opportunity that YU students represented."

"The first thing I did was speak to my family," he said. "The most important thing you can do in life is as a husband and a father." After much consultation, Berman chose to return to America, taking the helm at YU on June 5, 2017, succeeding Richard Joel. Three of his older children stayed in Israel while two came back to America with him.

And now he is here. For the past six years, Berman has been leading the prized institution we all attend. Berman has many thoughts and messages for the YU community, as well as announcements about the future that will be shortly revealed. What are they?

Stay tuned for Part II

"I always start my identity before my own life, with my parents, grandparents and earlier."

President Ari Berman

know whether to choose Sha'alvim (where his older brother attended) or Gush. When the *rosh yeshiva* of Sha'alvim interviewed Berman, he mentioned that he would not be viewed in his brother's shadow. Berman realized that clearly, they were already thinking about him in the context of his brother, and thus chose Gush.

When interviewing for Gush, Berman had a poignant experience of being interviewed by Rav Aharon Lichtenstein in the Rav's apartment, which "inspired a lot of *Yirah*."

Before leaving for Israel, Berman told his parents to disallow him from staying for Shana Bet as he predicted a future version of himself potentially asking for it. Inevitably, Berman learned a great deal during Shana

later on for two years in Gruss. Although Berman was terrified of approaching Rav Lichtenstein, he developed a relationship that meant the world to him.

"One of the great *brachot* of my life was developing a real relationship with him. I would speak to him regularly," he shared. "It is so important to have a rebbe in life. For many big life decisions, I would go to Rav Lichtenstein. I would speak to Rav Lichtenstein annually about whether I should make Aliya."

After his years in Israel, Berman returned to YU and learned under Rav Michael Rosensweig while majoring in philosophy. Once again, Berman found a rebbe in Rav Rosensweig: "I would speak to Rav Rosenweig about the Gemara and secular classes. Rav Rosenweig knows everything. I would ask him about Aristotle and Plato, as well as life questions."

Then came shidduchim. In high school. After college, Berman married his wife Anita, who he met on an "MTA-Central blind date" as a senior. In yeshiva, he would send her tapes while guarding the Yeshiva on *shmira*.

After graduation, Berman spent his first year of *semicha* in Washington Heights, where he lived in the "The Rav Goldwicht Building" on 186th St.. The Bermans then hopped on a plane to finish *semicha* in Gruss. While in Israel, Berman gave a *chaburah* at the now-defunct BMT and was offered free room and board to teach there if he stayed in Israel. However, at the same time, he was offered a position at The Jewish Center on the Upper West Side, and his wife was offered a position as a dorm mother in the Touro College dorms, where they would live.

After much struggle and discussion with Rav Lichtenstein, the Bermans returned to America, where President Berman served as a rabbinic intern at The Jewish Center while learning in Rav Schachter's Kollel, ultimately ending up in the Kollel Elyon.

While in the Kollel Elyon, Berman became a rebbe in BMP, was promoted to



President Rabbi Dr. Ari Berman

YU NEWS

We Asked, Y(O)U Answered: What Should the Role of Student Government Be?

By **FLORA SHEMTOB**

Yeshiva University is run by a myriad of student government organizations. Some of these organizations include governments responsible for religious and spiritual programming, such as Torah Activities Committee (TAC) and Student Organization of Yeshiva (SOY), while others, such as Yeshiva Student Union (YSU), Stern College for Women Student Council (SCWSC) and Sy Syms School of Business Student Council (SYMSSC), govern the entire student body of their respective schools. Although the

Office of Student Life (OSL) is ultimately in charge of overseeing the student experience, student leaders have the power to make student life on campus successful. The Commentator asked students if they think the elected student leaders and OSL run a successful government and if the current system helps foster student life.

Yaffa Goldkin (SCW '24)
English

"As a Resident Advisor on the Beren Campus, I know that the role of student leaders is vital to how the university runs. We are there for any thoughts, issues, and

general questions of our residents. Other student leaders, such as elected student leaders on campus are also necessary to the body. Without even realizing it, the student body relies on the student leaders for answers, for their voices and for help. We know a lot about things before other students do. Our role is to be someone that people can trust and someone that can help other students, in whatever way our role requires us to. We strive to be a safe space for everyone around us. The most important thing to me personally is to be able to help. I want everyone to feel like they can rely on me and on any of us for anything they may need. The system works well, yet can be improved if residents

and students are able to know their student leaders better. I feel like the fault in the system is that not everyone knows who all the RAs are, and who all the people in office are. There needs to be more meet and greets, more town halls with student leaders to hear what the students want as a collective and more communications between all of the student leaders to work together to make these things happen for the students."

Dovid Price (SSSB '24)
Finance

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FROM THE COMMIE ARCHIVES

(March 29, 1995; Volume 59, Issue 11) – Constitutional Amendment Hearings Complete

By NACHUM LAMM

Editor's Note: The Wilf campus recently held a constitutional convention towards approving a new constitution. In relation to that, The Commentator has reprinted an article discussing past revisions of the YCSC constitution in place then.

With little pomp, but a lot of circumstance, YCSC completed its hearings to amend the YCSC constitution. In two grueling sessions held last week in Schottenstein Center, student leaders proposed and debated issues ranging from election reform to freedom of the press.

