CONVERSATIONS™

The Journal of the Institute for Jewish Ideas and Ideals

8 West 70th Street, New York, NY 10023
212 362 4764
www.jewishideas.org

Rabbi Marc D. Angel, Editor
Ronda Angel Arking, Managing Editor

The Institute for Jewish Ideas and Ideals fosters an intellectually vibrant, compassionate, and inclusive Orthodox Judaism. It respects legitimate diversity of opinion within the Torah tradition, and appreciates the importance of independent thought and speech solidly grounded in classic Jewish law and worldview.

The Institute for Jewish Ideas and Ideals thanks the S. Daniel Abraham Foundation for supporting the publication of *Conversations*.

The Institute's important work is made possible through the support of its members and contributors. Please visit our website—www.jewishideas.org—and join our expanding community through your membership commitment.

Creative Director: Benjamin Motola
Produced by Olivestone, Inc.

IDEAS
INSTITUTE FOR JEWISH
IDEAS AND IDEALS

CONVERSATIONS

Orthodoxy and Diversity

Spring 2010/5770 Issue 7

CONVERSATIONS

CONTENTS

Editor's Introduction *v*

Teaching the Wholeness of the Jewish People 1
MARC D. ANGEL

The Leadership and Traditions of the Sephardi Sages in the Modern Era 4
YITSCHAK CHOURAQUI

Agents of Social Change in Israel: *Memizrach Shemesh* 19
TAMAR ZAKEN

Is "Sephardic" a Name Brand? 22
JANE MUSHABAC

Syrian Jews: Renaissance and Modern Era 30
JOSEPH A. D. SUTTON

One Nation, Many Faces 46
MICHAEL FREUND

Machanaim: The Search for a Spiritual Revival of Judaism among Russian Jews 54
MIRIAM KITROSSKY, MICHAEL KARA-IVANOV, AND PINCHAS POLONSKY

On the Nature and Future of Halakha in Relation to Autonomous Religiosity 66
NATHAN LOPES CARDOZO

Halakha and Diversity 83
ZVI ZOHAR

Rabbi Joseph Messas 95
MARC SHAPIRO

Rabbi Joseph B. Soloveitchik and Co-educational Jewish Education 103
SHAUL (SETH) FARBER

Orthodox and Non-Orthodox: Can We Learn from Each Other? 113
BEN GREENBERG

Authority or Authoritarianism? Dynamics of Power in the Contemporary Orthodox Rabbinate 121
RENEE GARFINKEL AND HANNAH ROTHSTEIN

When Worlds Collide: Why Observant Teachers Refuse to Teach in the *Mamlakhti-Dati* School System 133
ESTHER LAPIAN

Mathematics and Other Problems for Orthodox Schools 143
JENNIFER M. LEWIS

Benjamin Disraeli: Englishman and Jew 153
MAURICE WOHLGELERNTER

Sounds of Silence 167
PINCHAS LANDAU

SUBMISSION OF ARTICLES

If you wish to submit an article to *Conversations*, please send the editor (mdangel@jewishideas.org) a short description of the essay you plan to write. Articles should be written in a conversational style, without footnotes, and should be submitted typed, double spaced, as word documents.

Articles reflect the views of their authors, and do not represent official positions of the Institute for Jewish Ideas and Ideals.

Conversations welcomes "letters to the editor," commenting on articles that appear in its pages. Letters should be emailed to the Editor.

Conversations will be published three times per year: May, September, and January. Submissions must reach the Editor at least eight weeks before the first day of each publication month.

Editor's Introduction

Victor Hugo wrote: "Narrow horizons beget stunted ideas." This is true not only for general intellectual life, but also for Jewish civilization. The 3,500 years of Jewish experience have been incredibly rich in diversity; Jews have lived in many lands, have spoken many languages, and have developed many ideas and ideals. This phenomenal diversity is one of the greatest sources of Jewish vitality and creativity.

We ought to have amazingly wide horizons when we study Judaism and the Jewish experience. If we are not open to the vastness of the Jewish adventure, we develop stunted ideas about what constitutes Judaism and Jewishness.

This issue of *Conversations* is devoted to exploring aspects of Jewish diversity, with particular reference to expanding the horizons of the Orthodox Jewish community. The issue opens with an article on teaching the wholeness of the Jewish people, and the need to incorporate the history and wisdom of all our communities. Since so little emphasis is placed on the role of Sephardim in Orthodox schools and textbooks, we include several articles to shed light on Sephardic civilization. Rabbi Yitschak Chouraqui discusses the teachings of modern Sephardic sages. Tamar Zaken describes the work of *Memizrach Shemesh*, a social action organization in Israel spearheaded by Jews of Middle Eastern backgrounds. Dr. Jane Mushabac mulls over the cultural meaning of "Sephardi." We then reprint an excerpt from the work of the late Joseph A. D. Sutton, describing life in Aleppo during the early modern period. Michael Freund writes about the work of *Shavei Yisrael* to bring "lost" groups back to their Jewish roots, including outreach efforts to descendants of Iberian Jews who were forcibly converted to Catholicism during the fifteenth century.

One of the remarkable phenomena of modern Jewish history is the renaissance of the Jews of the former Soviet Union. Miriam Kitrossky, Michael Kara-Ivanov, and Pinchas Polonsky—long-time leaders of

Machanaim—write of the search for spiritual revival among Russian Jews.

Not only is the Jewish people blessed with diverse communities, it also is enriched by diverse ideas—different approaches to Jewish law and lore. Rabbi Nathan Lopes Cardozo presents a challenging article on the nature of halakha. Dr. Zvi Zohar explores how diversity is an integral part of the halakhic enterprise. Dr. Marc Shapiro offers an eye-opening review of some of the halakhic rulings of Rabbi Joseph Messas. Rabbi Dr. Shaul Farber writes on Rabbi Joseph B. Soloveitchik's support of co-educational Jewish classrooms. Rabbi Ben Greenberg confronts the issue of the relations between Orthodox and non-Orthodox Jewish communities.

We then turn to diversity of approach in the area of Jewish communal organization and education. Dr. Renee Garfinkel and Dr. Hannah Rothstein deal with the problem of authoritarianism in the Orthodox rabbinate. Esther Lapian describes a serious crisis in religious education, precipitated by the ever-narrowing horizons of those who go into religious education. Dr. Jennifer Lewis shows how new methods in teaching mathematics can also impact positively on methods in teaching religious subjects.

We close this issue with two essays relating to Jewish identity and values. Dr. Maurice Wohlgelernter ponders the Jewishness of Benjamin Disraeli. Pinchas Landau issues a wake-up call to the Orthodox community in matters relating to economic life and business ethics.

The goal of *Conversations* is to encourage serious thinking and discussion of vital topics—to foster an intellectually vibrant, compassionate, and inclusive Orthodox Judaism. We invite readers to visit the website of the Institute for Jewish Ideas and Ideals www.jewishideas.org; and to support the Institute in its important work.

Teaching the Wholeness of the Jewish People

Marc D. Angel

(Rabbi Marc Angel is the Founder and Director of the Institute for Jewish Ideas and Ideals. This article originally appeared in the magazine Ten Da'at*, Heshvan 5749, Fall 1988)*

Our heritage is rich and vast, and we claim that we teach it. But do we truly understand the wholeness of the Jewish people, or is our knowledge actually limited and fragmented? Do we, indeed can we, inculcate the concept of Jewish unity in our students? If we as educators are unaware of or disinterested in Jews who have had different historic experiences than we have had, how can we convey the richness of Judaism? How can we, in fact, demonstrate the sheer wonder of halakhic Jewry without a sense of awe at the halakhic contributions of all our diverse communities throughout the world, throughout the ages?

We may study the Talmud of Babylonia and Israel; the codes of sages in Spain; the commentaries of scholars of France, Germany, and Italy; the responsa of rabbis of Turkey, the Middle East, and North Africa; the novellae of sages of Eastern Europe; the traditions and customs of Jewish communities throughout the world. We study this diverse and rich literature and confront the phenomenon that all these Jewish sages and their communities operated with the identical assumptions—that God gave the Torah to the people of Israel, that halakha is our way of following God's ways. As we contemplate the vast scope of the halakhic enterprise—and its essential unity—we begin to sense the wholeness of the Jewish people.

If, for example, we were to study only the contributions and history of the Jews of America, we would have a narrow view of Judaism. If we limited our Jewish sources only to a particular century or to a particular

geographic location, we would be parochial. We would be experts in a segment of Jewish experience; but we would be ignorant of everything outside our narrow focus.

In order to teach the wholeness of the Jewish people, we need to have a broad knowledge and vision of the Jewish people. We cannot limit ourselves to sources only from Europe, just as we cannot limit ourselves to sources only from Asia or Africa. Often enough, however, Jewish education today fails to include in a serious way the Jewish experiences in Asia and Africa. How many educators can name ten great Jewish personalities who lived in Turkey, Morocco, or Syria during the seventeenth, eighteenth, and nineteenth centuries? How many have studied any works of authors who lived in Muslim lands over the past four to five centuries? And how many have taught this information to their students? And have they learned?

There is a vital need to teach "whole-istic" Judaism, drawing on the great teachings of our people in all the lands and periods of their dispersion. To do this, we ourselves need to study, to think very seriously, to feel genuine excitement in gathering the exiles of our people into our minds and consciousnesses. When we are engaged in this process, we can help our students share the excitement with us. Jews who are "not like us," whose families came from countries other than "ours," should not be viewed as being exotic or quaint. There is more to a Jewish community than a set of interesting customs or folkways. We need to be able to speak of the Jews of Vilna and of Istanbul and of Berlin and of Tangiers with the same degree of naturalness, with no change in the inflection of our voices. We need to see Jews of all these—and all the other—communities as though they are part of "our" community.

Consider the standard *Mikra'ot Gedolot*, a common edition of the Bible. There are commentaries by Rashi (France); Ibn Ezra and Ramban (Spain); R. Hayyim ben Attar, the Ohr haHayyim (Morocco); R. Ovadia Seforno (Italy), and many others. The commentaries of the Talmud, Rambam, and *Shulhan Arukh* are also a diverse group, stemming from different places and times. It is important for teachers to make their students aware of the backgrounds of the various commentators. In this relatively simple way, students are introduced to the vastness of the Torah enterprise, and of the value of all communities which have engaged in maintaining the Torah. To quote Sephardic sages together with Ashkenazic

sages, naturally and easily, is to achieve an important goal in the teaching of wholeness of the Jewish people.

Most teachers teach what they themselves have learned. They tend to draw heavily on the sources that their own teachers valued. It is difficult and challenging to try to reach out into new sources, to gain knowledge and inspiration from Jewish communities that one originally had not considered to be one's own.

The majority of Jews living in Israel are of African and Asian backgrounds. Students who gain no knowledge of the history and culture of the Jews of Africa and Asia are being seriously deprived. They will be unable to grasp the cultural context of the majority of Jews in Israel, or they will trivialize it or think it exotic. But if Jews are to be a whole people, then all Jews need to understand, in a deep and serious way, about other Jews. This is not for "enrichment" programs or for special "Sephardic days"; this is basic Jewish teaching, basic Jewish learning.

I am saddened by the general narrowness I have seen in some schools. There is a reluctance to grasp the need for wholeness on a serious level. Time is too short. Teachers don't want more responsibilities. But Judaism goes far beyond the sources of Europe and America. Giving lip service to the beauty of Sephardic culture; or singing a Yemenite tune with the school choir; or explaining a custom now and then—these activities don't represent a genuine openness, a positive education.

Standard textbooks don't teach much about the Jews of Africa and Asia, their vast cultural and spiritual achievements, their contributions to Jewish life and to Torah scholarship. Schools often do not make the effort to incorporate serious study of these topics, and so our children grow up with a fragmented Jewish education.

To raise awareness and sensitivity, teachers should utilize the resources within the community—including students, community members, and synagogues representing diverse backgrounds, customs, and history that can enlighten students. Spending Shabbat with diverse communities, within the United States as well as when visiting Israel, can be a moving way of sharing cultures and customs.

To attain wholeness in Jewish education entails considerable work on the part of administrators, teachers, and students. It may cost time and money. But can we really afford to continue to deprive our children and our people of wholeness?

The Leadership and Traditions of the Sephardi Sages in the Modern Era

YITSCHAK CHOURAQUI

(Rabbi Yitschak Chouraqui is the rabbi of Congregation Yad Ramah *in Jerusalem and director of the* Merhav *program for social-rabbinic leadership at* Memizrach Shemesh*, the center for Jewish-social leadership. This article is an English translation of his Hebrew introduction to* Masoret beIdan haModerni*,* Am haSefer*, Jerusalem, 2009.)*

One of the special characteristics of the Torah is its dual nature. On the one hand, it is religious, faith-based, and personal; and on the other hand, it is social, political, and national. It guides not only the individual but also the nation. It charges us not only with faith and personal commandments in interpersonal relationships and toward God, but also with establishing a complete society built on its principles: "a kingdom of priests and a holy nation" (*Shemoth* 19:6), that is, a complete society based on principles of ethics and justice that are "straight and good in the eyes of God." According to the Torah, only in this way can the individual develop his spiritual aspirations. Holiness is not conceived through observance of "religious" commandments if, at the same time, commandments based on ethical and humane values are trampled upon. Being a complete person is dependent on one's social context, and one's devotion to God is expressed through a love of His creatures.

Related to this is another characteristic of the Torah, which comes up in many places in the words of the sages and the rabbis throughout the generations: the Torah is much more far-reaching than Torah study, wider than the literary sources that constitute it, broader than the Jewish texts

written over the generations. The Torah relates to all knowledge and human life. The concept of dealing only with the limited scope of Jewish law is a product of the Diaspora. Therefore, it is necessary to study the Torah as it relates to general culture and sciences. The Torah is a living Torah because it is truly tied to all aspects of life and all intellectual fields; it has implications on the diverse occupations of humankind, on the various developments of society, and on the course of history.

Two of these spheres, the public and the intellectual, can serve as criteria for examining the diversity of Jewish traditions. In these areas we can identify interesting characteristics of the Jewish sages in the Sephardic tradition. By this we mean the Hakhamim of recent generations who have continued the traditions of the Sephardic sages before the expulsion from Spain. More specifically, our concern here is with the Sephardic Hakhamim of the past 200 years who had to contend with questions that arose from the attraction of modernity and the various revolutions that occurred throughout Europe from the eighteenth to the twentieth centuries—the political, social, cultural, and technological revolutions. These Hakhamim were mostly from Muslim countries. Others lived under Christian influence either in Europe or in Muslim countries that had been conquered by Europeans in North Africa or the Middle East.

The following is an examination of several characteristics that paint a varied picture of the traditions of the Sephardic sages.

Classical Judaism vs. Romantic Judaism

The difference between the cultures of the Romantic and the Classical periods is well known.[1] This can be seen in style, thought processes, and focus on aspects of life. Sephardic Judaism has been characterized as Classical Judaism, as opposed to Romantic Ashkenazic Judaism.[2] Sephardic Judaism emphasizes different fundamental points that can be designated as Classical:

a) Tradition—that is to say, the continuity of the heritage; concepts of loyalty, a sense of belonging to the general public, and mutual responsibility both in the present and in relation to earlier generations.

b) Compatibility—that is, balance and harmony between the Torah's requirements and those of our lives, between the individual person's work and his integration into society, between the unique Jewish world and the

wider world in general, between the traditions handed down through the generations and the new and changing present, between the internal Jewish knowledge and general knowledge.

c) Simplicity and Structure—a methodical and logical structure, preserving the spiritual framework both in style and formulation (grammar and language), in the types of works written (codification projects), and in educational approach (order and progression, rules and methods, and keeping away from all kinds of unfounded scholasticism and abstractions).

Of course, it is not our intention to describe all Sephardic sages here, but only to present general examples that represent Sephardic culture as a whole.

The Written Torah Precedes the Oral Torah

Throughout the ages, the Torah has been transmitted in two different ways that complement each other.[3] On the one hand are the books and the written tradition, and on the other is "life learning," experiential and verbal, as it was passed on from the Hakhamim, the community, and the family. Traditionally, the living commentary and oral study have always guided the learner in his understanding of the written text. Changes in Ashkenazic Judaism in the second half of the twentieth century led to a preference for the written path of transmission rather than the living one. Thus, we have become *the people of the book,* not necessarily in the positive sense of the phrase; we have become a society that clings to the written word and minimizes the value of the living tradition as an essential path for transmitting Jewish culture. This phenomenon is characteristic of the Hareidi community, which sanctifies the book even at the expense of well-founded, living family tradition; and also those who seek to skip tradition altogether and to connect directly to the cardinal texts of Jewish culture. As opposed to the Ashkenazic countries, where the conditions for these developments were bred, Sephardic communities continued to transmit the Torah in its two paths (until the last generation, where we witness the adoption of Ashkenazic characteristics by Sephardic sages). Furthermore, sometimes for these Sephardic sages, there is even a preference for the living tradition over the written one.[4] In fact, the basis of the preference for a living tradition is a different perception of culture in general, which sees Judaism as a living, dynamic, complex culture in which

the living, human element is what gives life to the culture. This is the Torah that has been passed on to us, that has been passed along from generation to generation, and that was not invented by us through direct contact with the written word.

Behind this cultural outlook, there are also important emotional characteristics, such as loyalty, humility, and the constant presence of The One Who Gave the Torah among those who transmit it. This, too, is one of the meanings of *the living Torah*: a Torah that was first the source of life, before it became the source of learning.

We will now move on to the fundamentals of the Sephardic sages' Torah learning, divided into three categories: the scope of their intellectual wisdom, their methods of action, and their spiritual character.

The Scope of Their Wisdom

In this section we will outline the cultural perspective of the Sephardic sages, the spiritual and human world in which they lived, and how their relationship with this world—whether stated or not—shaped their works. We will divide our discussion into three sections:

The Scope of the Jewish Cultural World

As opposed to a simplified approach, which focuses on Jewish learning of the Talmud and halakhic concepts, the Sephardic sages remained loyal to a very broad Jewish culture. To a certain extent, this value is a continuation of the world of the Sephardic sages in Spain, who created their works in all fields of knowledge, all subjects of the Torah, from the Bible to the wisdom of the Kabbala, through Talmud and Jewish law, commentaries, conceptual research, grammar, and poetry.

Up until the present era, traditional study in the Sephardic world began with a broad familiarity with the Bible. This course of study was implemented early on in elementary school, by memorization of the five books of the Torah, the books of the Prophets and the Writings, through traditional melodies. The basic concepts of *yirat Shamayim* (humility before God) and ethical texts of the Bible (such as Proverbs) were taught in a natural, pleasant, enjoyable way. This course of study was characterized by placing the textual perspective in a place of honor in Sephardic culture: mastery of the Hebrew language, including familiarity with gram-

mar, the rules of the language, poetic expression, and writing styles, as the necessary basis for all creative works and the study of Jewish culture. From this comes a love of Hebrew poetry based on, among other things, the foundations of the Scriptures. In particular the classical Hebrew poetry from the Golden Age of Spain was privileged to enter the prayer book. These Sephardic communities continued to write poetry, and poetic expression served as the typical way they expressed their artistic sensibilities. But in addition to language and poetry, this textual perspective created a spiritual closeness to various topics from the Bible that relate to the fundamentals of faith and contemplation wherever they appear (such as the books of Proverbs, Ecclesiastes, and Job), topics that served as introductions to many *derashot* (sermons). Indeed, the public sermon was one of the most important ways in which the Hakham took responsibility for his community and for current affairs, based on principles from the Bible, on Jewish commentaries through the ages and his own creative development in order to derive from them spiritual content on all questions that might arise. From here it was a short step to begin learning Midrash and the general Jewish philosophical literature; and as a direct continuation of Midrash and its meditations comes the Sephardic sages' study of Kabbala alongside other Torah studies.

Of course the Talmud holds a central place, but what is unique about the Sephardic sages' world was that they stayed faithful to the ancient teaching that Torah study should be geared toward practical purposes. Their style of study included deep examination of the literal meaning of the text and a reliance on the commentaries of the Rishonim, the early sages, in order to clarify the different opinions on which the *Shulhan Arukh* based its halakhic decisions. The next step was to examine the halakhic literature, both from the commentators of the *Shulhan Arukh* and the responsa literature. The abstract methods of study that arose among Ashkenazic rabbis in recent generations did not develop in Sephardic countries. In the eyes of the Sephardic Hakhamim, the Torah study of the Lithuanian Batei Midrash was perceived as divorced from the talmudic issues and their halakhic applications. For the Sephardic sages, text study focused on the literal meaning of the *sugia* (the particular passage) through an examination of the halakhic implications of each question. Even in places where a preference was developed for in-depth examination of a *sugia* rather than focusing on the halakhic ruling, for example the famous Tunisian study method,

the sages did not overemphasize abstract analysis of the Lithuanian yeshiva sort, but rather stayed close to the meaning of each word and each sentence of the Talmud by examining its connection to the issue as a whole. Furthermore, these sages did not differentiate between halakhic issues in the Talmud that are discussed in the Bet Midrash and aggadic issues from the Talmud that are not usually studied. Sometimes the text study even focused on the aggada, as we see in the collection *Ein Yaakov*, whose study was popular among Sephardic communities.

Because the goal set for Talmud study was to establish halakhic rulings, one of the characteristics of the Sephardic sages, as opposed to the Ashkenazic ones, was to rule decisively on halakha from among different approaches, and not only to take into consideration all halakhic positions and to decide on a ruling out of concern for stringent opinions, as is often found in the Ashkenazic countries. Rabbinic training for a Sephardic rabbi aimed to provide the rabbi with the tools for him to decide on halakha. This is in contrast to the education of the Lithuanian yeshivot, which provided their students with the tools for abstract, in-depth study of a talmudic topic, but not the tools for making a ruling in Jewish law. This characteristic is one of the foundations of a Sephardic rabbi's work to this day.

It is important to note that, when we outline the main points of the cultural perspective by looking at the spiritual and educational world of certain sages, the purpose is not to argue that all sages in the Sephardic world dealt with all the areas we have mentioned, but rather that they operated in a cultural world with wide perspectives, while each of them was characterized by his own special creative works.

The Scope of Human Relationships

Beyond the cultural wealth that characterized the Sephardic sages' works, there is another element that is no less important, and that is the human factor. By this we mean the relationship of the Hakham not just to the authoritative sources, but also to the dynamic sources of human life. The human factor is a central element in the deliberations of a Hakham when he decides the halakha and in his sermons to the community. Often one can sense that the Hakham relates to the person who asked the question, to his feelings, his personality, and sometimes also to his weaknesses. The Hakham knows the person asking the question, loves him, and understands his distress. He does not see his job only as an authority figure

who sets norms and laws, but as someone who is responsible for shaping the person before him, so that this person will become more responsible and will better recognize his Jewish and human obligations. It is not a rabbi's job to set the standard for the ideal, abstract person; rather the rabbi must set the ideal in relation to the individual who is standing before him. The halakhic learning of the Hakham allows him to establish the letter of the law and not just the norms for optimal behavior (*hidur*) and rigor (*hahmarah*), and through this wisdom and understanding the Hakham calculates the best solution for the specific problem at hand. The halakhic ruling is transferred from mere intellectual, theoretical deduction to a more complex pursuit that weighs the halakhic facts and also takes into account the human factor and the actual background from which the problem arose.

We must add that the human background does not necessarily consist of only the person who asked the question; usually it is a matter of an entire community or the public context that the Hakham must take into account. When he issues a decision on a particular question, he also considers the consequences of his decision on wider circles. For example, if he takes a strict position on an issue, the Hakham is not looking only at the specific, immediate situation of the person who asked the question, but he also looks at the ramifications for the entire community, for whom a stringent decision is not always the proper solution, lest it disrupt the balance of Torah principles, damage the fabric of Jewish society, or sometimes even interfere with the spiritual efforts of the person or the community.

Widening the circle of relationships from the individual person who asks a question to the communal sphere brings us to an even broader plane.

The Scope of Universality

Sephardic culture throughout the ages developed in concurrence with general culture—thus continuing the tradition of the Golden Age of Spain, in which the internal Jewish world recognized the wider world without losing its own uniqueness (see Maimonides' example of perfumers, cooks, and bakers in his letter to the sages of Lunel [Rav Shilat Edition, Part Two page 502]). The Sephardic sages of recent generations were aware of current events and changes in the world around them. This is especially true in more recent years, since modernism in its European version arrived in

the Eastern lands. The Sephardic reaction to the changes of the new age was quite different from the Ashkenazic response. On the one hand, the educational model of the Sephardic sages approved of general studies, and even considered them as worthy endeavors in addition to basic Jewish education; and in the spirit of this approach, the Sephardic sages did not withdraw from modern society in the way that some Ashkenazic Orthodox elements did. On the other hand, with the deepening of European rule in Muslim countries, the pull toward secular culture was in opposition to tradition; and the response of the sages to protect the traditions of Israel was not to develop the model of strict, isolationist Orthodoxy. Instead, they emphasized the principles that strengthen faith that have guarded Jewish identity and communal unity, with the goal of maintaining the members of the community in the Jewish world as much as possible. Thus, an important Hakham spoke out strongly against a rabbi who was struggling with a custom that is not essential among the commandments while other more central, basic tenets of the Torah still needed to be strengthened (Rabbi Yossef Messas, Responsa *Mayim Haim* Part 2 *Orah Hayyim* Section 90). That Hakham established an important concept in regard to the elements weighed in making a halakhic decision (Responsa *Mayim Tehorim* Even HaEzer Section 24): "And this matter will be discussed according to three pillars of jurisprudence: the law, intelligence, and time period," that is, the law that arises from the sources that determine halakha, the common sense and healthy logic that are needed to approach any issue, and the specific time in which the question was asked, which takes into account the time period and the local background. It is important to emphasize that this openness to aspects of time period and common sense in deciding halakha unlocked a traditional, intra-*hilkhatit* option that succeeded in responding to the modern world, without relegating the validity of halakha to the trash bin of nullifying reform and without losing the age-old authority of the sages.

Implicit in this is the secret of the relevance of these works in our time. This is the main path for interpreting the Torah in relation to society through the changes of time. We are not talking about fringe writings of the Jewish world, but about the relevant cultural center of the Jewish people as a whole, which follows Maimonides' tradition of the Golden Path.

Methods of Action

And so, what characterizes the rabbinic methods of the Sephardic sages?

As mentioned above, one of the characteristic principles of the Sephardic sages is the way they determine halakha between different approaches, as opposed to a pesak (decision) that wants to satisfy all differing opinions. This is the basic principle known in rabbinic language as *kohah dehetra adif*—the power of the *heter* (the lenient path) is the preferred. This principle praises the greatness of the Hakham who delves deeply into an issue and finds a lenient halakhic solution. Deciding halakha stringently does not reflect the greatness of a Hakham, and many times it attests to an educational concern, or to fear of deciding the halakha, which prevents the Hakham from choosing the easier path over the stricter one. Harsh halakhic decisions and the desire to accommodate all opinions have caused an accumulation of stringencies that makes it difficult for a later posek to weigh, maneuver, and navigate the halakhic process in the directions needed for a specific case that comes before him. Thus, fear of God pushes aside the dynamic force of halakha. Conversely, there are many who outwardly praise the dynamic nature of halakha, and have little fear of God in their hearts, and because of this their conclusions cannot be called halakha. Between the strict and the liberal positions, the Sephardic sages established a third path in which their great humility before God and their commitment to serve God brought them to adopt original halakhic stances in order to deal with new situations, without fearing lenient decisions, rulings and originality. Knowledge of life experience often accompanies and guides halakhic decision-making, together with a realistic viewpoint, according to which a harsh position would apply to only a small part of the public. But the responsibility of the Hakham is to the whole community, to all of the Jewish people, perhaps for all future generations. Therefore it would not be responsible to set an excessively stringent standard of halakha that would cause a great portion of the community to be lost if they cannot abide by it.

In addition to this, the halakhic vitality and courage that these Hakhamim often adopted should be taken into consideration. With all the modesty of the Sephardic Hakhamim, who based their decisions on the posekim who came before them and did not devise new ideas without precedent—supporting their decisions based on Jewish sources and not

on their own opinions—we find in their halakhic works original analysis of earlier sources and also opinions that were not always in the halakhic mainstream.[5]

Another issue is the efforts of the Hakham, in the framework of halakha, to ensure that the law will not legitimize injustice. Indeed, on the one hand, the Torah tells us, "Do not give special consideration to the poor," (Leviticus 19:15) meaning that one must not deviate from law in order to help a poor person. On the other hand, it is also forbidden to allow those who have power to be protected by the law so that exploitation of the weak would be justified. Therefore we must act so that the law is just and so that the poor are helped; for example, using the ability to stretch the law in different directions so that truth, justice, and benevolence will be present in a halakhic ruling.[6] Sometimes we find that the Hakham adds at the end of his ruling some advice for the weak on how to conduct his affairs in the event of injustice.[7] Other paths are available to the Hakham outside the framework of the court, such as influencing the two sides to conduct themselves beyond the letter of the law in order to avoid injustice. This can be done directly—through open rebuke of the different sides—or through a sermon on ethics to the whole community with the intention of hindering the sources of injustice in the community. The last tool in the hands of the Hakham, if he did not succeed through educational means, is excommunication or expulsion. And here we must emphasize the complex nature of the sages' conduct: on the one hand they are prepared to struggle when necessary to protect Torah values both religiously and socially, and on the other hand they adopt a stance in a pleasant way, with the wonderful ability to adopt solutions through the paths of peace and with the attribute of mercy.

The Sephardic rabbis perceived their job to be multi-faceted. They did not concentrate only on spreading Torah knowledge in a yeshiva to a chosen group of scholars, but saw their main job as serving the entire community. Certainly one of the community rabbi's jobs was to see to it that there would be a yeshiva in the area, but this was not the sum total of the Sephardic rabbi's duties. Torah study for all levels of society was his goal. Learning Torah with the lay people who made up the majority of his community is what held center stage. Beyond Torah study, the rabbi was busy with all his other rabbinic duties: as mohel, ritual slaughterer, scribe, preacher, judge, and so forth, along with his social responsibilities: to

assure the cohesiveness of the community socially as well as religiously—concerning Torah values and also on the material plane—in other words, to see to it that the weaker members of society live with dignity within the community. As part of his responsibilities beyond the walls of the religious court, one of his main concerns was to assist the weaker members of the community by means of various welfare institutions that operated for the purpose of assuring that mutual solidarity would be a pillar of the Jewish community.

One of the basic elements of halakha that was used especially in Sephardic communities was the establishment of *takanot*—religious ordinances. The *takana*, which is a direct ruling of the halakhic sages, continued to develop in the modern era in Sephardic communities for two reasons: one internal and one external. The internal reason is because the Ashkenazic rabbis tended to curtail the strength of new *takanot* and the scope of their application, also minimizing the setting of new *takanot* (to the point of an almost complete refusal by the Chief Rabbinate of Israel to set *takanot* at all in the past generation). The external reason was that the Emancipation, which brought equal rights to the Jews of Europe, also canceled the judicial independence that had been the heritage of Jewish communities throughout the generations, as well as canceling the authority of the sages to develop the various areas of Jewish civil law. As opposed to the Ashkenazic countries, the Sephardic lands continued to develop Jewish law through internal legislation and communal *takanot*. (Sometimes the *takanot* were also national, for example Moroccan *takanot* that were in force until the 1960s.) Through these *takanot* the sages provided up-to-date halakhic answers for the new problems and special needs that arose. The *takanot* were an additional expression of the ever-developing Torah and its involvement in the life of society.

The Spiritual World of the Sephardic Sages

The basic value in the spiritual world of the Sephardic sages is the presence of God, and what derives from this—the service of God. Not the yoke of mitzvoth, but God's constant and central presence, an awareness that we are always and notably standing before God in all aspects of our lives, not only when we are doing one mitzvah or another. The sages held a comprehensive perspective on the basic meaning of Judaism, that is, the

perspective on the main purpose of the word of God to humankind—a perspective they took upon themselves to publicize and teach. They did not receive it through study but rather through Jewish life, through the living tradition. What is a human being's obligation? That is the question to be addressed; and the answer is not limited to doing mitzvoth. This is not to suggest an attitude of compromise in keeping the mitzvoth; on the contrary—serving God is the basis of one's obligation in the world, and from this develops the network of mitzvoth. But from this also emerges much more than just an obligation to observe commandments; from serving God comes the need to keep "*that which is straight and good in the eyes of God*"; also in those areas of life that are not defined through formal mitzvoth. From serving God one also derives the recognition that a person will be judged before God for everything he does in all aspects of his dealings. Studying Torah does not exempt one from humanitarian issues or from any of the groups that make up the fabric of Jewish people. The awareness of the presence of God is connected to the issue that is so central for the Sephardic sages: society and the Jewish people.

How can a person make God's presence meaningful and concrete when God has no physical or material expression? Among the many possible religious answers to this question, one particular approach stands out for the Sephardic sages: God's presence is expressed through the obligations we have toward the Jewish people and through the obligations we have toward one another. In this context, how can we walk in the path of God? By adopting His traits: "Just as God is merciful and compassionate, so should you be merciful and compassionate" (*Shabbat* 133b). That is, one's ability to behave in the right way expresses one's obligation to God. This rule does not apply only to the private domain (and here is a decisive point compared with the sages who emphasized ethics and interpersonal relationships in the private domain), but rather it is expanded and broadened to have the public and social meaning that is found in almost every aspect of life that the Sephardic sages preached about. Even if something was a private or personal issue, or an issue that appeared to deal only with mitzvoth between God and humans, the Hakhamim found ways to apply the issue to the general public.

This is not only in regard to spiritual commentary and literature. Also in the realm of action, the Sephardic sages were conspicuous in their concern for the community and the public; their concern for society was

expressed also in their halakhic rulings and was taken into consideration under different social circumstances. This inclination does not come from weakness or compromise but rather from the spiritual strength that sees this as the Hakham's commitment to God and the Jewish people. We can see in this the complexity of the rabbi's activities: on the one hand his broad concern with the social life, economic status and spiritual level of the community, and at the same time his desire to preserve the uniqueness of each member of the community. In accordance with this task, the sages were careful to maintain the unity of the community, also in the religious sphere, in spite of the different levels of observance of the members of the community, the different occupations of the members of the community, and the cultural and intellectual differences among them.

Concern for the public is expressed in the most basic issues of mutual responsibility: communal obligation toward the weak and acts of *tsedek* against the various sources of injustice. For these purposes the sages enacted *takanot* for the sake of the poor, via internal-communal taxes and through education.