In one controversial motion, Dov Simons, kicking off his campaign for the Vice-Presidency, suggested that all those working on behalf of a candidate register with the canvassing committee, so that they would be bound to the same election rules as the candidates. This proposal was met with much discussion as to how to implement it, and how to levy penalties for violations.

Simons also proposed a number of amendments dealing with student council meetings, including having representatives of all committees present at meetings to answer questions. He stated that while this year's council has held open meetings, this has not always been the case, and an article in the constitution would preclude future student councils from becoming elitist clubs.

Michael Nelson, chairman of the constitutional amendment committee suggested

that non-full time students be allowed to vote. Some students questioned whether that would give MTA students taking college courses voting privileges. YCSC President Billig, chairman of the meeting, announced that YCSC and The Commentator had reached an agreement which would assuage concerns caused by Billig's claim that The Commentator was subject to discipline by YCSC. The two parties had met earlier over dinner in order to iron out differences. The agreement which came out of the meeting minimizes the influence of YCSC, but contains a clause which would force The Commentator to print a letter from YCSC in "extreme circumstances." In addition, the amendment states that The Commentator budget may not be cut by more than a small percentage, and that YCSC cannot remove a member of the governing board of the newspaper.

Commentator Editor-in-Chief Moshe Kinderlehrer explained that much work had gone into writing the new proposal, and that he was quite pleased with the result of "a lot of open and candid discussion about YCSC's involvement with The Commentator. The amendment is a tremendous stride forward in the newspaper's ability to operate as a fully independent and active voice of the student body," he noted.

Another proposal was to remove "Kol" and "Tempo" from the list of publications mandated by the constitution. YC student Michael Sussman argued that Kol should be protected, both because of the high status

given literary journals in many other universities, as well as the possibility that an incident similar to last year's could cause Kol's funding to be cut off.

These and other proposals will be voted on by the outgoing student council. The revised constitution will then be submitted to the students shortly before election day, giving them a minimum of two days to examine it and compare it to their old ones (printed in the Guide to the Perplexed). As part of the elections, students will be able to vote whether or not to accept the changes approved by the council. If the vote is no,

the old constitution will remain in effect.

In closing, Billig thanked all those who had participated in the process. He pointed out that while the process had been "long and grueling", there had been a large amount of interest, and significant changes had been proposed. The meeting, held in Schottenstein, attracted in total 50-60 students.



The Commentator Archives

THE COMMENTATOR

WE ASKED, Y(O)U ANSWERED Continued from Page 5

"The issue as I see it is that there are two groups of student leaders: those who work hard and those who just exist. Winning an uncontested race to be VP of Sophomore class events and doing nothing all year except a day in the life Instagram takeover doesn't mean you're a student leader and it's a useless position. However many student leaders do a fantastic job. I know in Syms we have a great student government this year that works hard and has done a great job this year."



THE COMMENTATOR

Wilf Campus

Amira Isenberg (SCW '24) Computer Science

"Student leaders mainly serve as a connection between the student body and the administration, giving us a more accessible way of communicating. I think the current system could be improved by making it more clear who the student leaders actually are and what each of their specific roles/areas of influence are."

Eli Saperstein (SSSB '23) Accounting

The Commentator asked students if they think the elected student leaders and OS� run a successful government and if the current system helps foster student life.

"Student government needs to be given more independence, more funding and more power to advocate on behalf of the student body they represent in order to be independent of the YU administration and actualize what students need and want to accomplish for our campus, our community and our Yeshiva University."

Yitzy Warren (SSSB '24) Finance

"Two biggest problems with the current system are OS� and the student body. I would say OS� is 20% and the student body is 80%. OS� will prohibit events that don't align with yeshiva values even though the vast majority of students on campus would be more than willing to participate in the activities. And we have a student body that never wants to be on campus. People leave early Thursday and don't come back until late Sunday. Which means there are only 3 nights a week to schedule an event. Which means lots of conflicts. In addition, they refuse to allow comedy open mics unless all comedians submit routines in advance for

approval. OS� has refused to provide me with a list of rules for appropriate content and hasn't responded to multiple emails in which I offered to help draft the rules."

Gaby Rahmanfar (SCW '24) Biology and Judaic Studies

"A student leader at YU should ensure that s/he is representing the voice of the student body and see that the needs and concerns of every type of student are addressed. Within the current system, there's a gap between the religious programming and the secular programming. There needs to be a cohesive synthesis between all programming that goes on in YU, both religious and secular."

Kiddush HaShem in the Mosh Pit

By MOSHE EPSTEIN

As I took the A train from 181st Street to Washington Square on a Thursday night in March, I was faced with a decision. Traveling to a rock show in a smaller venue called *Le Poisson Rouge*, I was deciding whether I wanted to wear my *kippa* or not. Usually, at smaller post-hardcore/punk shows, I would wear a hat in place of my head covering, but this time I found it difficult to bring myself to put on the hat once again. Over the past year, I have formulated a special relationship with my *kippa*.

Last summer, while most of my friends

were working in camps or shuls, I opted to work in retail to make an impact through the people that I helped. I made it my mission to make a *Kiddush HaShem* through

involved, rather I felt as if I was outside the group. I have come to know a prevalent theme in some of my circles where students will go out and try to not overtly wear

ent?” I went to the show with my *kippa* and I started making the most out of the concert. I started to make sure the people around me were safe, I let some shorter people stand in front of me so they could see better, and I started being a more positive person in the crowd. I had a better time at that concert than I ever could if I just wore my hat.