This is also expressed in regard to the human attributes—*midot*—that the sages taught: paths of pleasantness, love of fellow human beings, generosity, kindness, and humility. The paths of pleasantness constituted the foundation for the various aspects of the wisdom of life. First, they relate to human interaction, second they relate to the halakha (the balance and adaptation between various Torah values and between them and other people) and third, they connect to the conceptual spiritual realm (in a harmonious view that is warm and loving toward society, the opposite of a suspicious, estranged, or arrogant stance). From this attitude the Sephardic sages were able to observe the changes—scientific, political, and cultural—throughout the world in the last 200 years. Their spiritual inclusion allowed the sages to successfully adopt a complex stance of positive values in relation to scientific, technological, and social advances, and with it also to recognize the changes in religious and traditional lifestyle that affected community members. Preserving the attachment of the community to tradition was an overriding goal for the Hakhamim and this brought them to great heights in their writings, which often times proved courageous. They did this in order to maintain Torah values while being open to modernity. This approach is not limited to protecting and preserving the Torah in a world that threatens it—an approach that turns inward with the goal of

surviving in a new world. Rather it is the opposite—an outlook that comes from the classic Jewish sources about the world as a whole, the problems of modern society, universal questions. It provides a special, original, often surprising response.[8] Behind the language and concepts of Jewish tradition there is a living Torah whose revitalized light illuminates the universal questions that stir us to a life of faith in the modern era.

NOTES

1. See: Daniel Elazar, "Classical Tradition and Romantic Tradition" in *Mahtzit haUmah*, Ramat Gan 5745. And in more detail in his book: *The Other Jews: the Sephardim Today*, New York, 1989.
2. However, this is not to be understood literally, since this characterization was first formulated by Abraham Heschel in his book *The Sabbath*, in which he characterized Ashkenazic Judaism only through the Hassidic model. Obviously every large culture is made up of many different components; we are only seeking to present certain general points.
3. See Haym Soloveitchik, "Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy," *Tradition*, 1994, 28 (4), pp. 64–130.
4. Theoretical development of the precedence of the Oral Torah over the Written Torah is done by Rabbi Eliyahu Ben Amozegh in his important essay: "Introduction to the Oral Torah," (edited by Rabbi Dr. Eliyahu Zini, Jerusalem 5762).
5. A typical example is the pesak of Rabbi Rafael Berdugo on the subject of a mistress, *Responsa Mishpatim Yesharim* part 2, section 170.
6. An instructive example of a pesak of this kind can be found in the Responsa of *Harashba"tz*, part 3, section 190.
7. See for example Maimonides' Responsa, section 34, compared to section 45: "the devious path to this woman. . .".
8. This approach explains the interesting spiritual connection between the spiritual traditions that developed in the Maghreb countries as opposed to the intellectual world of Europe in the second half of the twentieth century. As a result of the social and political changes for the Jews of North Africa, a fascinating connection was created in the years after World War II with France and the Western intellectual tradition. This connection also led to ties in the Jewish world between Sephardic and Ashkenazic thinkers, bringing about the creation of what was eventually known as "the Paris School" (See Shmuel Trigano, *Pardes* 23 [1997]). Several extraordinary personalities developed Jewish concepts on difficult questions that France was dealing with after the war, relating to events in the 1950s and 1960s, in regard to cultural and political changes in Europe to which the Jewish voice did not stay silent. We refer specifically to Rabbi Yehouda Leon Ashkenazi ("Manitou"), who integrated

rabbinic sources (specifically the kabbalistic perspective) in which North African Jews were educated, with the tradition and philosophy of the West; to Emanuel Levinas, who integrated the talmudic perspective with the philosophical one; to Andre Neher, who brought the textual and prophetic voice in all its vitality to the modern world and brought to France the study of the works of the Maharal of Prague; and to Eliane Amado Levy Valensi, who joined the Jewish world (especially the mystical world) with psychology and psychoanalysis. In the works of these intellectuals we can see the continuation of a Jewish culture that is firmly attached to its roots, proficient in the sources, and is open to the wider world in order to understand it but also to pass it through their inspection. This is a Jewish culture that aims, in light of Jewish tradition, to clarify the contemporary deliberations, and ultimately to re-illuminate contemporary society with the hidden light of Jewish works for its generation.

Agents of Social Change in Israel: *Memizrach Shemesh*

Tamar Zaken

(*Tamar Zaken is the Director of Development of* Memizrach Shemesh.)

Rabbi Chaim Meimran, born and raised in Kiryat Gat, sees himself as an agent of social change within his community and within Israeli society. He is the founder of the *Social Yeshiva High School* in Kiryat Gat. After two years of study in the Merhav-Rabbinic Leadership for Social Change program at *Memizrach Shemesh*, he decided to introduce a Social Justice curriculum and rewrite the mission of the school to include an emphasis on the Jewish social values of solidarity and justice. These changes to the school are especially important in Rabbi Meimran's community, where poverty and social inequalities are prevalent. Rabbi Meimran enjoyed his experience in the Merhav program. "Studying at *Memizrach Shemesh* made me look at my role as a rabbi through a different prism; I understand now the important responsibility I have toward my community."

Rabbi Meimran is one of many Israelis who have been inspired by *Memizrach Shemesh*, the Center for Jewish Social Leadership based in Jerusalem. Since 2000, *Memizrach Shemesh* has promoted a language of Jewish social responsibility in Israel. The Center, inspired by Mizrahi and Sephardi Jewish experience, philosophy, and commentaries, trains social activists and fosters leadership that is committed to the Jewish values of social responsibility and community action. The aim of the Center is to strengthen a Jewish identity in Israel that emphasizes social values; by placing these values of communal responsibility and *tikkun olam* (repair-

ing the world) at the center of Jewish identity, *Memizrach Shemesh* graduates will work to mitigate social gaps and at the same time reduce ideological polarization within Israeli society.

Eli Bareket, Executive Director of *Memizrach Shemesh*, says that this emphasis on social values is imperative for the future of Israel. "The work we do can have a significant effect on the way Israeli society deals with social challenges like poverty and inequality; we have the opportunity to make a change using Jewish text study as our tool."

The learning methods employed at *Memizrach Shemesh* are based on individual journeys and the use of personal stories in a Bet Midrash setting. *Memizrach Shemesh* participants meet weekly to study Jewish texts relating to social issues such as poverty, racism, inequality, education policy, community organizing, and empowerment. Each session begins on a personal note, followed by Jewish text study and ending with a current event related to the social issue learned. The center initiates programming for rabbis, youth, students, educators, parents, and activists. Many *Memizrach Shemesh* alumni continue on to become leaders within their communities: on campuses, in Israel's geographic or economic periphery, and in the Israeli public school system.

The Center's curriculum puts a special emphasis on Jewish texts, commentaries and responsa of Sephardic rabbis. The philosophy and writings of these rabbis are significant, because of their dynamic and fruitful encounter with modernity and assimilation, an encounter that was drastically different than the strict dichotomy between religious and secular that was evident in Ashkenazi Jewish communities following the Emancipation in Europe. This tolerant and inclusive Judaism has a lot to contribute to Israeli society today. The tools these rabbis used to deal with the challenges of assimilation and social conflicts within their communities can serve as a guide for Israeli society and Jewish life in the twenty-first century.

Memizrach Shemesh recognizes the increased need for Jewish social justice learning in Israeli society today. Every year the Israeli Social Security Authority announces that there are more and more families living below the poverty line. Also, there are growing ideological gaps between religious and secular Jews. If more Israelis connect to the idea that the guiding principles of Judaism are those of solidarity and justice, Israeli society can be unified and strengthened. With the help of Rabbi

Meimran, his colleagues, and many other *Memizrach Shemesh* alumni, we envision a future of peace, unity, and strength in the State of Israel.

For more information on Memizrach Shemesh*, the Center for Jewish Social Leadership in Jerusalem, visit www.mizrach.org.il.*

Is "Sephardic" a Name Brand?

Jane Mushabac

(Professor Mushabac teaches English at CUNY and was recently a Mellon Fellow. Her book Melville's Humor *won high praise from Irving Howe, Alfred Kazin, and Morris Dickstein. She is co-author of* A Short and Remarkable History of New York City*, selected as one of the "Best of the Best" by the American Association of University Presses, and now in its fifth printing. Her radio play, commissioned for National Public Radio broadcast,* Mazal Bueno: A Portrait in Song of the Spanish Jews*, featured Tovah Feldshuh.)*

We're addicted to branding. By we, I mean Americans, but it's probably true of most people—and for good reason. Seeking out name brands may be a simple and effective survival tactic. Pick a good brand (olive oil, car, university), and you feel confident you will live and be well, otherwise, who knows? Conversely, we don't just buy brand names, but sell them. For success in business or in the arts, college graduates were told at a recent convocation, you must brand yourself, figure out and highlight the one key brandable thing you have to offer, and name it in a way that sparks recognition and interest.

I was traveling with a college friend in Mexico many years ago. We were up in the mountains of Chiapas. We saw a woman weaving against a tree in a method that predated Cortes. The area had no roads! Vehicles couldn't get there! We had gone up by horseback, led by an indefatigable 70-year-old Swiss woman named Trudy Blom. Seeing the Mexican weaver-woman there on the high open plateau, her posture holding her body-loom tight out from the trunk of a tree, it was as if time had stopped. It had, in a sense. I could look up at the moon and it looked the same as it

had for all time, but the truth was Americans had walked on the moon the previous day (this was the summer of 1969), and all we could see was the people-less moon, because the town where Ms. Blom's lodging-house was located didn't have a single television set, and the moon was as it had been for eons, a serene, brightly lit orb in the sky, the very same one from creation that divided night from day.

In Oaxaca, a famous city we visited the following week, my friend and I did the usual things, taking walks, shopping for local crafts in the market. But suddenly there was a drugstore, and we went in. We didn't need anything pharmaceutical or cosmetic—we didn't need anything, really. But we needed a fix, a fix of branding. I needed to see shelves of packaging in sharp American colors. Why? Because in Mexico many things had an earthen cast, an unmarked or unmarketed existence, like breathing, one of those things we can and do take for granted, unheralded, quiet, necessary, but without the intense attention and excitement of a brand name and a marketing, packaging, and distribution campaign behind it. Seeing the shelves of packaged items ridiculously allowed me something I needed in order to feel connected in the world. I didn't expect to need that kind of fix, because I don't love drugstores (or the American mania for packaging). I've steered away from drugstores when I could, and for example, avoided colorfully boxed cough syrup for my children, finding that honey-milk hand-spooned by my mother to her first grandson worked, as they say, like a charm.

Aviva Ben-Ur's recent book, *Sephardic Jews in America: A Diasporic History* (NYU Press, 2009), by its title seemed to offer a chance to understand precisely the Sephardic contribution to American Jewish history, and suggest a way to a serious recognition of a group that is a central part of my identity and worldview. Reading it was a stop on a journey perhaps not surprising in someone with a name as unusual as Mushabac, a name that I kept after marriage, because it connected me so directly to something I cherished. Being a Turkish Jew on both sides of my family represented a history of Jews who tenaciously stood their ground for thousands of years, despite obstacles and mortal threats, and clung to their community not only with determination, but with pleasure and celebration. Some people have said the exciting thing about being Sephardic is feeling nostalgia for Spain, where Jews thrived for 1,000 years, or for the Ottoman Empire, where they lived for 500 years, keeping up various aspects of Spanish heritage, such as the language of Ladino, and appealing traditions of cooking

and music. However, nostalgia has a mirage-like quality, and ultimately we need something infinitely more solid to pin a future on.

When we study American ethnic or immigrant history, sometimes, even though we know this approach can be as simplistic as indulging in nostalgia, we hazard a definition of a "contribution" of a specific group. For instance, Koreans in 1970s New York can be said to have contributed to our city by opening colorful flower and fruit stands that brought light and activity 24 hours a day to formerly grim neighborhoods: they dramatically changed the face of New York. Perhaps Dr. Ben-Ur's book would name and describe the American Sephardic "contribution" and package it neatly for distribution to Jewish and other channels. Presto, a brand, and the satisfaction of branding.

Her book doesn't do this. Instead it clearly shows a Sephardic American identity that has been too variegated and fragmented to have a specific impact. The fact is that Sephardic Jews, because they were only a tiny percentage of the million and a half Jewish immigrants who came to New York over the past century, and because the relatively tiny Sephardic group came from many countries and spoke many languages, and thus couldn't communicate with each other, and especially since Sephardic today has come to mean any non-Ashkenazi Jew (Iberian and Mizrahi), as Ben-Ur puts it, there was and is "no critical mass." Instead of finding critical mass, Ben-Ur focuses in good part on the treatment of Sephardim by other Jews, and tensions between Western and Eastern Sephardim.

In one fascinating chapter, nonetheless, Ben-Ur provides what she calls a test-case on Sephardic impact. She tells the story of how the Sephardic pronunciation of Hebrew came to prevail in Israel. She interestingly credits this important Sephardic contribution, in part, to the wholesome appeal of Sephardic men in Palestine, who, focused on making a living, contrasted sharply with the unhealthy-looking Ashkenazi men in Palestine who were bent on religious fervor. The Sephardic men became an emblem of a strong bold new future for Israel, Ben-Ur says. Clearly a new nation was, if I may, branding itself for its future, and the Sephardic pronunciation of Hebrew was not just linguistically authentic but was seen as "clean" and bold. While this story has a charm as Ben-Ur details its various players and developments, it illustrates the author's key point, that in America, at any rate, as opposed to Israel, there has been no decided Sephardic "contribution" at this level.

Actually Ben-Ur steers us away from naming any "contribution," Sephardic or Ashkenazi. She faults the "impact" paradigm of historiography. She says impact paradigms are problematic, based on questionable assumptions and determinations. She is really more interested in how groups are treated and seen in the world, especially in how people are marginalized, shoved off the page and out of our consciousness, and how they defend themselves. Her focus, in short, is on an "exclusion" paradigm. Also, she focuses only on the first 50 years of the twentieth century, and mostly on the Sephardic Jews with roots going back to Spain, such as *Turkinos* (Turkish Jews).

This approach threw me back on my original question. It was surely important to see the difficulties encountered by Sephardim in New York, and satisfying to see how they suffered condescension, and, worse yet, summoned the will to find their own way, with persistence and creativity, and thoughtful and memorable leadership on the part of many of the antagonists. But following closely this woven history of exclusion and inclusion left me still wanting to know what this group had to offer. What do Sephardim have to offer? I keep wanting to think globally through a thousand years of history to connect all the illustrious dots. In fact anyone can Google "Sephardic Jews" to create his or her own Encyclopedia Sephardica, which would range from Maimonides codifying a rational Judaism to Emma Lazarus announcing the golden door; from Jacob Rodriguez Rivera inventing spermacetti candle-making to Uriah Levy getting the U.S. Navy to prohibit flogging (where would Herman Melville have been without these two men?); from world-class pianist Murray Perahia, singing in the boys' choir in a Grand Concourse Sephardic congregation to David Amram—maverick musician, composer, conductor, and writer. Shall we leave out Sephardic Jacques Derrida because we've heard too much about him, or Joe Elias, because we've heard too little about him? Elias learned hundreds of songs at his mother's knee, and taught Ladino singing for years at New York City's Hebrew Arts School. What about Gracia Mendes Nasi, the grand dame and managerial titan of Early Modern Europe? What about Supreme Court Justice Benjamin Cardozo, or five Sephardic Jews I know of who have won Nobel prizes: we all know Elias Canetti, but do most people even know that Baruj Benacerraf, Rita Levi-Montalcini, Claude Cohn-Tannoudji, and Salvador Luria are Jewish? Rabbi Marc Angel, of course must be mentioned with a

full description of his works, and especially his 1991 *Voices in Exile: A Study in Sephardic Intellectual History*, his glimpse of something provocatively simple and natural in his 2006 *Foundations of Sephardic Spirituality: The Inner Life of Jews of the Ottoman Empire*, his award-winning new book on Maimonides and Spinoza, and his ground-breaking new organization, which sponsors this very publication, and boldly rebuts authoritarianism in the Orthodox world. And what about Sacha Baron Cohen! Okay, he's scandalous—and we're going far afield, but doesn't Sacha Baron Cohen break new ground in American and European popular culture—connect with the future, wake up the bored, and put a Sephardic flag on the moon? Do we have a brand here?

Dr. Ben-Ur's book, of course, is simply not about any of this. Nonetheless, after all her eliminations and disputations, after detours that are interesting but incidental, for instance on Columbia University's prestigious, but not very Sephardic, Hispanic-Sephardic initiative in the 1930s, she finishes with a simple statement that is quietly revelatory. She speaks of the corporate Jewish identity, and says if American scholars get bored with it, look here, to the Sephardim. That word corporate should stop us. It's a word that can cut two ways, reflecting stable reliable productivity on one side, and domineering greed and political manipulation on the other. But let's look for a moment at the predictable sameness of corporate production. Corporate means every sip of Pepsi-Cola-owned Tropicana tastes exactly alike, and has nothing to do with the oranges (even though they may be grown by corporations) that we squeeze on the spot, cutting in half five or six of them, getting the juice on the table, straining the pulp and seeds, and handing golden glasses of it off with pride to family members.

What is the corporate brand of Judaism? What is the corporate brand of Orthodox Judaism? Aren't Jews like everyone else allowed to want and enjoy a predictable, normalized, generalized, homogenized product? Is there anything wrong with that? And if in many locations, Ashkenazim have given way to their more prominent Sephardic hosts, let's say in Istanbul, why should Sephardim not give way graciously to the vastly bigger numbers of the Ashkenazim in America, and join the corporate model? Famous Sephardic Americans may or may not be swept up into the general Jewish category, but in any event, is there any problem with Sephardim modestly stepping aside and accepting dominance by the sheer, vastly larger Ashkenazi numbers?

One of the problems with corporate identity is its smug assumption that the book has been written and is closed, the book of Judaism, or the book of Jewish identity. It's branded—in the bad sense, like an animal bound for slaughter, and whether it's because I'm Sephardic or simply Jewish, I find I resent a corporate Judaism. It's difficult to express how comforting it is to see the brand broken up. Congregation Shearith Israel hires a woman as an Assistant Congregational Leader—what a breakthrough!— or an African-American who has converted to Judaism, gives a lecture on his life as a practicing, engaged, fascinating Orthodox Jew. It is healing to see all the Iraqi and Turkish Jews out on the dance floor at the "mixed dancing" (men and women) celebrations at a synagogue's annual party. It's healing and comforting to hear Jean Naggar's reminiscences of her Egyptian Jewish childhood, or to hear the accents at a Bible class as people from Israel and Paris, Florida and Tunisia, express their individual responses to a biblical text. It's not just that if the corporate model of Judaism is accepted, some of us feel left out because our names are different—many Sephardic names of course are actually Hebrew—or that we look different (do we?). It's that the corporate model is deadly, not because it's fake, or made from concentrate, but because it has a telltale medicinal aftertaste—it's not freshly squeezed. Jewish authenticity depends on dissent and difference, and without these elements we have lost our center, and our juice.

In the late 1950s my mother and I contemplated writing a Sephardic cookbook, and she queried a well-known Jewish publisher. He wrote back, "No one would be interested in that." Knowing now what we know about the health benefits of Mediterranean cooking and the Mediterranean lifestyle (and what Sephardim with many nonagenarian parents and grandparents have always known), one can't help but wonder at this old-time Ashkenazi insularity, which may still be among us. A friendly letter to *Midstream*'s Winter 2010 issue noted that an occasional article on Yiddish or Ladino topics is interesting, but ultimately the writer asked the magazine please to limit such articles because these topics are not part of "our *Weltanschauung*." We know of course, why the writer used the German word, and didn't simply say "worldview." Branding. Meanwhile, *Midstream* has been groundbreaking with its July/August Yiddish-Ladino issues that it started in 2002.

We haven't even touched the terrible story of the disparaging treat-

ment of Mizrahi Jews in Israel, Jews who make up almost half of the population of Israel! Sitting on my desk is Rachel Shabi's new book, *We Look Like the Enemy: The Hidden Story of Israel's Jews from Arab Lands.* The realities of that story are shameful.

We are addicted to branding. We all want the comfort of sturdily packaged familiar people and ideas. We want the prestige, why else start an article with our credentials? But we don't want to feel shut off, in a corporate can sealed with BPA plastic that like chicken fat and butter (we don't cook with them) may harm our bodies. Let in the air. In the Jewish world, as everywhere else, we desperately need an open system, agreeable to diversity, gracious to innovation, open to new voices.

Is there a Sephardic contribution to America? I've long wondered. Starting in high school I worked on that Sephardic cookbook, and still have the large index cards of my Turkish grandmother's recipes that my Bronx-born mother typed up. I've read books, attended wonderful courses and seminars. I've made lists of words we said at home as I was growing up, *Bivas* (Live!) when we sneezed, *Kon salu* (in good health) when we wore a piece of new clothing, *Ijo d'una bova* (son of a stupid woman) when someone was acting like a dope, *Ya basta!* (enough!), *Kapara* (when a glass broke, that glass was for God), and foods that expressed Sephardic joy, health, and celebration. I'm supposed to know about customs, but all I can think of is telling Joha stories, stories about the wise fool who coming from his day's work in the fields to dinner, and being told he must have a dinner jacket, returns with his jacket and tells the jacket, "It's you they invited, Eat!" There are hundreds of Joha stories, which many of us have retold and written about.

In 1992 when I was giving lectures through the Sephardic House lecture bureau to various organizations in the New York area, I decided the answer had to do with the difference between the perfect circle of the wheel and the odd-shaped circle of the olive—or the lemon. Ashkenazim are perfect like the wheel, always ready to go. The rest of us stop to chase an olive around the plate, or the olive chases us, or we see the world up close because we cook with so much exquisite lemon juice and have lived near water, and love to eat fish. Maybe it's an outspokenness, or zaniness—I think of that Hunter High School math teacher who threw chalk at students who fell asleep in her class. Maybe it's a female outspokenness. "Listen to Sarah," said God in Genesis, and perhaps ironically it was only

in the patriarchal East in the Sephardic world where patriarchy was so elaborate and unintellectual that it counter-intuitively left the door open to women. Women have been great carriers of Judaism, with their monumental work of child rearing and cooking, but perhaps only Sephardic women had the fun of singing wild centuries-old Spanish ballads that romantically asked about my beloved coming down the stairs, or that raucously attacked a man for not being able to love someone other than himself. I don't know. But diversity represents an open system, and I know I crave it, and it suits my authentically Jewish soul. Without diversity we are rigid and dead. Those beds in Sodom and Gomorrah, we recall, cut off the feet of those who were too tall, and stretched the bodies of those who were too short.

As I sat and listened to that African-American convert to Orthodox Judaism and heard about his funny and interesting upbringing in the Jehovah's Witness religion, and how he gave speeches on Sundays to please his mother, and how his life today is totally Jewishly engaged at Ramath Orah on 110th Street near Broadway, I felt that a sharp sense of difference is what allows us to breathe. The system is open, we are breathing, not shutting out truth and life with refusal to accept difference.

Obviously we need both, a strong connection to the fixed, to the Jewish tradition in its most inalterable values and beliefs, but also a connection to the very unbranded thing of breathing, something natural and eternal, an open system. Diversity allows us to breathe, and without it we are not really here. In one of his novels, Henry James had a character surprisingly say in the midst of his very patriarchal world, "The women will save us." Perhaps the Sephardic contribution *is its diversity*. Perhaps Sephardim have contributed to the world by virtue of their their interethnic mix, with all its surprises and openness, its outspoken women, its outspoken men. Boredom and insular stultification are terribly contrary to authentic Judaism. Dialectic is the absolute core of Judaism, from Abraham's argument with God about Sodom and Gomorrah to this week's *Forward* article, "War on Internet Is a Fight the Rabbis Can't Win." No one should say, "The Sephardim will save us." But everyone should say, "Diversity will save us." Jews, like everyone else, need to be saved from ourselves.

Syrian Jews: Renaissance and Modern Era

Joseph A. D. Sutton

(The late Joseph Sutton, born in Aleppo, was a proud member of the Syrian Jewish community in Flatbush, Brooklyn. He devoted many years to researching and writing about the history and traditions of his community. This article is excerpted from his book, Aleppo Chronicles*, New York: Thayer-Jacoby, 1988, and is printed in Conversations with the permission of his family. We have retained his spellings of transliterations.)*

Some Spanish Sepharadeem, refugees, made their way to Aleppo and Damascus early in the sixteenth century; and many more to Constantinople, Salonika, and Izmir. In Damascus, where they had arrived in larger numbers than in Aleppo, they established their own synagogues, houses of study, and burial grounds, alongside colonies of Karaites, Samarians, Iraqis, and the native Jews (the *Musta-Arab-een*), we are told by Rabbi Moshe Basola of that period. With time, they abandoned the use of the Spanish language and before long became acculturated, an integral part of the native Jewish community. Their more worldly education saw many of them in a prosperous state and in the leadership of Jewish life, positions they maintained for centuries. Aleppo's Spanish refugee Sepharadeem, fewer in number, had also been received with cordiality and the respect due their scholarliness. A separate section of the Great Synagogue was reserved for them. This too passed away as the 'Spaniol became embodied in the Jewish life of the city, although they continued to be distinctive. Among them were members of the Kassin (Qaaseen) and Laniado (Langiado) families, who contributed leading rabbis to the city for hundreds of years and to the present day, in Aleppo, in Flatbush, and in other Syrian colonies. The Dayan family, also

distinguished scholars in Aleppo for centuries, had originated in Baghdad and lay detailed claim, generation by generation, to the descent from King David. It was the Dayans who established the revered House of Study—and prayer—Bet Nasi, "The House of the Prince." It functioned in Aleppo until the "days of trial" in 1947, a harrowing period that the testimony of refugees now in Flatbush will reveal to us.

Yet another wave of European Sepharadeem came, a small one, mostly from Italy, who were to be continually distinguished and prestigious in Near East Jewish life. Perhaps among the first of them to come was a maternal forebear of this writer, Signor Isaaco Silvera from Livorno (Leghorn, Italy), earlier from Gibraltar and Spain.

His presence in Aleppo was uncovered to me by Gershom Scholem in his biography (1973) of Shabbetai Sebbi (Sevi), the false Messiah. Scholem relates that among the foremost advocates of Shabbetai prior to 1666, the date of enunciation of Shabbetai's 'Messiahood,' were ". . . Signor Hakham Shelomo Laniado and Signor Isaaco Silvera." To Hakham Laniado, Shabbetai had awarded the "Kingdom of Aram Soba" (The Hebrew term for Aleppo, Psalms 60:2), and to my ancestor Silvera, the "Kingdom of David." No doubt Silvera had contributed importantly from his considerable wealth to the Messiah's mission. With Silvera's presence in Aleppo, other wealthy Italian Sepharadeem had followed, to form a small but eminent group.

Soon after the Crusades, Aleppo had become increasingly important in commerce with Europe. Earlier, such trade had been small although continuous for many centuries. Thanks to the sharpened appetite for Oriental spices and silks and the like, brought back with them by the returning Crusaders, and with the advancing decay of the feudal system, the rise and the influence of the Towns, and the revival of a money economy in place of barter, European trade with the Orient began to grow and to become a source of great wealth.

It was largely to Halab (Aleppo) that the early Venetians, the Dutch, and the French had arrived to establish trading colonies; "Alep," as the French fifteenth- and sixteenth-century traders had labeled it; the Italians had transposed it to "Alep-po," the name used by the English. How to negotiate this trade with Aleppo's merchants, since the English spoke no Arabic and the Aleppoans no English? Through local Aleppoans with a knowledge of Italian, French, or Spanish, largely the Spanish

Sepharadeem and the Italian Jews. In addition to the Jews, Armenians and native "Byzantines" (Greek Orthodox Catholics) also participated.

The English Levant Company

Consul North tells us of the importance of the Aleppo Jews in their relations with the English and others. Said North: "The factoring trade is in the hands of the Jews, dominated by them." Further, he states that, "When a European began to trade through a Jew, no other would take his 'commission,' for by a compact among themselves no other was permitted to accept the client." The Jewish agents earned the esteem and confidence of their clients, they were highly spoken of and their reputation spread in England for their uprightness and trading skill.

The privileges of their foreign patrons sometimes rubbed off on to the Jewish agents, who were thus placed in particularly high regard in their community. They became Nafs Firmanli, an Ottoman-Decree (Protected) Individual. In some few instances their patrons bestowed on them full foreign national status, including Extra Territorial Rights, endowing them with greater prestige.

In addition to the migration into Aleppo of the refugees from Spain as was noted, there were the Italian Jewish merchants. The Italians sent younger sons to serve their needs at first hand. They came on buying "visits," but instead stayed, and soon married the daughters of Spanish and Musta-Arab-een (indigenous) Jews. They become known as "Francos" (French) and "Franj," enjoying the rights and privileges of Extra-Territoriality. They were always referred to as Signors, ("Sir, in Italian; "Signor-eem" is the Hebrew plural term for this Italian title). Through their wealth and aristocratic status they became the most distinguished of the local Jews. Their piety, scholarliness, and generous support of community organizations placed them at the pinnacle of their co-religionists' esteem. The leading family among them was that of Picciotto; who were to become De Picciotto when they received titles of knighthood from the Austrian Emperor Joseph II, whom they served as consuls. Picciotto, Belilos, Bigio, Farhi, Ancona, Silvera, Altar and a few others constituted the Franj group in Aleppo. In Damascus it was the families of Angel, Shemaya, Pinto, Molcho, Farhi, Attieh Lisbona, and others, who were the elite Franj.

Late in the eighteenth century, Shalom Ha-Cohen of Aleppo ventured into India and with the assistance of others from Halab, members of the Shaib, Tebele, Duek, and Laniado families, two Settons/Suttons, as well as several Baghdadians, served to found the Calcutta Jewish community. It flourished for almost 150 years, until the British left India in 1947.

Everyday Jewish Life

From the many recent spoken histories of individuals who recounted to me memories of life experience in Aleppo/Halab and in Damascus, we are further able to reconstruct the everyday life of the Jews there from some years before the beginning of the twentieth century. In many ways it was typical of Jewish life throughout the Near and Middle East. Arabic was the universal language (except in Turkey, and some European countries under Ottoman rule.) Arabic was the common language from Iraq (Mesopotamia) on the East, to Morocco, facing the Atlantic Ocean. Culturally, too, there was broad commonality characteristic of almost all Fertile Crescent lands.

At the crest of Aleppo and Damascus population early in this century, each city had perhaps 15,000 to 20,000 Jews. In Aleppo, everyone Jewish lived within the confines of the old and virtually invisible city-wall lines (the inner city), until about 1900–1905, when a small movement began to the-then outskirts of the city, to the Quarter called the Djamil-iyeh (named after Djamil Pasha), with broad streets and fresh air. (In the last three or four decades almost all Jews had moved there, except the direly poor.) The community was firmly ruled by the Bet Deen, the religious Court, supported by the Comite (Fr.), the community committee, formed of leading individuals—ah-kalz-behr, "notables," which administered the Jewish institutions. It was self-ruled, as was previously observed, in accordance with Ottoman and earlier, Roman and Arab regulations, which gave due recognition and respect in most periods, to each of the religious communities. This permitted an orderly and stable life over the centuries, one in which the Aleppo and Damascus Jewish populations led a generally satisfying life—constrained only by personal economic limitations.

The Hakham Báshi was the Chief Rabbi, an institution established in Istanbul/Constantinople some 400 years ago, largely a political one. The local Hakham Báshi was appointed by the Chief Hakham Báshi, an influ-

ential Ottoman Empire official in the Capital—with the consent of the city's Jewish elders. He was frequently a non-native of Aleppo or Damascus, hailing from Smyrna, Istanbul, or Salonika. Often he did not match the scholarliness of the cities' native rabbis or their religious authority, although his Office was held in much awe by the populace. The Bet Deen, the religious court, set the rules and standards for rigid religious and civil observance for the mass of Jews. They ruled in disputes between Jews, and so universally and highly were they regarded, that a Muslim with a civil complaint against a Jew preferred to have it adjudicated by the Bet Deen. He was confident that the ruling would be unbiased and just. Leading rabbis were highly respected by the Muslim leaders and their counsel was often sought.

Rabbis of the city were also highly esteemed by fellow Jews in Palestine, Mesopotamia (Iraq), and other parts of the Ottoman Empire; respected for their learning and devoutness, from the days of Saadia, Maimonides, and earlier. Over the centuries, only a few had succeeded in having their scholarly religious works published. Some with valuable texts did not possess the means and know-how to achieve publication in one of the principal Sepharadi centers, in Livorno, Istanbul, Amsterdam. Only now are some of these early works being uncovered and published.

In Syria, relations with Muslims were amicable, but formal. A state of inward uneasiness always marked the sentiments toward those of the dominant religion. The Muslims were generally friendly, but "no one put complete trust in goyeem" (Hebrew maxim) or in their continuing peacefulness, since not all Muslims were educated, or well-mannered.

The Dhimmis: "Protected" Jews and Christians

What is the reality of conditions under which the Dhimmi, the so-called "protected" people, lived? Jews, Christians, and Zoroastrians who believe in one God, had special status following the teaching of Muhammad. They were known as Ahhl il Dhimmi [pronounced "thzimmeh"], People of Faith, Conscience. They were to be protected, allowed to lead a self-ruled life, following their religion, unmolested both in their faith and in their civil rights. However, because they would not accept Islam, they were to have measures of humiliation shown to them, they were to regard themselves as "inferiors." A special small tax was imposed on them, a jizya

(penalty). In other ways too in some periods, they had to have their inferiority made evident—through dress, restrictions on the height of their houses of worship, the lowly animals (donkeys, etc.) they were permitted to ride, the need to give way before a Muslim, and similar means of indicating their inferiority. In everything else their rights were to be protected. The Covenant could be annulled at will by Muslims when they alleged violations on the part of a minority, to be replaced with still greater severities, sometimes demanding conversion to Islam, on pain of death.

Good Relations with Muslims

The Muslims of Aleppo were indeed of a more peaceful character than those of Damascus. No uprisings, no massacres of Jews in Aleppo have ever been uncovered by this writer. Jews accepted their role of submissive inferiors, but with dignity. They knew their own worth, and their economic importance in the metropolis, a bustling city of traders. Aleppo Jews seldom had to submit to more than petty abuse, and only from individual ignorant and fanatic Muslims. Such elements had created riots and massacres in Aleppo in 1859–1860, but directed against Christians, with no major disorders since that time.