I did not write this article to shame or guilt people to wear their *kippa*; that is the last thing I want to do. I also did not write this article to pressure people to take pride in who they are because I assume most of the people reading this have some level of Jewish pride.

I wrote this to remind everyone that there is always something to learn from any group of people no matter what binds them together. I also wrote this to eliminate any preconceived notions about the punk scene and just because they might dress in all black or have a tattoo, does not mean they cannot be kind or friendly. We, as a community who knows the harshness of being judged for exterior differences, should understand that it is not the *kippa* or tattoo that makes a man; it is the man that makes himself. Most importantly, I wrote this because sometimes people forget their past values and ideas when confronted with a tough situation. People can think of their life as one separate issue after another, as if there is no progression or collection of ideas. We are all growing people who can harness past experiences for our future. I thought of my time working in retail and my time as an audience member in shows to be two separate worlds and two parts of my life. I was able to change my perspective and appreciate that my past events were able to shape and give purpose to my future as a music lover and as a Jew.

I wrote this to remind everyone that there is always something to learn from any group of people no matter what binds them together.

my work and helping my coworkers and customers. I define *Kiddush HaShem* as people seeing you do an act and in turn thinking highly of the Jewish people because of the act. During my time working in retail, I would go beyond what was expected of me in front of coworkers and customers. I would spend an extra minute helping customers, be overly honest about payroll and time my breaks prudently so that the people around me would have an immensely positive experience with a religious Jew.

When I started studying at YU, I took advantage of the music culture within New York City and started going to smaller concerts. While going to these concerts, I felt the urge to hide my *kippa* and just don a simple hat. I had a hard time coming up with the exact reasoning for my decision. I did not feel unsafe and I did not think these shows were in violation of *halacha*. What it really came down to was my desire to fit in and not stand out. I did not want anyone to look at me and see someone different. There was no shame

Jewish identification.

On the train down to Washington Square I started thinking about the show I was going to, the history of the genre and why I enjoyed wearing my *kippa* in the first place. The post-hardcore/punk scene was born out of people who did not want to fit in and were proud of it. The punk community is based on kindness, uniqueness, inclusivity and individuality. Everyone I take to a show notices one thing: no matter how hard people dance, if someone falls down everyone stops and picks that person up and people carry on. We are all the same as in we are all there to listen to the music no matter who we are. *Pirkei Avot* asks the question “Who is wise?” and the famous answer is “One who learns from all people.” Instead of living in my own head and my own ideas, I should take an important lesson from the people around me. The value of inclusivity and encouragement of difference is exactly the reason I should wear my *kippa*.

I then started thinking about why I started to be so passionate about my *kippa* in the first place. I wanted to give a good name to the Jewish people wherever I was. It is not my decision when I should be “on” or “off.” I really enjoyed making a *Kiddush HaShem* while wearing my *kippa*, and so I started thinking, “Why is this any differ-



Bayside's show at Le Poisson Rouge on March 9, 2023

MOSHE EPSTEIN

Rediscovering Our Roots — The Necessity of Tanach in Yeshiva Studies

By SAMMY HABER

Recently, when chatting with my friend, our conversation shifted to the biography

“You want to read a good biography?” I asked sarcastically. “Try Sefer Shoftim— it’s a real page turner.”

of an esteemed contemporary Rabbinical figure which lay open on the table facing him. I asked if I could recommend another Jewish biography to him, a request which he happily agreed to. He perked up excitedly, anxiously awaiting my selection. “You want to read a good biography?” I asked sarcastically. “Try *Sefer Shoftim* — it’s a real page turner.”

There is a staggering trend in the modern yeshiva that significantly deemphasizes the crucial role that *Tanach* plays within individual learning. Classically, *Gemara* is the cornerstone of the daily yeshiva experience, and rightly so; the process of in-depth study of Talmud forces its participants to flex a variety of sophisticated intellectual muscles in perfect synchronicity. The experienced learner’s repertoire is littered with vocabulary that makes the careful analysis of Jewish legality is possible: the

distinctions between *cheftzah* (object-incumbent commands) and *gavra* (person-incumbent commands) and questions of *d’orayta* (biblical commandments) and *d’rabbanan* (rabbinic decrees) flow off the tongue of Talmudic veterans almost effortlessly. Learners can easily identify several types of legal acquisitions, *kinyanim*, Talmudic sages and personalities, as well as recurrent question/answer cycles throughout the gamut of Oral Law.

But something is lacking in the daily rotes of yeshivas. With the important exception of the Rabbinically mandated readings of the weekly *parsha* portions, the written Torah, consisting of the 24 books of *Tanach*, is notably absent in the majority of individuals’ studies.

Nearly all forms of learning encountered in yeshivas draw on the actual texts of *Tanach*. Although most people are familiar with the legal concepts expounded from the Torah and its basic narratives, almost none can say anything else of value about them. All topics which are deemed unnecessary to the study of *Gemara* are discarded and simply forgotten about until they somehow become relevant. The forebears of history, their stories, homiletic values and legacies are arbitrarily deemed unpopular and not given a second thought. Barely anyone can relay any information of substance about crucial figures in the development of Judaism, such as David, Shmuel and Elijah. Fewer can even recognize the names Ehud, Amnon, Zechariah or Yoav as even appearing in the *Tanach*. For the overwhelming majority of yeshiva

students, the significance of these characters amounts to practically zero.

I am not suggesting that the morning learning of intensive *Gemara* should be replaced with intensive study of *Tanach* as a remedial measure.

I am also not proposing that the nightly studies of *Gemara* be completely eliminated in favor of poring over the classical books of *Tanach*. This would be far too drastic a change and far too unpopular to be successful.

But while recognizing the centrality of *Gemara* in daily study, it is incumbent upon us to go “back to the basics” in a sense and begin our individual comprehensive explorations of books in *Tanach*. Revisit narratives that were learned on an elementary level in adolescence, enriching your comprehension with more nuanced and complex ideas of the classical commentators. Perhaps hone in on one *sefer* that you have always wanted to explore but have never gotten a chance to. Join a *Nach Yomi* group, learning one *perek* of a *sefer* in *Nach* daily, which requires a minimal time commitment. Regardless of how this is performed, this is the duty of the responsible, committed religious Jew — firmly grounding

oneself in the ancient, yet enduring roots of the *Torah SheBichtav*.

מגילת אסתר פרק א
בַּשָּׁנָה שְׁלוֹשׁ לְמַלְכוּת עֵשָׂה מִשְׁתָּה לְכָל־שָׁרָיו וְעַבְדָּיו
הָיָה לְפָרֶס וּמַדֵּי הַפְּרָתִימִים וְשָׂרֵי הַמְּדִינֹת לְפָנָיו:

רש"י
(ג) הפרתמים — שלטונים נלזזים פרסי.
9 וראה רש"י דניאל א ג. וראה ראבי"ע ור"י נחמיאש כאן.

ביאור הגר"א
נסים על ידיהם, אך הוא בהסתר פנים, אך שמרדי ואסתר ודורו ראו והבינו שזאת הוא מן השמים וקבלו עליהם את התורה באהבה רבה²² ועל פי מה שכתבתו²³ אתי שפור מה שאמרו²⁴: "מה שראה יחזקאל ראה ישעיה אלא יחזקאל לבן כפר שראה את המלך וישעיה דומה לבן כפר שראה את המלך". פירוש, כי ישעיה ראה בארץ ישראל והיו הכל מאמינים לו ולא היה צורך ליתן להם סימן²⁵, אבל יחזקאל שראה בן כפר, דהיינו בגלות ובחוצה לארץ, ולא היו מאמינים שראה את השכינה בגלות ובחוצה לארץ עד שנתן להם סימן פה, א: "הדר קבלוה כימי אחשוורוש". וברש"י: "מאהבת הים". 23 במדרש ירושלמי בתורה: עיין באורו על שיר השירים א, טו ובאורו על הגדה של פסח ד"ה והיא שעמדה. ועיין בליקוטי הגר"א ס"ס ביאור על ועיא מתימא דף פג ע"ב ובביאורו על ישעיה ו, א. 24 חגיגה יג, ב. 25 כי כרבינו בפירושו לישעיה שם. 26 חומ"ס ד"ה לבן כפר. 27 ספוק ב. 28 כי כרבינו בפירושו להלן ספוק יג ד"ה כי: "ושופטים הם השרים".

ליקוטי הגר"א
החל פרס ומדי
בגמי [קדושתו יב, א] איתא: "אמר שמואל קידשה בתמרה אפילו עומד כור תמרים בדינר מקדושתה, חיישינן שמא שוה פרוטה בימדי". וי"ל דהנה בגמי [ב"ק קג, א] איתא: "הגזול את חבירו שוה פרוטה ונשבע לו, ויליכנו אחריו אפילו ל'מדי". ויש לדקדק בלשון 'אפילו למדי' מפני מה אמרו דוקא 'מדי', ואם שרחוק הוא היה לו לומר אפילו לסוף העולם מחויב הגזול לילך כבדי להחזיר את הגזולה.
אבל נראה עפ"י מה שכתוב [בישעיה יג, יז]: "הגני מעיר עליהם את מדי אשר כסף לא יחשבו וזהב לא יחפצו ב", והשתא לפי"ז יש לפרש דמשום הכי אמר 'ויליכנו אחריו אפילו למדי', כלומר, דאף שבמדי לא נחשב

Humanity in the AI Age

By YONI MAYER

How can the net amount of entropy of the universe be massively decreased?

This is the question asked by two scientists to an extremely powerful computer known as Multivac in one of my favorite short stories, “The Last Question,” by Isaac Asimov.

In the year 2061, after Multivac has aided humanity in harnessing the sun’s energy to power the globe, two scientists figure that a computer with such a considerable amount of processing power would be able to now answer more hypothetical questions. As a joke, they ask the question about net entropy to the computer. It’s response: INSUFFICIENT DATA FOR MEANINGFUL ANSWER. The story progresses through the millennia with more advanced humans asking more advanced versions of the computer the same question. Each time, it responds the same: INSUFFICIENT DATA FOR MEANINGFUL ANSWER.

I asked Chat GPT the same question. It gave me a rather intelligent answer within about ten seconds. However, the content of the answer is unimportant to me. I’m more interested in the questions we ask Chat GPT and artificial intelligence, and how we should approach technology powerful enough to actually give us the answer.