In earlier periods, prior to the advent of surging nationalist Zionism in Palestine, many commercial Jewish partnerships existed with Muslims and Christians, often in enterprises involving agricultural products; Jews were partners with herders, in large-scale operations involving livestock. The Jews had confidence in the integrity of their Muslim partners, their courteous friendliness and their faithfulness to their religion. Sometimes the partners were bedu (bedouins), nomads. Jewish Murad Faham and members of the Jemal/Djmal families owned huge herds consigned to Muslims, or were partners with them; both were important manufacturers of cheese. Faham is the hero who was later to rescue the ancient and sacred Aleppo Codex: the Codex of ben Asher, spiriting it out of the country to Israel at considerable risk to his safety.

With educated Muslims, a cordiality, somewhat formal, could exist, formed perhaps through commercial transactions. However, intimate friendships with Muslims were not common. Despite cordiality with some, there was little social interaction, Jewish and Muslim families did not exchange visits; men customarily socialized in cafes. Nevertheless, on

respective holiday occasions the men would sometimes pay courtesy calls to their friends of the other religion. The Governor, too, the Pasha, would pay such a courtesy call to the Chief Rabbi. In turn, the Hakham Báshi would acknowledge an Islamic or governmental holiday by a visit to the Pasha.

Everyday Life in Twentieth-Century Syria

Everyday activity in the early years of the twentieth century in Aleppo and Damascus continued the traditional and unhurried life in the midst of the countless minarets and the many large and important souks. Earlier, Jews lived—by choice—in their separate Quarters, the Saha, il Illeh, Bah-seeta, and Harrit il Yahood, the Jewish Quarter and other nearby neighborhoods, sometimes neighbors of Muslim families, but never of Christians. They occupied residences with an inner courtyard, with chambers around it, rooms not interconnected in most instances. Outhouses provided the sanitary facilities (which were periodically—sometimes tardily—emptied by the cesspool cleaner). Wealthy families occupied a private residence; others had contained two or three families, each occupying one or two rooms to accommodate their usually large numbers.

The rooms necessarily served as living quarters by day and as bedrooms at night. They were sparsely furnished. In the poorer homes the furniture consisted of a low table with a mansaf, a large tray, and cushions, dishaks, on which they sat, close to the floor. One or two large armoires, chests, held their clothes and household wares. A deewaan, a sofa, was found in most homes, reserved for visitors. Except for the wealthy where beds were used, bedding consisted of mattresses placed on the floor. These were aired in the morning, then piled in a corner of the room, freeing it for daytime use. For those in modest circumstances and the poor, heating the chamber was by means of braziers in which a few sticks of charcoal were burned. Illumination was provided by one or more wan-a-seh, a pan filled with oil, with lighted wicks, or by kerosene lamps. Some rooms had a small raised alcove, a m'rah-bah, which added to the useable space. A small deep cellar, m'gha-ra, usual in every home, provided an area where perishable food was kept somewhat fresh. A floor covering was a necessity. Those who could afford them had rugs on the floor, from Ajam, (Persia), or from Turkey. Others laid down a haseereh, a large woven mat of vegetable fibers.

Housewives whose husbands had means could employ domestic help. For the majority—the poor and the near-poor—the housewife was responsible for restoring the sleeping room into a sitting room, airing the bedclothes and storing them in a corner. She washed the clothes, cooked the meals, drew water from the cistern for the family needs, and sewed or repaired the clothing. In addition, of course, she attended her many young children. She saw to the grinding of her wheat at the local mill and prepared the dough for the bread, a large part of every meal. This was sent out usually twice a week—to a nearby baker, a soo-sahnie.

Those in the middle and upper classes usually retained a Jewish female domestic worker, who went to her own home at the end of a demanding day. She, too, washed, cooked, kneaded dough, and looked after her other household chores. Servants were often, but not always, married women. The poor provided the wet nurses for those who could not nurse their own children.

Since clothing factories did not exist, tailors and dressmakers often gave sewing work to be performed in the home—at niggardly prices. Some women were skilled seamstresses; others, makers of wigs and hair-pieces, who spent individual days working in the homes of patrons, Jewish, Muslim, and Christian. (This contradicts the popular belief that wives of Oriental Jews did not work gainfully like Jewish matrons in Eastern Europe; there, it was not uncommon for some women to be actively engaged in commerce.)

For the poor, breakfast usually consisted of bread and white cheese; some could afford only bread and inexpensive zatar, a combination of tangy herbs. (Bread was dipped into oil and then into the zatar.) A piece of halava served as dessert. Lunch and supper often comprised the leftovers of the food of the previous day or else of an omelet, prepared with cheese, potatoes, eggplant or other available vegetables. Laban, yoghurt, was a staple, widely consumed, in addition to cereals and beans of every description; they were cheap. The principal meal was in the evening. Few meat dishes were available, they were too expensive for most, but were served at the Sabbath meals.

Most Jews were either lower-middle class or (the greater number)—were poor. They were craftsmen, stall-keepers, cobblers, clerks, peddlers, porters, and others without skills. The life of the middle-class Jews and the wealthy permitted comfortable homes and enabled them to live well in all

respects, enjoying a wide variety of foodstuffs, meat, fish, seasonal vegetables and delectable fruits.

Marriages

Jewish marriages in the Orient were almost always arranged by the parents, usually with the aid of a semi-professional, part-time broker, a khatahb. He knew most families, and thus could recommend suitable mates; it was important to find spouses of suitable lineage—those of the same social class. A marriage could sometimes be arranged with another, but only one class level above or below. Among the poor, marriages were more expeditiously arranged, without the need of an intermediary—or negotiations.

Entertainment

Rich and poor delighted in the Sabbath, a day of complete relaxation. Some relished the occasional Sabt, the festive mid-day elaborate celebratory Sabbath breakfasts after synagogue service. These often were accompanied by the singing of traditional pizmoneem, non-ritual religious songs. Aleppoans are very fond of music, outstandingly so.

Entertainment in earlier years—70 or 80 years ago—was quite limited. Apart from visits to cafés, family, and friends, public entertainment was narrowly circumscribed. Once or twice each year there was a gala concert of Arabic music. A little music was available publicly in some cafés, mostly by means of phonograph records. The "Shahh-bandar," a large café on what was then the outskirts of the city—it has since been absorbed by the exploding city—featured vocalists and a live musical ensemble. Those who could afford it thronged this green oasis in a city denuded of trees (cut down for fuel during World War I, and never replanted). On a pleasant evening, one of the residents, usually among those in humbler circumstances, would produce an ood, a lute, to be joined by neighbors in his courtyard, and often by those of an adjoining courtyard, who would enjoy and contribute to the quiet entertainment.

Community Organizations

The community had several social institutions in addition to the ktehteeb, the Hebrew Schools. Mohar u-Mattan was concerned with facilitat-

ing marriages for the poor. A few gold pounds were made available to a poor couple, to permit them to buy the minimum household needs. Without the means to buy these articles, marriages could be delayed indefinitely. Sedaqa u-Marpeh, "Charity and Healing," looked after the needy sick. It maintained a clinic and a couple of "hospital" beds, the part-time cooperation of a trained doctor, as well as a drug dispensary. Mattan ba Seter was a fund which assisted the genteel poor who would not openly accept charity. A large Fund saw to the needs of the many poor families who were regularly allotted small sums to keep them from starving. A pittance was doled out, too, to dozens of poor rabbis, to allow them adequate Sabbath meals.

There were many orphan children, numerous offspring of impoverished, undernourished parents who died young; outbreaks of tuberculosis or cholera, plague, typhus or diphtheria, were common in some earlier years. A sizeable orphanage was maintained, whose support was made barely adequate by appeals to Syrians living in New York, Manchester, Egypt, and Buenos Aires. "Joe" Duek, a successful businessman, retired early to devote his time and efforts to the needs of "his" orphans.

Jewish Commerce and the Souks

Aleppo's merchants, Muslim, Jewish, and Christian, are traditionally serious-minded men, in a city which lacks the heady, irresponsible effervescence of Damascus. Halab had less politics and less fanaticism. While Damascus is the town of the "Arab," Aleppo is the city of the merchant.

A large part of trade and commerce was dominated by the Jews of Aleppo. A small number were private bankers, called sir-eh-feen, money-changers (singular: sar-raf). In a country and city where its residents had no faith in paper money, their confidence was in dahab-at—gold pieces! Some of their trade in silver and gold pieces was international in scope. Their activity and that of the many Jewish merchants dealing in textiles and a variety of other important commodities permitted them the acquisition of impressive fortunes, very discreetly held, and most modestly spent.

The merchants of Aleppo carry on their activities in the khans and souks. A khan is a caravanserai (a "palace" for caravans). A souk is a trading street or lane, in some countries referred to as a "bazaar." But not all souks are alike. Those who visited Jerusalem and its souk ("shouk," in

Hebrew) can little imagine the size and scope of Aleppo's souks. The latter are roofed, and constitute a sizeable "town" extending for many miles; souks which are deemed more important than those of Damascus and Cairo. Off the principal souks are found the many khans. In several of them our Jewish merchants carried on their trade, principally in the huge Khan ii Gimrog—"the Customhouse Khan" and the vast Khan il Qassabiyeh—the "Khan of the Gold Threads." There they maintained their offices, attached to which were their sizeable warehouses. Each craft, in traditional fashion, is established in its own "street" and thus the visitor progresses from the leather workers to the smiths, to the merchants of silks and cotton cloths, or to the souks which sell spices, with their curious haunting fragrances. Aleppo has more than 150 hammams, Turkish baths, whose beauty and luxuriousness were highly praised.

Jewish Schools

In Aleppo as in Damascus, in the unhurried and traditional life of old, few influences of the Age of Enlightenment had penetrated or were available to the people of the cities and to the Jewish population. Exceptions were the relatively small but important number of Jews who were able to attend the schools of the Alliance Israelite Universelle. With the self-esteem and self-satisfaction with which they lived, Jews (and Muslims), lacked the quest and thirst for secular education that characterized the Jews of Europe. Jewish education, except for Alliance students, was in the ktehteeb (singular: kittab) elementary Hebrew schools, for boys. When boys "graduated" at about age 13 "they went down to the souk" to seek gainful work. Children of families with some means remained in the Alliance until their graduation at ages 17 to 20.

Traditional early Jewish schooling taught the male children prayers and the Bible—which was taught in Hebrew of course, but with some chapters memory-instilled in formal (archaic-classical) Arabic translation, very likely the translation of Saadia Ha-Goan, achieved almost 1,000 years ago. The boys became familiar with *Ain Yaacob*, a simple recounting of rabbinic aggadah (parables, legends), and other similar works. Most students, with their bar mizva, went out to seek work; but children of wealthy parents, if not at the Alliance school, continued their studies, going on to instructions in the Talmud and other rabbinic works, in bat-

teh midrash, halls of study. They attended there for a few years, before going on to the serious business of gaining money, in order to permit them to marry and to establish their own families. Newlyweds without much means lived with "his" or "her" parents, depending on their relative means, for a few years. A few wealthy men with large homes maintained several married sons and their families in a patriarchal pattern, as a truly "extended family."

In addition to study of religious texts in the kittab, the traditional Hebrew elementary school, an hour or so every other day was devoted to learning to read and write Arabic and write the customary cursive Hebrew script known as nus'alam ("half a pen") somewhat similar to Rashi script. This is a medieval form of the written Hebrew coming down to us in the Cairo Geniza fragments of the tenth to fourteenth centuries. The men of ancient Cairo, like present-day Jews in Aleppo and Damascus, used the Hebrew script to write letters whose texts were often in Arabic. The students, particularly those whose learning years were limited by the need to work, left the kittab without much ability to write either Hebrew or Arabic—but, were of course, able to read Hebrew printed texts.

The overwhelming majority of both Jews and Muslims—particularly the latter, had no mastery of writing, although every Jewish child submitted to some schooling with the consequent ability to read (Hebrew), and perhaps to read and write some Arabic. Limited writing lessons introduced into "senior" classes in the kittab left the boy little time to master writing before he left school at age 13.

The Alliance Israelite Universelle and Other Schools

Alliance Israelite students did acquire the ability to write French, some Arabic and Hebrew. They received a Western style education which included a few hours every week of Hebrew prayers and some biblical texts. Very religious parents provided private tutors for additional religious studies. Otherwise, most Alliance education was in French. Advanced students who deviated by speaking any Arabic in the school were made to pay a small fine for infractions.

The Paris-based Alliance had its European-trained Sepharadi Jewish teachers. "Sophisticated" and "not very religious," they were looked at with some suspicion by the ultra-Orthodox. They had little regard for the

religious element, although they were careful in Aleppo not to flout the orthodoxy of the community. Despite some mild disapproval on the part of some unsophisticated Aleppo rabbis, parents continued to send their children to the Alliance. Commercial advancement was impossible without the education the Alliance Israelite was able to provide—in a community of merchants.

The brightest Alliance graduates were offered tuition-free advanced study in the Alliance schools in and near Paris. These were teacher-training schools, which required graduates to take teaching posts for a period of several years at the discretion of the Alliance in any Near/Middle East country where the Alliance had schools. Not enough can be said, or is acknowledged, of the benefactions that the Alliance Israelite Universelle schools brought to the Jews of the whole of the Near and Middle East, Turkey and Greece, (and some Balkan countries). This blessing is taken for granted, even by many who gained immeasurably by attending. The Aleppo school was established in 1869 for boys, a school for girls was instituted few years later. The lives and careers of Alliance students were affected, to benefit them for many years, in the Near East, and when many went to distant lands and new endeavors.

In later years some Jewish families eager for more intensive education for their male children enrolled them in the superior school operated by the monks, girls at the convent schools of the the Sisters—the nuns. Jewish and (the fewer) Muslim students there were excused from attendance at Mass and from classes in Christian theology. In Aleppo, no Jewish children were ever known to have converted to Christianity. A recently-arrived reliable informant stated that in the late 1930s and early 1940s, 20 percent of Jewish families had given their children such Catholic school education—families who were regarded as of "normal" Jewish observance.

With the installation of French Mandatory rule in 1922, the French authorities had established the Mission Lycee, the Laique, the secular school of high caliber. The curriculum began where the Alliance ended. Graduation from the Laique school enabled students to qualify for college or university education in Beirut or in Paris, for such as wished to pursue a career in law, medicine, or other professions. A few Jewish Laique graduates did so, to become lawyers and physicians.

Apolitical Jewry

Jews in Syria and in most other Ottoman countries were entirely apolitical. They could not participate in partisan politics because of the delicacy of their situation in a Muslim world. Content to lead their separate community life without molestation, they were grateful for the privilege of being left to live in peace. Thus they did not have the urge of fervent Zionism, like the oppressed Jews in Czarist countries. As I witnessed in a 1933 visit to Aleppo, the Jewish community leaders were required by the Muslim authorities to publicly "disavow any sympathy with Zionism." It was only in the mid to late 1930s that Zionism began to grow in Aleppo—although not to flourish. Zionist-influenced sports and cultural activities on a small scale began then, manifested by the "Maccabi Football (soccer) Club" and small Zionist discussion groups. Jewish recruiters from Palestine visited Aleppo in the late 1930s and early 1940s; they influenced a small number of young people to move to the Holy Land. The majority, however, were satisfied to continue their accustomed pattern of life, although they became increasingly uneasy. (Some Aleppoans and Damascenes who later located in Egypt and Lebanon tell us in their oral memoirs of bustling but discreet Zionist interest and activity there.)

Beginning Migrations

With the opening of the Suez Canal in 1869, some Aleppoan and Damascene Jews migrated to Egypt seeking better economic opportunities. Others, merchants, had gone to Manchester, England to represent their partnerships and family enterprises that had been importing English cotton goods through commission merchants.

Toward the end of the nineteenth century, a few intrepid pioneers set out from Syria, seeking the opportunity to earn enough money to provide them with a small capital, and to return to their native cities. The incentives for travel were World Fairs, the Expositions in Paris in 1859 and the Columbian Exposition in 1893. At the end of the Expositions, alas, none had made their fortune. Some returned to their native city; others stayed on waiting for the next Fair—the Pan American Exposition of 1901 in Buffalo, or the St. Louis World's Exposition of 1903. Except for one individual, none had settled in the United States

before 1903, when several Aleppo and Damascus Jews decided to stay and make their home in New York.

The Nucleus of Mass Migration

Dire need in many Jewish families in Syria was aggravated by the several economic crises, worldwide depressions that affected Aleppo's commerce as well. 1903 saw such slack in trade, to be repeated in 1907. Commercial houses went bankrupt or were compelled to discharge employees—who were left destitute, with no income or the means to secure food. Having heard of the few Jews who had migrated to the Americas, pioneers who wrote back reporting their ability to work and earn in New York, Mexico, and Buenos Aires, an emigration trend, a small tide set in, inducing men with hungry homes to leave their cherished families and friends and the accustomed orderly Jewish life, to seek a livelihood elsewhere. Most of them left with little more than the clothing on their backs to go to distant and strange lands where they arrived like deaf-mutes, unable to speak the new languages, to understand and to be understood. Since an alternative to the helpless misery of their life in Aleppo and Damascus presented itself, they had seized it, those with courage enough to embark on the unknown. Still another factor encouraged emigration.

The "Young Turks" movement of army officers had forced the abdication in 1908 of the despot Sultan Abd il-Hamid II, who had clung to the politics of an earlier and antiquated era. Turkey was humiliated by defeats in several small wars, because of the archaic and thoroughly corrupt official government structure. With the overthrow of Abd il-Hamid the Army sought greater strength—and large numbers of soldiers. This was a calamity for Jews under Ottoman rule. Under the old regime Jews and other minorities were "not desired" to mingle with the Muslim soldiers; with the payment of a f'kehk, a "release," a small tax, non-Muslims were considered to have made a substitute contribution. The need for a new and larger army ended this exemption; every able bodied 'young' man was made subject to conscription. As soon as conscription appeared imminent, Jewish men quietly disappeared, to make their way to a new and strange land.

Encouraged by the reports from New York from the early immigrants who were sending money to their impoverished families, many more

made their way to New York's Lower East Side. Buenos Aires, Mexico, and New York were equally known in Damascus and Aleppo as the "goal" for those compelled to emigrate. (Some who were denied entry at Ellis Island also turned to Argentina or to Mexico.) The years 1908–1913 saw the formation of a nucleus of a Syrian community in Mexico, as well as in Buenos Aires and New York.

One Nation, Many Faces

Michael Freund

(Michael Freund is the Founder and Chairman of Shavei Israel—*www.shavei.org—a Jerusalem-based group that reaches out and assists "lost Jews" seeking to return to the Jewish people.* Shavei Israel *is active in nine countries around the world with a variety of communities, including the Bnei Menashe of northeastern India; the Bnei Anousim (or "Marranos") of Spain, Portugal, and South America; the Subbotnik Jews of Russia; the "Hidden Jews" of Poland from the Holocaust-era; the Jewish descendants of Kaifeng, China, and others. In addition, Freund is a correspondent and syndicated columnist for the* Jerusalem Post*, and he previously served as Deputy Communications Director in the Israeli Prime Minister's Office under Binyamin Netanyahu during his first term of office.)*

More than 20 years ago, as an undergraduate at Princeton University, I found myself rooming with a bright, young religious Lutheran from Iowa. It was, to be sure, a somewhat unusual mix, and he never could quite comprehend why I was rushing off to prayer services every day or checking the ingredients on various food packages. But he was a cosmopolitan and studious sort, one whose desk was constantly piled high with books, and his curiosity about the world and impressive intelligence often made for some intriguing conversations.

So when I asked him once how many Jews he thought lived in America, I was more than a little stunned when he insisted, in all seriousness, that "there must be at least 50 million Jews in this country." Asked to explain the basis for his calculation, my friend shrugged and told me, "Well, I grew up in a town in middle America, and our family doctor was Jewish, my dad's lawyer was Jewish and so was his accountant. And," he added, "there are so many prominent Jews in various fields, that there

simply must be 50 million or more of you guys out there." Only after I showed him a reference book that listed the world Jewish population at approximately 13 million, was he satisfied that his estimate had been wide of the mark.

I often reflect back on that conversation, as it touched on key questions such as the perception of Jews, our role in society, and the impact that we as a people have on the world. But I think that it also raises still another, perhaps even more compelling issue, one that is rarely if ever addressed with the seriousness that it deserves: Does it matter how many Jews there are in the world?

Traditionally, of course, we have never placed a great deal of emphasis on the size or dimensions of the Jewish people. For the past 2,000 years, living at the mercy of others, we tended to focus more on quality rather than quantity. That, quite possibly, is why many Jews tend to discount or minimize the importance of our numbers, arguing that what really matters is whether we are working effectively to fulfill our national destiny.[1]

But I believe this mode of thinking is a product of exile, a function of the fact that we were more concerned with surviving, rather than thriving, during the long, dark night of our wanderings in foreign lands. In the process, we tended to lose sight of the important role that numbers can and do play in the life of a nation. And we have even gone so far as to elevate our numerical weakness into a value, infuse it with meaning, and now hold it up as the ideal.

Neither Jewish sources nor Jewish history justify this view, and it is time that we revisit the question, not merely because it is an interesting intellectual exercise, but rather due to the critical importance that it has to shaping our community's policies, future, and worldview.

It is a well-known principle of Jewish belief that the Creator chose the Jewish people to be His unique instrument in this world. "And you shall be unto Me a kingdom of priests and a holy nation," God instructs Moses to tell Israel just prior to giving them the Torah at Mount Sinai (*Shemoth* 19:6).

Later, in the book of *Devarim*, Israel's special relationship with God is described in even more intimate terms: "You are the children of the Lord your God… you are a holy people to the Lord your God, and the Lord has chosen you to be His own treasure out of all peoples that are upon the face of the earth" (*Devarim* 14:1–2).

From these verses, it is clear that God did not choose a family or a small tribe to serve His purposes in this world. He chose an entire nation, the people of Israel. Obviously, then, a critical mass is essential to carry out our sacred mission, for if it were not, then He could easily have placed the responsibility on just a handful of shoulders.

In other words, numbers do matter. Critics often assail this line of thinking, asserting that quantity without quality is of little value in ensuring the Jewish future. But what they fail to realize is that the opposite is equally true. A tiny and shrinking Jewish people, consisting only of a small core of committed members, will hardly be able to meet the challenges and threats to our survival, be they physical or spiritual.

And that, perhaps, is why God promised the patriarchs, Abraham, Isaac, and Jacob, that the Jewish people would one day be as numerous as the stars in the sky or the sand by the sea. For only then can we possibly be in a position to fulfill our role.

Indeed, even a cursory look at the Torah and the commentaries reveals that the demographic prowess of the Jewish people is repeatedly emphasized in God's pledges to our forefathers.

"And I will make your seed as the dust of the earth," God assures Abraham, telling him, "so that if a man can number the dust of the earth then so shall your seed also be numbered" (*Bereshith* 13:16). Rashi understands this promise to be literal, not metaphorical. He explains the verse as follows: "Just as the dust cannot be counted, so too shall your seed be beyond counting."

Similar pledges were made to Isaac and Jacob (see *Bereshith* 26:4; 28:14), and when Moses addressed Israel before his death, he too prophesied that God would multiply them "a thousand times over." This, says the *Netziv* in *haEmek Davar*, is a promise that relates both to the quality *and* quantity of the Jewish people.

Over a millennia later, during the Herodian period, the Jewish people had in fact grown to be a sizeable force on the world stage. As historian Paul Johnson has pointed out,

> One calculation is that during the Herodian period there were about 8 million Jews in the world, of whom 2,350,000 to 2,500,000 lived in Palestine, the Jews thus constituting *about 10 percent of the Roman empire*. This expanding nation and teeming diaspora were the sources of Herod's wealth and influence.[2] (emphasis added)

It is interesting to note that at around the same time, what historians have described as the earliest preserved census in the world was taken in China, in the eighth month of the year 2 C.E.[3] It found that there were a total of 57.5 million Chinese, or seven Chinese for every Jew then living.

Jump ahead 2,000 years to the present, and the numbers are of course quite different, with China's population having soared to more than 1.1 billion people, even as world Jewry barely numbers more than 13 million souls.

Needless to say, the difference is attributable to all the expulsions and persecutions that have been our lot, which have shorn away untold numbers of Jews from our ranks, leaving just a small remnant of what might have been.

This sad reality was brought into even sharper focus last year, when distinguished demographer Sergio Della Pergola of the Hebrew University released a chilling study that concluded that had it not been for the Holocaust, there would be 32 million Jews in the world today.[4]

The Holocaust, he wrote, had "struck a mortal blow particularly at the Jews of Eastern Europe because of their especially young age structure." This, he said, had caused "significant long-term demographic damage" with ramifications "far beyond what we think."

Indeed, as Della Pergola pointed out, the percentage of Jews in the world today is steadily declining. Whereas prior to World War II, there were eight Jews per thousand people in the world, the figure now stands at just two per every thousand, and it is heading southward.

The findings are a timely and distressing reminder of the unfathomable destruction that the Holocaust wrought. Not only did it claim the 6 million who were murdered by the Germans and their collaborators, but it also took away their children, grandchildren, and all of their descendants, forever depriving the Jewish people of untold millions of precious souls. In other words, the scope of the killing, magnified over time, becomes ever more extensive and incomprehensible.

Just imagine a world in which a vibrant and ample Jewish people, more than double its present size, were not beset by the constant threat of demographic diminution and assimilatory attenuation.

Consider for a moment the cultural and spiritual riches that we would be producing, the mighty intellectual and cerebral contributions to mankind that we could be making, and you begin to realize the extent of what has been lost.

Somehow, while we were getting collectively beaten up in the diaspora over the centuries, we seem to have moved away from this approach. But now might be just the time to start rethinking it. After all, size does matter, whether in basketball, business, or international diplomacy. And to make a difference in the world and live up to our divine national mission as Jews, we need a much larger and more diverse "team" at our disposal.

This means that we not only need to work harder at keeping Jews Jewish, but we also must expand our horizons and look for ways consistent with halakha to boost our numbers.

A good place to start would be with descendants of Jews, with communities that have a historical connection with the Jewish people and are now interested in returning. These include the Bnei Menashe of northeastern India, who are descended from a lost tribe of Israel, the Bnei Anousim of Spain, Portugal, and South America (whom historians refer to by the derogatory term "Marranos"), the "Hidden Jews" of Poland from the Holocaust-era, as well as others.

Through no fault of their own, these people's ancestors were taken by force from the Jewish people, and we owe it to them and their descendants to embrace them and give them the opportunity to come home. Doing so will not only right a historical wrong, but it will strengthen us numerically and spiritually as well.

This is not a call to missionizing, nor a plea to start converting non-Jews. It is about opening the door to our lost brethren, known as *Zera Yisrael* ("the seed of Israel"), and reinforcing the bond between us.

Take, for example, the Bnei Anousim, whose ancestors were forcibly converted to Catholicism during the fourteenth and fifteenth centuries in Spain and Portugal, but who continued to preserve their Jewish identity in secret down through the generations. Five centuries later, a growing number of their descendants are now emerging from the shadows, seeking to reclaim their long-lost Jewish heritage.

It is a phenomenon of unprecedented proportions, stretching from Lisbon to Lima and from Madrid to Mexico. People throughout the Spanish- and Portuguese-speaking world are now choosing to explore their families' Jewish roots, which were often buried under the weight of history.

The extent to which that legacy still lives on was underlined by the findings of a noteworthy paper published in the *American Journal of*

Human Genetics in late 2008, in which a team of biologists declared that 20 percent of the population of Spain and Portugal has Sephardic Jewish ancestry.[5] Since their combined populations exceed 50 million, that means more than 10 million Spaniards and Portuguese are descendants of Jews.

These are not wild-eyed speculations, but rather cold, hard results straight out of a petri dish in a laboratory. The study, led by Mark Jobling of the University of Leicester in England and Francesco Calafell of the Pompeu Fabra University in Barcelona, analyzed the Y chromosomes of Sephardim in communities where Jews had migrated after the expulsion from Spain in 1492. Their chromosomal signatures were then compared with the Y chromosomes of more than 1,000 men living throughout Spain and Portugal. Since the Y chromosome is passed from father to son, the geneticists were able to measure the two groups up against each other, leading to the remarkable finding that one-fifth of Iberians are of Jewish descent.

Think about it: it is as if a large mirror were suddenly being held up in front of every Spanish and Portuguese person, forcing them to look at themselves and see the reality of their national, and individual, history.

But even more compelling than what it says about the past is what it might just say about the future. If Israel and the Jewish people undertake a concerted outreach effort toward our genetic brethren in Iberia, it could have a profound impact in a variety of fields. The very fact that such large numbers of Spaniards and Portuguese have Jewish ancestry could have a significant effect on their attitudes toward Jews and Israel.

As Chairman of *Shavei Israel*, which works with "lost Jews" around the world, I have seen it time and time again—when people discover, or rediscover, their Jewish roots, they inevitably develop a certain affinity to the Jewish people and a greater sympathy for Israel and Jewish causes. Obviously, not all of the millions of people of Jewish descent will rush to convert back to Judaism or seek to make *aliya*. But some undoubtedly will return to our people and strengthen our ranks.

The idea that such "lost Jews" will ultimately return is both long-standing and deeply-rooted in Jewish thought, even if most of us may not realize it.

Take, for example, the prophet Isaiah's vision that, "It shall come to pass on that day, that a great shofar will be blown and they that were lost in the land of Assyria shall come and they that were dispersed in the land

of Egypt, and they shall bow to God on the holy mountain in Jerusalem" (Isaiah 27:13). According to Rashi, the first part of the verse—"they that were lost in the land of Assyria"—means those "who were dispersed far beyond the Sambatyon river,"[6] a reference to the Ten Lost Tribes of Israel who went into exile more than 2,700 years ago.[7] In other words, their descendants, despite being lost for so many centuries, will in fact come back.

The same holds true for the Bnei Anousim. The great Don Isaac Abarbanel, who witnessed the expulsion of the Jews from Spain in 1492, writes movingly in his commentary to *Sefer Devarim* that many of the Bnei Anousim "shall be mixed in among them [i.e. the nations] and considered like them, but in their hearts they will return to God . . . and those who leave the religion [i.e., Judaism] because of compulsion, about them does it say, 'and He will return and gather you from among the peoples'."[8]

The illustrious Rabbi Tzadok HaKohen of Lublin goes even further, stating that *all* descendants of Jews will one day return to our people. In his work *Resisei Layla*, he writes that this includes even those who are of Jewish descent but do not know it: "for everyone who is from the seed of Israel, none shall be banished."[9]

From its very inception, the nation of Israel was divided into 12 tribes, each with its own unique traits, talents, and blessings. God, in His ultimate wisdom, deemed it necessary for our people to be forged into unity through diversity, like an orchestra comprised of different musicians, each playing his own instrument even as he follows the same book of music.

We are living in a world that is growing smaller by the day, thanks to the reach of the Internet. In order to thrive in this global village, we need Chinese Jews and Indian Jews and Polish Jews no less than American and Australian Jews. We are one nation, with many faces, and we have to learn to leverage our diversity and view it as a strength rather than a weakness. We might never be able to match China's demographics, but we can and should look for new opportunities for growth. That is why the time has come to undertake a concerted outreach effort to descendants of Jews.

NOTES

1. See, for example, "Size is not the issue" by Jonathan Rosenblum, *The Jerusalem Post*, May 8, 2009.
2. Paul Johnson, *A History of the Jews*. New York: Harper, 1988, 112.
3. Denis Crispin Twitchett, Michael Loewe and John King Fairbank, *The Cambridge History of China, Volume One*: *The Ch'in and Han Empires 221 BC–AD 220*. New York: Cambridge University Press, 1986, 240.
4. See "How many Jews would there be if not for the Holocaust?" in *Haaretz*, April 19, 2009.
5. S. Adams, E. Bosch, P. Balaresque, S. Ballereau, A. Lee, E. Arroyo, A. López-Parra, M. Aler, M. Grifo, M. Brion, "The Genetic Legacy of Religious Diversity and Intolerance: Paternal Lineages of Christians, Jews, and Muslims in the Iberian Peninsula" in *The American Journal of Human Genetics*, Volume 83, Issue 6, pages 725–736.
6. Rashi, Loc. Cit. For other examples, see the Radak's commentary on Jeremiah 3:18 and the *Metsudat David* on Zechariah 10:6.
7. See II Kings 18:9–12.
8. See the Abarbanel to *Devarim* 30:1–5.
9. See Resisei Layla, letter Nun.

Machanaim: The Search for a Spiritual Revival of Judaism among Russian Jews

Miriam Kitrossky, Michael Kara-Ivanov, and Pinhas Polonsky

(The authors of this article are veteran leaders of Machanaim, *a Russian-Jewish educational network in Israel.* Machanaim *started in Moscow in the late 1970s as a small group of people who met secretly to learn Jewish history and traditions. It produces Russian-language material on Judaism with a special focus on the needs of Russian Jews in Israel as well as those still living in Russia.)*

After the Six Day War there was a considerable renewal of interest in Israel throughout the world. At the same time, a Jewish national revival began in the USSR. Jewish identity started to acquire a new shape. Soviet Jews always had a distinct identity, but in many cases it was a negative one, caused by discrimination and persecution. Many people started investigating their Jewishness, learning Hebrew, and thinking about settling in Israel. But still more primary was the total rejection of the Soviet system, its regime, ideology, and values. This resulted in many Jews wanting to leave the USSR.

By 1980 many Jews had applied for emigration from the USSR. The official destination was Israel, but a majority used their exit visas to go to the United States. In the 1970s, many people were able to emigrate, but some were refused permission to leave, and the Refusenik phenomenon

was created. After the Soviet invasion of Afghanistan in 1979, Jewish emigration practically stopped. Refuseniks and people planning eventually to leave the USSR were already far detached from Soviet ideology or had never been adherents of it. Refuseniks' Jewish national consciousness was developed to some extent. But they were trapped in a cold winter of the late days of failing Communism. Some of them became Zionists; others joined the struggle for human rights (the dissident movement); some tried to study Jewish culture, primarily Hebrew.

Studying Jewish culture and traditions led some people to the Jewish religion. The main problem they faced was that there were not many people left to learn from. Many knowledgeable Jews had died; others had left. Some elders in synagogues remained, but the cultural gap between them and the newcomers was great. A small isolated group of *ba'alei teshuva* was born.