Chat GPT has already astonished the world with its capabilities and language learning model based responses. With the recent announcement of GPT-4, Open AI, the company behind Chat GPT, demonstrated how the software has already advanced; it can now interact with image inputs and produce photographic content based on text instructions. The world has had mixed reactions. Some think the technology is revolutionary and will aid in every industry, from education, to research and even art. Others are wary about the new technology. They think that Chat GPT and artificial intelligence will replace human workers and make many employees and industries obsolete. But I don’t think this should be our concern.

Machinery replacing jobs has been a fear stretching back centuries. In 1589, an inventor named William Lee created a device

called the stocking frame knitting machine; a device that could single handedly do the work of multiple people. Queen Elizabeth I “foresaw” the perils of automating work and remarked, “I have too much love for my poor people who obtain their bread by the

what the underlying mechanisms are in its “neural pathways.” But I do know that this technological revolution is different from the industrial revolutions of the past. As Professor Dhar said, these are thinking machines.

have had in the past. By combing through humanity’s thoughts on these issues from thousands of years of our greatest thinkers, we can learn how to live overall better lives. However, this shouldn’t replace our own diligent foray into the world of higher reasoning. Artificial intelligence can be useful in introducing us to topics or providing quick solutions to problems we are faced with but it should by no means be a replacement for thought.

We might not be concerned with the amount of net entropy in the universe like Asimov’s characters were. But I’m sure there are questions we feel passionate about that we previously wouldn’t have looked up due to our fear of undertaking some scholarly article or the commitment to reading an entire book. Chat GPT and AI can do the heavy lifting for us and introduce us to these topics in a simplified way. But that’s all it should be to the thinking individual. We should still investigate further beyond our initial Chat GPT prompt. We should ask follow up questions, read longer works on the questions that bother us and never wholly divert our faculty of intellect and reasoning to a machine. It is thought that makes us human and in the incumbent age of the thinking machine it is the faculty we must cherish the most.

Artificial intelligence can be useful in introducing us to topics or providing quick solutions to problems we are faced with but it should by no means be a replacement for thought

employment of knitting to give my money to forward an invention that will tend to their ruin by depriving them of employment and thus making them beggars.” Similarly, in the 1930s, the economist John Maynard Keynes stated, “There are so many new inventions indicating displacement of labor that technological unemployment may be an even more serious problem in the near future than it is now.”

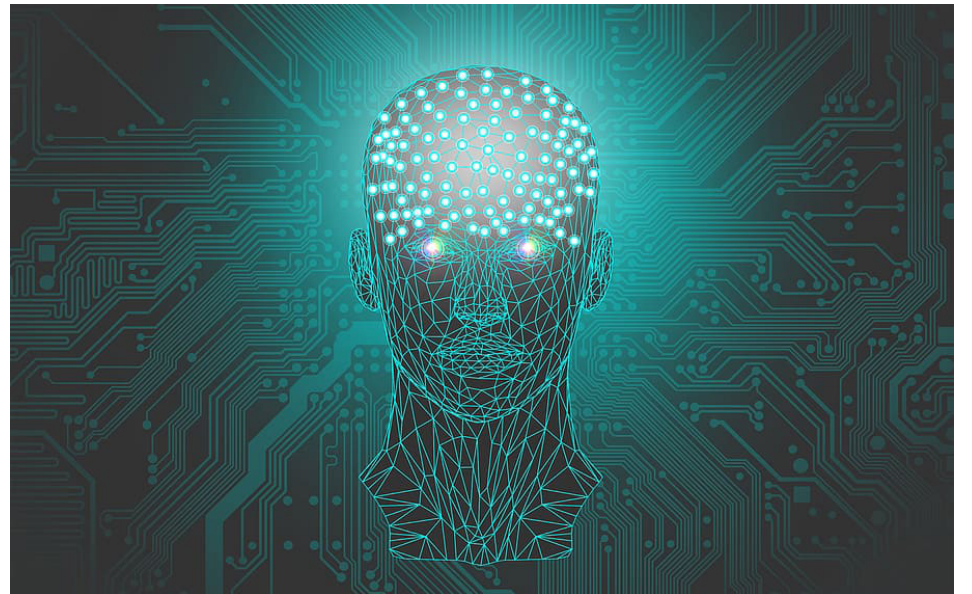
However, the opportunities presented by Chat GPT are of a different kind altogether. Unlike machines of the past, this is an intellectual, thinking machine. Vasant Dhar, a data scientist and professor at NYU noted, “This is not the same as last time, not the same as previous kinds of technology that changed the nature of work.”

The technology is profound; however, currently, people are still too limited with the use of Chat GPT. All across the internet, people are promoting “hacks” for how to properly utilize Chat GPT to create a business, how to write email prompts to network, generate content for a website and advertise a product. Within our university and virtually every school nationwide, people are using it as a writing assistant to write essays, generate homework solutions and provide quick answers to easy questions that would have formerly taken in depth reading of articles suggested by a Google search. We are asking Chat GPT for help with the monotonous tasks we would rather not do and are missing the mark on the true depths to which we should be utilizing artificial intelligence.

I’m not an expert in artificial intelligence by any means. I’m not sure how Chat GPT generates responses to its questions and

It is in this regard that I am wary about AI’s implications for humanity. Thought, reasoning and logic — these are the capacities that set humanity apart from animals and machines. The ability to be presented with a problem and cull our experiences, education, social interactions and life knowledge into a formulated answer is a human skill. This process deepens our intellect by prompting us to build our minds through learning and grow as deeper thinking individuals.

Artificial intelligence is a teacher that possesses the widest breadth of knowledge and the ability to communicate it personally. It can answer questions about our existence, happiness, purpose driven living, amongst many other philosophical queries people



Visualization of AI

WALLPAPER FLARE

Please Ask Why

By REBECCA GUZMAN

To our hardcore, anti-theistic Belarussian relatives, we were crazy. “Why,” they asked, “would you choose this?” Our offense was that of any *baal teshuva*; my family and I were abandoning our comfortable, secular lifestyle for the Torah way. When I entered the sixth grade at a yeshiva day school, my classmates were mystified by the fact that my family and I willingly decided to follow a Modern Orthodox lifestyle. “Why would you choose this?” they asked in astonished whispers.

Though others have stopped asking, the question of why still pulses through the undercurrent of my relationship with Judaism and informs my approach to Jewish thought and tradition. There is immeasurable value in seeking to understand why you live the way you do, but I fear that this imperative often gets overlooked amidst the complexity of our Orthodox lives. As we approach Pesach, I believe it is essential to pause, take a step back from the minutiae of our practice, and search for a reason as to why we are practicing in the first place.

I had the privilege of studying at Aish HaTorah, as part of Aish Geshet for Women, during my first semester of freshman year.

I watched as my teachers and mentors led authentic, Torah-focused lives. I met people from all walks of life, each of whom had followed a unique path leading them to

Our Judaism is only as impassioned as we are, she explained. If we approach our lives with complacency and docility, then we will eventually reach an impasse, and *mitzvot* will

me for years, when a best friend of mine turned to me and said, defeated, “I wish I had been able to choose Judaism just as you did.” Looking back, I struggle to remember what I responded with. I hope it was something meaningful. I hope I told her that each day is an opportunity to choose Judaism, to reexamine our values and search for the truth in why we do what we do. I hope I told her that each one of us has a choice, whether we were born into Orthodox families or not, and that nobody can dictate our relationships with Judaism except for ourselves. Answers begin with questions, and Jewish tradition believes in questions, even the ones that are difficult to ask, or the ones that are composed of three simple letters: Why?

There is immeasurable value in seeking to understand why you live the way you do, but I fear that this imperative often gets overlooked amidst the complexity of our Orthodox lives.

Judaism. What they all had in common, however, was that each of these individuals had relentlessly and honestly searched for an answer as to why they should live Orthodox lives. To be in the presence of such truth-seekers was an honor; to learn from them, a life-changing experience.

During a discussion with a teacher of mine, I mentioned my fear that my Judaism would at one point turn stale like a loaf of bread, as if there was an expiration date looming ahead, and the impetus that had pushed me to observe mitzvot was threatening to expire. I was worried about becoming robotic, just another mindless automaton acting in accordance with a set of rules that didn’t understand or feel passionate about its wonders. My teacher assured me that my fears were unfounded; I already possessed a solution to these nonexistent problems.

become mere regulations. But, if we devote ourselves to the lifelong pursuit of answering why, each person for themselves, then no such plateau will occur.

There is a moment that has stayed with



We must seek to understand why we live the values and lives we do

PIXABAY

The Effects of the Fed's Interest Rate Hike

By NATEY SIMANTOV

Over the last several months, the Fed has raised interest rates to their highest levels since the 1980s. The reason? Inflation. (Inflation, by the way, is simply when prices rise.) A small amount of inflation from year to year is not a big deal — the Fed actually targets a 2% annual inflation rate — but this past June, inflation peaked at 9%, the highest it has been since 1981. It has since fallen to 6%, still well above the preferred rate. High inflation can be very detrimental for the average person: the cost of living increases and people have less discretionary income and less money to save for retirement. So, it seems that the Fed is quite justified in its attempts to curb inflation. But as we'll see, it's not so simple — high interest rates can cause significant stress to our financial system.

First, let's take a closer look at the inflation we're facing today. It likely has its roots in two of the major global events of the last few years — the COVID 19 pandemic and the Russia-Ukraine conflict. The pandemic caused worker shortages and supply chain issues, which raised companies' costs of producing goods. Companies then passed those costs on to customers in the form of higher prices. Additionally, significant government stimulus during the pandemic gave consumers extra money to spend. Then, last year, the Russia-Ukraine conflict caused food and energy prices worldwide to skyrocket, adding to already high inflation.

So, as we mentioned above, the Fed's primary tool to maintain inflation is to raise interest rates. But what do interest rates have to do with inflation? Well, interest rates can be thought of as the cost of borrowing money — so if the interest rate is 2%, my "cost" for borrowing \$100 would be \$2, leading to a \$102 payment at the end of my loan. Higher interest rates cause both businesses and consumers to borrow less money; therefore, businesses are forced to scale back

on new projects and investments, leading to slower GDP growth, as we saw last year. In this sense, interest rates are thought of as a way to "cool down" the economy and control prices. Additionally, consumers borrow less

raising rates, SVB suffered massive losses. When customers found out, they panicked and began withdrawing funds. Withdrawal requests reached \$42 billion, and SVB ultimately did not have enough cash to fulfill

they recently reached a deal to be acquired by UBS, marking the end of a 167-year run. Just like that, in a span of two weeks, three banks have collapsed. So, we have seen that far from being a perfect solution, high interest rates can also be quite harmful.