By 1980 a special entity inside this small group was formed. Later, only after their main activists' *aliya* in 1987, this group took the name of *Machanaim*. Most of this group's members had a background in math or science. These people tried to stay as far away from Soviet ideology as possible, and thus could not learn history or philosophy that under other circumstances would have certainly attracted many of them. The group soon developed into an underground independent Jewish learning network that taught and disseminated the Jewish tradition in various forms: celebrating Jewish holidays; studying Jewish texts, including the Talmud; organizing activities for children. Sometimes a small Moscow apartment was packed, with 70–80 people participating in a Pesah seder, or 100–120 watching a *Purimspiel*. *Machanaim* members also translated, composed, and prepared handmade booklets on Jewish holidays and Torah study. These booklets were typewritten, photographed, and then printed in 50–100 copies on regular paper. All these activities were strictly forbidden by the Soviet authorities and had to be thoroughly hidden.

The classes took place in private apartments, which frequently had to be changed because the KGB received information about them. These were usually apartments of *Machanaim*'s main activists: Zeev and Tanya Dashevsky, Pinchas and Nechama Polonsky, Levi and Miriam Kitrossky, Yaakov Belenky, Yehuda Frumkin, Baruch Youssin, Michael Kara-Ivanov and Ira Dashevsky, Nathan and Chana Brusovani. There were others, less visible to the KGB, who occasionally volunteered their apartments.

Machanaim's goal was to disseminate an understanding of Jewish tradition that would be close to the Russian-speaking Jewish *intelligentsia*. This included translations of many Jewish texts. But the real trick was to translate these not just into the Russian language, but also to the modern mentality, specifically, to the mentality of Russian Jewry. This demanded much learning and teaching. It was primarily directed to the group members themselves, but also to a broader circle of friends and acquaintances. *Machanaim* members first had to learn Judaism themselves, from scratch. At first they learned from the few elderly religious Jews still remaining in Russia who had once learned in the yeshivas and were willing to pass on, against all odds, the knowledge they had to younger generations (Rav Avrum Meller, Chabad community). Michael Shneider and Zeev Shachnovsky were among the first Hebrew teachers, before the *Machanaim* group began its activity. They were our teachers for a long period of time. Some learned from Eliahu Essas and other Refuseniks. The community hardly existed, with only several dozens of families, scattered all over the gigantic city of Moscow, who were tied by friendship and common learning interests. By the beginning of the 1980s the underground Jewish learning network that included *Machanaim* had approximately 25 weekly classes and involved around 200 participants and about 15 active teachers. However, the Soviet authorities stopped letting people out, and the *Machanaim* people became "Refuseniks." This naturally led to the intensification of their underground Jewish activities, which now included not only learning Jewish tradition, but also Zionism and the struggle for the right to emigrate. At the same time the process of returning to religious values and observances involved more and more people.

There was also the more social and spiritual problem of finding one's place in modern society. The process of acquiring faith is described by Kierkegaard as a jump into darkness: One leaves a well-illuminated place and comes into the unknown. The person feels threatened, stripped of convictions. Some people felt they must get rid of their "old" cultural baggage altogether. There were some who threw away their poetry or covered books of world classics with a screen. *Machanaim* members, however, had a different approach: they felt it was both possible and necessary to keep and use the cultural baggage that had been acquired in one's "previous" life.

The group would have been very isolated had there not been Jewish messengers coming from abroad. Jewish activists striving to promote *aliya*

from the Soviet Union and to support the Jewish revival in the USSR started visiting *Machanaim* members (for example, Rabbi Michael Rozen *z"l* from London visited our group in Moscow in the end of the 1970s). Rabbis, educators, youth activists, and other highly motivated people would come from the United States, Europe, and Israel to help Jewish Refuseniks, both materially and spiritually. They did what they could to help Jews in the USSR. It was impossible to transfer money to the USSR, but goods were sent for sale or use. They regularly gave lessons and brought books. The content and spirit of these clandestine meetings depended on the personality of the guest. They would bring kosher food or religious items such as Kiddush goblets, candlesticks, and the like, but most importantly, they provided a connection with the Jewish world, which felt like a gulp of fresh air, and which served as a real window to the open free world and its vibrant Jewish life. The KGB kept watch on what was happening and used intimidation from time to time against religious activists, although it was much busier against Hebrew teachers and emigration activists.

Among those who sent messengers to Moscow, the England-based group of Earny ("Ginger") Hirsh was especially active; he recently published a book called *Refused—The Refusenik Community That Refused to Give Up and the London Community that Refused to Let Them,* Technosdar, Tel Aviv 2004.

The foreigners' visits were critically important, although they involved some risk both for the visitors and for those who received them. For example, once a plain-clothes KGB officer and a policeman came "to check passports" when a foreign guest was giving a Torah class. The participants pretended that it was a simple tea party where no religious activity was taking place. All those present were put on a list and received visits from a representative of the Committee for Religious Affairs at their work places or were called for questioning. This was a regular occurrence. Some families had their apartments watched permanently. But without these visits from abroad, the process of Jewish revival would hardly have been viable. In the best case, it would have been very outdated and distorted. As it was, when *Machanaim* members arrived in Israel, they still had many things to learn.

By 1985–1986 *Machanaim* had already developed its own characteristic features. One of these was an interest in Jewish philosophy, both

modern and ancient. This was absolutely contrary to the assumptions made by some groups in Israel about the needs and priorities of the Russian immigrants interested in Judaism. A story told by Pinchas Polonsky illustrates this lack of understanding. "In 1987, soon after my arrival in Israel," remembers Pinchas, "I was invited to the steering committee of one of the publishing houses that printed books on Judaism in Russian. They wanted to consult me as a new immigrant active in the field of Jewish education. One of the members of the committee began introducing their publishing house, saying, 'We have published a lot of important and needed books in Russian for the Jews in the USSR—on Shabbat, kashruth, and the Jewish holidays. One of our publications was, however, a mistake. A lot of work was invested in it, and it is highly questionable whether anybody will read it even in Israel—how can we expect Russian Jews to?' The book he was speaking of was *The Lonely Man of Faith* by Rabbi Joseph B. Soloveitchik. I had to stand up and say, 'Dear friends! To tell you the truth, your books on Shabbat, kashruth, and the Jewish holidays have not been so interesting for us; they are pretty simple, about basic things. And not everybody in the beginning of *hazara beTeshuva* process is interested in the laws of Shabbat and kashruth. But the book that we multiplied in hundreds of copies and disseminated all over USSR, the one that was in great demand, was this very book, *The Lonely Man of Faith*. What you considered your mistake was in reality your greatest success among Russian refuseniks.'"

People who knew nothing of Jewish tradition wanted to read Rabbi Soloveitchik. Why? Because he has an incredible ability to relate complex, deep philosophic issues of Jewish law and Midrash, written in the arcane language of Jewish tradition, in a simple academic style understandable to educated Russian Jews. We felt that Rabbi Soloveitchik was close to us, and a number of his articles were translated by *Machanaim* from English into Russian and later published in a collection entitled *Catharsis*.

Another important author, Rav Kook, was not yet known to us at the time. Unlike Rabbi Soloveitchik, who writes in the academic language familiar to us, Rav Kook writes in a very difficult idiom of Hebrew mystical verse often not understandable by the Israelis. All our attempts to understand his works under the guidance of the students from different yeshivot who visited us in Moscow failed. We only started to grasp his ideas after our arrival in Israel. Later we published a major body of research—the

first of its kind in Russian—on Rav Kook's philosophy, part of which was recently translated into English and published in the United States. It seems to be the only case when a modern work on Judaism has been translated from Russian into English, and not vice versa. One chapter of the English book was published in the May 2009 issue of this publication.

These two personalities, Rabbi Soloveitchik and Rav Kook, built the foundation of the modern approach to Orthodox Judaism, which works effectively for Russian Jewry. Their philosophy is widely seen as a turning point in the development of Judaism that gives us a new approach to many issues in Jewish life.

The strength of *Machanaim* is that its members came to Judaism possessing considerable cultural background, albeit not Jewish. The group's encounter with Jewish culture gave birth to a new understanding that might be of benefit to the world Jewish community. While Russian Jewry is usually perceived as an object for education, it may also be a community that can enrich the modern understanding of Jewish culture, tradition, and thought.

Current Status of Russian Jews in Israel and the Diaspora

The peculiarity of Russian Jewry is that it combines an almost total lack of Jewish background with a high general intellectual level and corresponding demands. It will not be satisfied with only "basic Judaism"—ethnic information and an introductory level of Jewish tradition. It often demands not "Judaica" and ethnography, but serious philosophical literature.

It was important for us to understand what underlies the Jewish laws and practices that we started to observe. The Pesah seder, for example, is for many an array of odd actions that people don't understand. We thought it was essential to explain to ourselves and then to the participants not just *what* should be done, but also how it's done and *why*, what meaning it has. We published, while still in Moscow (in our illegal, handmade form) a book on the Passover Haggada with commentaries. One might say it was a Haggada for beginners—yes, for beginners, but it certainly was not a simplified Haggada; rather, it was an expanded, comprehensive Haggada.

The conventional way to address beginners is this: just show them what should be done—the minimum at first—and they will do it. When

people grow up with traditions, this approach works. But when people start observing traditions later in their lives, their approach is different. They want to understand why they are supposed to do this and the meaning behind it. People who came to the USSR from abroad would ask, "What are the minimal necessities for the Passover Seder?" Everybody cried: Pesah, matza, maror. Yes, it's true. But this is far from explaining the philosophic meanings of Pesah, matza, and maror. A messenger from abroad who does not speak Russian cannot explain it. Even if he has learned some Russian he will not manage it. It had to be somebody brought up in the same culture and mentality. Only this way could the traditional actions acquire a meaning for these people. That is why *Machanaim* people saw it as their primary aim to compose and publish booklets on the Jewish holidays that would be written using their own approach. These books gave the readers, along with information about the history and customs of the holidays, an insight into their meaning and significance today. They were important guides for holiday celebrations and gateways to the world of Jewish practice.

Current Efforts of Machanaim *to Enhance the Spiritual Life of Russian Jews*

In 1987 the core of the *Machanaim* group received their long-awaited exit visas and moved to Israel. Even though our initial intention was just to live a Jewish life in the Jewish State on the Jewish Land, we soon felt that there was a need here for the continuation of the same kind of educational activities we held in Russia. That same year *Machanaim* was established in Israel as an officially registered non-affiliated non-profit organization. Among the people who helped *Machanaim* in its initial stage in Israel, the renowned hero and Prisoner of Zion, Yoseph Mendelevich, must be mentioned. Strengthened by new members—among them Benyamin Ben-Yosef—the organization started its activities in two areas: educational work with new immigrants from the USSR and with those who were still in Russia. (At the same time, with the help of Avital and Natan Sharansky and Israeli political leaders, we continued our struggle for fighting for those who were still refused their exit visas.) The dual character of the work gave birth to the name "*Machanaim*," taken from Genesis 32:3, meaning "two camps"—Moscow and Jerusalem. (We were aware, of

course, of the classic reference to "the earthly and the heavenly camps," and meant it too, hoping for "*siyata deShmaya*"—heavenly help—in our endeavors.)

At first, the "Russian" camp was the primary focus, with frequent trips back to the USSR to teach. In 1989, the President of *Machanaim*, Dr. Zeev Dashevsky was awarded the Jerusalem Prize for Torah Education in the Diaspora and the Henry Moore Award of the British Parliament for Service to the Jewish People.

Soon it became clear that *Machanaim* needed to utilize all media, technologies, and educational forums, not just frontal teaching. We established a regular flow of Russian language material via mail, messenger, telephone and Kol Israel radio broadcasts from our new center in Jerusalem to our colleagues still in Moscow. Later, with the great wave of immigration to Israel, our emphasis shifted to work with newly-arrived Soviet Jews. In 1993, *Machanaim* was awarded the Yakov Agrest Prize of the Education Ministry. Of course these achievements would not have been possible without the continuous and devoted help of Rabbi Michael Melchior, Avital and Natan Sharansky, and others.

We have found that almost all Soviet Jews coming to Israel are as unaware of their Jewish heritage as we were when we began studying in the 1970s. At the same time, we saw that after uprooting themselves from their Russian homes and finding themselves in strange surroundings, many feel a desperate need for a sense of identity and belonging. Added to their initial concerns as they settle in the Jewish state—finding homes, jobs, etc.—are questions of what it actually means for them to be Jewish.

Few organizations have addressed these issues on a systematic basis. Various government agencies took on parts of the puzzle and their consequences, but no one looked at the whole issue from a cultural and educational perspective. *Machanaim* stepped into this void with a multi-tiered, multi-faceted, open approach to teaching what being Jewish can mean to someone acculturated in the Russian Communist environment. As such, the main directions of *Machanaim* today include various learning programs: educational tours of Erets Yisrael, book publishing, a multi-faceted Internet site, lectures and other educational activities for new immigrants, radio programs, and educational articles in newspapers. *Machanaim* has also built a unique Russian-speaking community in the Jerusalem suburb of Ma'ale Adumim.

The mix of high general education and ignorance in Judaism that characterizes many Russian immigrants demands very specific teaching methods and unusual learning aids. Few existing books and learning systems can meet their needs. Having been educated in the same system and having had the opportunity to learn Jewish texts, we have developed a special approach to bridge the gap between ignorance and knowledge without focusing on observance per se. We have programs designed to fit into a wide range of schedules, levels and learning styles—afternoon and evening programs for men, women, and children and special programs for those studying for conversion to Judaism. Everyone learns Bible, Jewish history, Jewish philosophy, and Jewish Law. Most activities are in Russian. Our teachers travel all over the country, and we have many more requests for our programs, especially outside of Jerusalem, than we have the budget to handle.

The Problems Machanaim *Faces*

The real challenge is, however, to attract youth to these activities. *Machanaim* has been active in several youth programs: *Shir Mizmor leBnei mitzvah*, Young Leadership program, programs in youth villages, and the like. The particular goal of some of these programs has been to break the stigma that exists among Russian-speaking youngsters, who are still more sensitive to anything smelling of coercion than the adults. We focus especially on work with underprivileged youth (single-parent and broken families, youth with criminal records, etc.), for whom the problems of integration in the Israeli society are still more acute.

These programs demand a lot of cooperation with formal educational bodies and, of course, their financial input, which is not always easy. Nevertheless, *Machanaim* continues its efforts to reach the young immigrant population. During Hanukka 2009 there was a gathering for about 70–80 immigrant children as part of *Machanaim*'s Jewish Holidays Project.

There is still a lot of work to be done in this field. The problem is that youth are not usually interested in participating in educational activities. The most successful way to reach youngsters is through informal educational frameworks, which have their own limitations, and through their families at weekend seminars and similar events.

Areas of Success

One of *Machanaim*'s undisputed successes is its conversion program initiated in 1990 by Ira Dashevsky. This program resulted in almost 100 percent of its students successfully undergoing conversion. The program is an unquestionable success with those who take the offered conversion preparation course. Those interested can be referred to Ira Dashevsky and Michael Kara-Ivanov's paper on the social and educational aspects of the conversion, published at "Hidushei Torah NDS" (http://www.nds.com /z/chidusheitorah/toc_10_hebrew.htm).

Machanaim is offering to create a pre-conversion framework to be implemented in absorption centers, municipalities, boarding schools, and maybe even in the countries from which the *olim* are leaving, as part of an *aliya*-preparation process. Within these frameworks, every *oleh* (or a potential *oleh*) will be offered up to 100 hours of a basic Judaism course in Russian. The course will be taught by the senior lecturers at *Machanaim* in an engaging, informal manner.

Just as there are no pre-conversion activities, so too there is no organization that assists *olim* after their conversions. There are multiple challenges awaiting new converts, from the refusal of certain rabbinates to officiate at their weddings (claiming the invalidity of their conversions), to the lack of familiarity with their local community, nearby synagogue, rabbi, and community functions, to difficulties in finding their potential spouses.

Another undeniable success is the creation of a unique Russian-Jewish *Machanaim* community in the Jerusalem suburb of Ma'ale Adumim. After overcoming many hardships, this project resulted in a beautiful neighborhood called *Maale Machanaim* with its own Russian-language synagogue. (The prayers are, of course, in Hebrew, but the sermon is in most cases in Russian, while all the announcements, as well as the synagogue publications are in Russian and Hebrew, and sometimes even in English.) The rabbi of the synagogue is one of the *Machanaim* founders, Rabbi Yaakov Belenky, who started learning basic Judaism illegally in Moscow and has become an ordained rabbi with a family of nine children. The community numbers about 100 families, and has a vibrant life. The cultural center organizes concerts, exhibitions, and other community events; varied activities for children are provided on a regular

basis. It must be noted that the community is open to people of different lifestyles, and some come to Ma'ale Adumim from other localities to celebrate bar/bat-mitzvahs, just because they feel more at home there and know that they are always welcome.

One more area of success is *Machanaim*'s work at Bar-Ilan University. *Machanaim* runs courses in Judaism for over 500 Bar-Ilan immigrant students. These students are obliged to take courses on Judaism, but when they took regular Bar-Ilan University courses together with Israeli students, the effect was negative in many cases: The difference of backgrounds created a gap between the students, and the immigrant students felt alienated from and even hostile to Judaism. Learning with *Machanaim* teachers who have a background similar to that of the students and manage to convey Judaism in an open, non-coercive atmosphere, helps to change the students' attitude. *Machanaim* lecturers also teach at various other University programs in Israel.