On Wednesday, March 23, just days after the above-mentioned crises, Fed Chair Jerome Powell announced that the Fed would be raising rates again, this time a quarter-percentage point. He also implied that the Fed would most likely end their rate hike sooner than previously anticipated, undoubtedly due to the recent banking crisis it has caused. Now, this was surely an incredibly difficult decision to make. Many expected the Fed to refrain from raising rates given the stress it has caused to the financial markets. On the other hand, inflation is still high, and raising rates is the most effective way to curb inflation. Only time will tell if Powell made the right choice.

High inflation can be very detrimental for the average person: the cost of living increases and people have less discretionary income and less money to save for retirement.

and therefore have less money to spend on products, which decreases demand and forces companies to lower prices.

So, it seems like raising rates is the correct course of action for the Fed, especially in our current economic environment. However, high interest rates can have a variety of other consequences, both expected and unexpected: first, high interest rates cause the stock market to fall, as companies' future earnings are discounted at a higher rate. If that doesn't make too much sense, here's a great video that explains this concept on a technical level. It's no coincidence that last year, when the Fed began raising rates at historically high levels, the S&P 500 index was down 19.4%.

But, over the last couple of weeks, we have seen far worse, unanticipated consequences of high interest rates: namely, the failures of Silicon Valley Bank (SVB) and Signature Bank, which were the second and third largest bank failures in American history. Now, how did high interest rates cause these banks to fail? First, a little background is necessary: when banks receive deposits from customers, they typically lend that money to borrowers or invest it in government bonds and other low-risk securities. This is how banks can promise to give depositors more than they originally deposited. And here's the last finance lesson for today - when interest rates rise, bond prices fall. Now, SVB invested tens of billions of dollars in long-term US treasuries. When the Fed began rapidly

all deposit requests. Finally, on March 10th, SVB was closed down by regulators. But the damage didn't stop there. After SVB's failure, panic among depositors spread, leading to the collapse of Signature Bank, and forcing Credit Suisse, Switzerland's second-largest bank, to take a \$53 billion loan from the Swiss central bank to assure investors they are financially stable. Ultimately, however, it was too little, too late for Credit Suisse, as



Higher Interest Rates Ahead Sign

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CLASS OF 2023

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STEP 2
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STEP 3
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The Application for Graduation—Undergraduate Degree can be found here: yu.edu/registrar/forms
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Be sure to RSVP on the application to Commencement and give your accurate height and weight so your gown fits just right!

STEP 4
Pay your graduation/diploma fee of \$150 to the Office of Student Finance.

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QUESTIONS?
Visit yu.edu/commencement for updates closer to the ceremony, or email commencement@yu.edu

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What is Going On With The Economy!?

By YOSEF FARCA

Silicon Valley Bank (SVB), Signature Bank, Silvergate Bank, and potentially more banks to follow...

What are these bank failures signaling about our economy? Using principles from the Austrian School of Economics we can gain a broader perspective to find the source of the current economic climate.

On a fundamental level, when banks want to increase the demand for deposits they raise interest rates. Rising interest rates encourage deposits (savings) and enable banks to lend money to make a profit. For example, (without considering fractional reserve banking or reserve requirements) Bank A is offering a 2% interest rate on a savings account. Customer X deposits \$1M in Bank A to make 2%. Bank A takes the \$1M from customer X and lends \$1M to investor Y at a 4% interest rate. Bank A profits from the spread of 2%.

The sufficient amount of savings at a bank is determined when they can no longer lend money for projects that will yield a higher return than the rate they must pay depositors. At the same time, if consumers decide to save, it would signal they care more about the future than the present. When there are sufficient savings, interest rates would decline since banks don't feel the pressure to take on more deposits and declining interest rates incentivize investments (due to cheaper debt) that produce the future goods and services that consumers care about.

It's important to note that even though low-interest rates encourage the borrowing of money for investments as debt is cheaper, the banks wouldn't have enough money to lend (if interest rates were too low) because lower interest rates would discourage deposits and may even cause withdrawals. Hence, real supply and demand would determine the ideal interest rate.

So how is it possible in our economy that interest rates were so low for so long and the banks can still lend money? The Federal Reserve!

The Federal Reserve has a dual mandate to support maximum employment and stable prices. They accomplish this task by controlling all forms of interest rates through the Federal Funds Rate and the Discount Rate. Without going into too much detail about exactly how these instruments work, essentially, the Federal Reserve's dual mandate tries to get the best of both worlds.

The reason many economists support an inflationary Federal Reserve policy (to keep inflation at 2%) is that inflation increases consumer demand as consumers would rather buy something today if it will cost them more tomorrow. High consumer demand is good for the job market, but inflation disincentivizes savings. If there aren't sufficient savings, according to supply and demand interest rates would rise. High interest rates should lower inflation, increase savings, and disincentivize inefficient investments, and this is bad (short-term) for the job market. The Federal Reserve tries to fix this contradiction by artificially controlling interest rates and can keep them low even though the natural laws of supply and demand would force them to go up.

Rising rates create a deflationary environment (when things continuously get cheaper) and this would cause consumers to save their money which will be worth more in the future than if they were to spend it now. Many economists think deflation is a recipe for doomsday because the economy will grind to a halt as people stop spending money. However, long term, cheaper goods and services mean a higher standard of living

for society and this would be a good thing. If there are businesses that would fail with a decrease in consumer spending, then those businesses must not be the most efficient use of resources in the economy. The free

would also simultaneously cause inflation.

Eventually, the Federal Reserve would have to raise interest rates to lower inflation causing less demand from consumers (due to an increase in savings) and those

It's not about the deposits in any one bank, but rather the reallocation of resources (money, labor, and land) across the whole economy

market is also referred to as the "invisible hand" because it is natural supply and demand that chooses which businesses are successful, rather than monetary or fiscal policy picking winners and losers.

Higher interest rates cause a reallocation of resources across the economy. Politicians (who control fiscal policy) and the Federal Reserve (which controls monetary policy) wouldn't invoke a deflationary policy out of choice because this would cause a major reallocation of resources that would cause tremendous pain to many people in the economy. Even though on a theoretical level it is a good thing for interest rates to be determined by the free market, in our current financial system, this would mean a severe recession/depression.

What is happening now?

The Federal Reserve started to raise the Federal Funds Rate in March 2022 because it lost control of inflation. According to the theory explained above, rising rates encourage savings (decreases consumer spending), discourages all but the most efficient investments, and will therefore lower demand for goods and services throughout the economy, and prices should drop, which would lower inflation.

An artificially low-interest-rate environment for a significant period of time causes a misallocation of resources (inefficient use of capital or malinvestment). For example, a malinvestment can occur if the free market determines a 6% interest rate, but the Federal Reserve artificially set the interest rate to 2%. A lower interest rate would signal that consumers are increasing their savings to spend in the future, and investors/entrepreneurs will be incentivized to take on debt at low rates to fund ventures which these savers will eventually spend on. The problem is that consumer savings is not causing the low interest rate and artificially low rates

that took out the previous low interest rate loans will have to pay higher debt interest payments in the future. This would cause many of those artificially low debt funded businesses/investments to suffer. If those investors/entrepreneurs were faced with the real cost of debt, in our example at 6%, they would've had to allocate resources more efficiently.

When the Federal Reserve started raising interest rates to tame inflation, it inadvertently caused, or maybe exposed, exposed significant risk in our financial system, specifically to any institution or firm with malinvestments or that is not properly hedged for a rise in interest rates.

In the case of SVB, deposits skyrocketed in 2020, and they needed a place to invest that money. The bank decided to buy long-term fixed-rate bonds that were supposed to be safe, but they didn't properly hedge for increasing interest rates. Because the bonds SVB bought had a fixed interest rate, when the Federal Reserve raised the Federal Funds Rate, the rates on new bonds went up, and the underlying value of the long-term fixed-rate bonds SVB owned went down.

Think of it like this: Would you rather buy a bond with a high-interest rate or a low-interest rate? Of course, a higher interest rate, and this is why the low-yield fixed-rate bonds that SVB bought decreased in value as new higher-yield bonds became available for purchase. So essentially, if SVB were to try and sell all their low-interest fixed-rate bonds for current market value, they would need to sell them at a significant loss.

Investors/depositors in SVB got wind that their banks' assets didn't fully cover their liabilities (deposits) and the depositors at the bank were only thinking one thing: if I don't take my money out now the bank may not be able to give me my money in the future and that's not a risk I am willing

to take. Hence, a bank run ensued because everyone was trying to be the first out the door before the bank ran out of assets to sell to pay everyone back.

To make matters worse, this doesn't happen in isolation. When it happens in one bank, fear spreads across to depositors in all similar banks who may have improperly allocated their resources. Because our economy is heavily reliant on debt/credit, when customers across the financial system start to withdraw their deposits upon which these institutions depend, it puts tremendous strain and liquidity pressure on the whole financial system threatening another major financial crisis and recession.

It wasn't long before every major news source in the country was reporting the massive SVB collapse. This is why the US Government decided to step in and ensure all depositors in SVB are made whole, even above the \$250 thousand FDIC insurance maximum (the maximum amount of money the US Government will ensure you receive if your bank goes under), to restore faith in the US financial system. Only time will tell if the domino effect of a bank run and the significant pressure of rising interest rates on our financial system is contained, but I think this is just the beginning of a much larger event taking place.

In general, when profit is diminished with a higher cost of capital (in our context of monetary and fiscal policy), massive waves of layoffs follow. Layoffs lead to less consumer spending on goods and services (especially in an inflationary environment), which snowballs and decreases revenues for businesses, which leads to more layoffs as companies need to cut costs to stay afloat. The companies that were hurt badly can go out of business completely. Additionally, stocks, private companies, and real estate are devalued, and large amounts of investor equity get wiped out. This chain reaction grinds the economy to a halt and means a lower standard of living for most Americans.

In summary, markets can remain inefficient for a long time until they are corrected (and they tend to overcorrect). What we are seeing unfold is a major correction, but it's not about the deposits in any one bank, but rather the reallocation of resources (money, labor, and land) across the whole economy.



Higher Interest Rates Ahead Sign



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