Areas Where Much More Work Needs to Be Done

There is a lot of work being done—but still more is needed. *Machanaim* is trying as hard as it can to cope with existing problems but suffers from budgetary limitations. Still, we have been overcoming those problems for a long time and hope to continue to do so. A lot of work is accomplished by volunteers, including lectures by renowned rabbis and university professors.

Another difficulty is a severe lack of teachers who combine real knowledge in Jewish subjects with methodological skills and the open, considerate approach so much needed for newcomers. *Machanaim* developed teachers' training courses and offered them in the past. This requires significant funds and a lot of time.

A still more ambitious project would be to raise young leadership who would lead young people after them, involving them in Jewish life and building communities around them. We are working on such a project and hope one day to be able to implement it.

One of *Machanaim*'s new projects, guided by Michael Kara-Ivanov and Ira Dashevsky, is the creation of "Bet Midrash Leumi." The aim of this project is to build a tight collaboration between the various sectors of the Jewish people, who currently exist in separate universes. The project dis-

cusses ways to bring the ideals of European and Russian culture (Literature, Fine Arts, and so forth) closer to the world of Jewish traditional values (Talmud, Kabbala, Midrash, etc). Initial motives for this project are described in the following paper: Greatest Creative and Intellectual Masters of Nations on the Ladder of Jacob, at http://www.nds.com/z/chidusheitorah/toc_9.htm, pp. 7–29, 2008 (Hebrew).

Machanaim has recently started a major project of translating their publications into English. The book *Rav Kook's Religious Zionism* by Pinchas Polonsky was published in 2009. The review on it written by Rabbi Israel Drazin is posted on *Conversations* website, http://www.jewishideas.org/store/religious-zionism-rav-kook.

More details about Machanaim *can be found on http://www.machanaim.org/ind_eng.htm.*

On the Nature and Future of Halakha in Relation to Autonomous Religiosity

Nathan Lopes Cardozo

(Rabbi Dr. Nathan Lopes Cardozo is Dean of the David Cardozo Academy in Jerusalem, and author of highly regarded books and articles.)

Preface

It is with great hesitation and trepidation that I write this essay. I do not want to be misunderstood. I am in love with Judaism, rabbinic tradition, and halakha. I regard them as holy, and they are at the very core of my existence. Nonetheless, I am concerned about the future of Judaism and its impact on our young people.

This essay is an emotional appeal to our religious leadership, and should be read in that spirit. It is *not* an academic paper, citing many sources and raising intellectual arguments; rather, it is written out of deep concern, and should be viewed as an honest attempt to deal with some serious problems that plague the contemporary Jewish religious community. It is written in sweat and blood. My intention is not to spread discontent, but to help Orthodox Judaism move forward in an age that is radically different from that of our ancestors.

I teach Jewish Philosophy. I am confronted daily with countless young Jews who search for an authentic Jewish religious way of life, but are unable to find spiritual satisfaction in the prevalent halakhic system as practiced today in most Ultra- or Modern Orthodox communities. For many of them, typical halakhic life is not synonymous with genuine reli-

giosity. They feel that halakha has become too monotonous, too standardized, and too external for them to experience the presence of God on a day-to-day basis. Beyond "observance," they look for holiness and meaning. Many of them feel there is too much formalism in the halakhic system, and not enough internal meaning; too much obedience and not enough room for the individualistic soul or for religious spontaneity. More and more sincere young people express these concerns, and many of them are deeply affected by their inability to live a conventional halakhic life. Since they sincerely long for the opportunity to *experience* halakha, I struggle to find a response to this acute growing predicament. The solution must simultaneously acknowledge that a genuine Jewish religious life cannot exist without being committed to the world of halakha. This existential tension greatly influenced the content of this article. The following observations are therefore not written from the perspective of a halakhist, but from the perspective of a Jewish thinker who wants young people to be authentically religious while living a halakhic life that is meaningful to *them*. The following suggests a new insight into the world of halakha and its practical application.

Surely there are many arguments that can be brought against the contents of this essay, some of which I can point to myself. However, the purpose of this essay is to get people thinking, not to claim the definitive truth of my observations and suggestions.

I am fully aware that the views expressed may not be palatable to most bona fide and respected posekim. My analysis and suggestions will probably not carry their approval. I hope only to act as a catalyst in the hope that *some* halakhic authorities and Jewish thinkers will take my suggestions seriously and be prepared to discuss them. They are nothing more than thoughts that came to mind when contemplating and discussing these issues with students.

It is essential that the reader realizes my intention is not to simplify Judaism by making it more compatible with the progressive spirit of our age. Nor do I seek to make Judaism easier and more user-friendly by finding leniencies and short cuts. I do not believe that *this* is at the heart of the problems Judaism faces today. What is vital is whether or not Judaism is able to offer the Jew a divine mission, transforming the modern Jew into a holy, religiously inspired being, who embodies the very essence of Torah in modern society. Judaism needs to be infused with greater spiritual vital-

ity and religious vigor. This is what so many young people are searching for today.

In order to achieve this, the spiritual dimensions of Judaism need a lot more attention. This may require application of *aggadic* (non-legal) inspirational sentiments in halakhic decision-making. No doubt many formal posekim will object to this approach, based on the notion that *aggadic* and halakhic material should be separated. Nonetheless, I believe that if we wish to keep Judaism alive for the many people who seek different paths to Jewish religiosity, this approach must be carefully considered. Once additional spiritual dimensions are infused into the world of halakha, and the very image of halakha is seen in a different light, young searching people will be able to find the Jewish religious life that they seek. This may require going beyond the conventional *kelalei pesikah* (principles of halakhic decision-making) that were used in the past. This approach is not meant to undermine the conventional ways in which halakha works; rather, to find a way to inspire young people who seek to find themselves in halakhic Judaism.

The observations and suggestions brought here are based on the belief that while halakha has a stiff and formal side, it also includes a cry for personal religious creativity, a call for human nobility, and a demand for devotion and *kedusha* (holiness).

The Problem of Codification

Over the last 500 years, famous rabbinic leaders have called to limit the overwhelming authority of Rabbi Josef Karo's *Shulhan Arukh* and Maimonides' *Mishneh Torah*. They felt that these works do not reflect authentic Judaism and its halakhic tradition. The reason is obvious. Both these great codes of Jewish Law are very un-Jewish in spirit. They present halakha in ways that oppose the heart and soul of the Talmud, and therefore of Judaism itself. They deprived Judaism of its multifaceted halakhic tradition and its inherent music. It is not the works themselves that are the problem but the ideology that they represent: The ethos of codifying and finalizing Jewish Law.

This problem has taken on formidable proportions in our day. There is more Jewish learning today than in the last 2,000 years. More and more young people dedicate themselves to a life of *shemirath haMitzvoth* (reli-

gious observance). This should be cause for great optimism. What more could we want in an age of extreme secularism? However, it is hard to deny that this commitment reveals a worrisome side-effect. It exposes elements of an artificial Judaism that has been re-written in ways that detrimentally oppose its very nature.

A careful read of Modern Jewish Orthodox literature reveals that many authors misunderstand the nature of Jewish law. Much of this literature is dedicated to extreme and obsessive codification, which goes hand in hand with a desire to "fix" halakha once and for all. The laws of *muktseh, tevilath kelim, tseni'ut,* and many others are codified in much greater detail than ever before. These works have become the standard by which the young growing observant community lives its life. When studying them one wonders whether our ancestors were ever really observant, since such compendia were never available to them and they could never have known all the minutiae presented today to the observant Jew. Over the years we have embalmed Judaism while claiming it is alive because it continues to maintain its external shape.

The majority of halakhic literature today is streamlined, allowing little room for halakhic flexibility and for the spiritual need for novelty. For the most part, the reader is encouraged to follow the most stringent view without asking whether this will actually help her or him in their *Avodath haBorei* (service of the Almighty) according to her or his distinct personality. The song of the halakha, its spirit and mission, are entirely lost in this type of literature. When the student looks beyond these works seeking music, he is often confronted with a dogmatic approach to Judaism, which entirely misses the mark. We are plagued by over-codification and dogmatization.

Another obsessive attempt that contrasts the very nature of Judaism is the attempt to codify Jewish beliefs. Jewish beliefs are constantly dogmatized and halakhicized by rabbinic authorities, and anyone who does not accept these rigid beliefs is no longer considered to be a real religious Jew. A spirit of finalization has taken over Judaism.

These and Those Are the Words of the Living God

One of the Talmud's greatest contributions to Judaism is its indetermination, its frequent refusal to lay down the law. Talmudic discussions consist

primarily of competing positions, often lacking a clear decision that view is authoritative. The reason is obvious: *There should not be one*. The well known talmudic statement, "*Elu ve-elu divrei Elohim hayim*"—"these and those are the words of the living God" (*Eruvin* 13b), supports this position. Halakhic disagreement and radically opposing opinions are of the essence. There is a profound reason for this principle. The Torah, which is the word of God, can only be multifaceted. Like God Himself, it can never fit into a finalized system, for it is much too broad in scope. Every human being is different; the Torah must therefore be different to each one of them, showing infinite dimensions and possibilities. This is one of the most fascinating aspects of Jewish Tradition, making it strikingly distinct from the religions of the world.

In an illuminating discourse, Rabbi Shelomo Luria, the Maharshal (1510–1573) states:

> One should never be astonished by the range of debate and argumentation in matters of halakha. . . . All these views are in the category of "these and those are the words of the living God" as if each one of them was directly received by Moshe at Sinai. . . . The Kabbalists explained that the basis for this is that each individual soul was present at Sinai and received the Torah by means of forty-nine *tzinoroth*, spiritual channels. Each one perceived the Torah from his own perspective in accordance with his intellectual capacity as well as the nature and uniqueness of his particular soul. This accounts for the discrepancy in perception inasmuch as one concluded that an object was *tamei* in the extreme, another perceived it be absolutely *tahor*, and yet a third individual argues the ambivalent status of the object in question. All these are true and authentic views. Thus the sages declared that in a debate among the scholars, all positions articulated are different forms of the same truth. (*Yam shel Shelomo, Introduction to Baba Kama*)

The Maharshal's observations go to the heart of Judaism. There is no such thing as a fixed Torah that is identical for all. Surely there are objectives that need to be achieved: namely, the fulfillment of God's commandments. But there are no passive recipients. Each person receives the Torah individually, according to his or her own personality and exceptional circumstances. In fact, one could argue that ideally no written text should have been given at Sinai since no two people are able to read the same text in an identical way. The meaning of the text is dependent to a large extent on the reader and is therefore not a fixed reality. The fact that a text was even given at Sinai is in itself a compromise. Even if a text should have been

given *a priori*, it should have been in as many versions as there are Jews since Sinai. This did not happen; only one text was revealed due to the fact that there was a need for unity and affiliation among Jews, sharing the experience of a divine text in a bond of togetherness, shaping a chosen people that would carry the word of God to the world. There was a need for a *grundnorm* through which Jews would be able to discuss the word of God and share it wherever they go. Above all, a fixed text was necessary to facilitate discussion, not agreement. In this way it would stay alive, infinitely enhancing new possible interpretations and unique insights.

It could even be argued that not all Jews were in need of the same mitzvoth. It was only for the sake of comradeship, and the common destiny of the Jewish people and their mission to the world, that they all had to commit themselves to all of the mitzvoth. In the words of Rabbi Mordechai Yoseph from Isbitza, "And although not every Jew is in need of every prohibition in the Torah, he is still obligated to heed and suffer this prohibition for the sake of his fellow Jew"(*Mei Hashiloah, Parashat Bereshith* 22:12).

The Nature of Halakha

Halakha is the practical upshot of un-finalized beliefs, a practical way of life while remaining in theological suspense. In matters of the spirit and the quest to find God, it is not possible to come to final conclusions. The quest for God must remain open-ended to enable the human spirit to find its way through trial and discovery. As such, Judaism has no catechism. It has an inherent aversion to dogma. Although it includes strong beliefs, they are not susceptible to formulation in any kind of authoritative system. It is up to the talmudic scholar to choose between many opinions, for they are all authentic. They are part of God's Torah, and even opposing opinions "are all from one Shepherd" (*Hagiga* 3b).

Halakha transforms the fluidity of Jewish beliefs into a solid substance. It chills the heated steel of exalted ideas and turns them into pragmatic actions. The unique balance between practical halakha and un-finalized beliefs ensures that Judaism will not turn into a religion that is paralyzed in awe of a rigid tradition or evaporate into a utopian reverie.

Still, it would be entirely wrong to believe that the need for practical application of halakha has anything to do with absolute truth. Practical halakha is in principle only *one way* to act. It carries authority only as far

as the practical implementation of the halakha is concerned. Even when practical halakha must be decided upon, the heat of debate must stay alive. Jewish beliefs are like shafts that dart to and fro, wavering as though shot into the air from a slackened bowstring; halakha must reflect this. While halakha is more straight and unswerving, it must adhere to the unequivocal truth that even opposing halakhic opinions are "all the words of the living God," and each of them carries the potential to become practical halakha.

Critique of Maimonides and Rabbi Joseph Karo

As mentioned earlier, several outstanding talmudists have argued that Maimonides' *Mishneh Torah* and Rabbi Joseph Karo's *Shulhan Arukh* starve Jewish law of this very spirit. Maimonides eliminates all references to the basis of his rulings and almost entirely ignores even the existence of dissent and minority opinions. On the occasion where he does refer to them, he seems to express a negative attitude, as if he would like to save Judaism from this embarrassment. (See, for example, *Hilkhot Mamrim* 1:3-4.) Although less extreme, Rabbi Joseph Karo also states his rulings in the *Shulhan Arukh* in general language without mentioning sources or other opinions. It is true that he first authored the *Bet Yosef* in which he brings many opinions and citations, so one might argue that he did not want his *Shulhan Arukh* to become a distinct and self-contained work. However, the fact is that once he authored this work, it quickly assumed this very status. It would be hard to argue that the author did not foresee this possibility.

Maharshal, Maharal, and Rabbi Haim ben Betzalel

Three early authorities were deeply concerned about this development: Rabbi Shelomo Luria, known as the Maharshal (1510–1573); Rabbi Yehudah Low ben Betzalel, known as the Maharal of Prague (1520–1609); and Rabbi Haim Ben Betzalel (1530–1588), brother of the Maharal. Each in his own way attacked the *Mishneh Torah* and the *Shulhan Arukh,* claiming they were anti-talmudic and therefore anti-halakhic. The Maharshal accused Maimonides of acting "as if (he) received it (the *Mishneh Torah*) directly from Moshe at Mount Sinai who received it directly from Heaven, offering no proof . . . " (*Yam shel Shelomo*, Introduction to *Baba Kama*). Directing his attack to Rabbi Joseph Karo's *Shulhan Arukh* in which the

author follows the majority opinion of three authorities (the Rif, the Rosh, and Maimonides), the Maharshal asked how the author had the right to do so. Did Rabbi Joseph Karo receive such a tradition going back to the days of the sages?

The Maharshal goes on to state that the *Shulhan Arukh*'s entire enterprise is dangerous. Those who study it will come to believe that what Rabbi Joseph Karo wrote has finality, and even "if a living person would stand in front of them and exclaim that the halakha is different, citing excellent arguments or even an authoritative received tradition, they will pay no heed to his words . . . " (*Yam shel Shelomo*, introduction to *Hulin*). Rabbi Haim ben Betzalel adds that people will fail to realize that this current authority is "just one person among many" (*Vikuah Mayim Haim* 7).

Moreover, such codices lead to intellectual laziness. People will no longer study the Talmud in their reliance on these works. They can be compared to a pauper who collects alms from wealthy people and shows off his riches. At first it seems that he is indeed rich. After all, he has food and clothing. But in truth this is illusory, for all he has are the items he collected (*ibid.*). Similarly, one who studies only these codices and rules does not know the ins and the outs of the talmudic debates that preceded them.

Rabbi Betzalel warns of yet another danger. How can one ever know whether the law as stated in the *Mishneh Torah* or *Shulhan Arukh* is applicable to a particular situation? Such matters are in a state of flux. A minor change may require a radically different response. Even more daring is his observation that since the "[Torah] is no longer in Heaven" (*Baba Metzia*, 59a–59b) and halakhic matters must be decided upon by human beings, it is possible that the same halakhic authority may see things differently today than he did yesterday. As such, he may *rule* differently today than he did yesterday. This is not a shortcoming or inconsistency. It is all part of the principle that "these and those are the words of the living God."

Maharal adds that a rabbi can only rely on his own intellect: "And even when his wisdom leads him to err, he is nonetheless beloved by God as long as he has used his best reasoning. And this person is by far preferred to the person who determines the halakha from within one work, without knowing the reason, "walking like a blind person along the way" (*Netivoth Olam* 16, end).

These authorities agree that the Talmud alone should be the source of halakhic decision-making. All declare that the concern "that there will be many Torahs in Israel" (*Sanhedrin* 88b) has no bearing on this matter. It is

not the multitude of halakhic opinions that creates the danger of many Torahs; it is the rejection of the Talmud as the *only* authoritative text to decide on halakhic issues that presents this danger. In fact, it is codification that causes the problem of many Torahs in Israel, since it no longer requires the posek to return to the various opinions stated in the Talmud! The Talmud embodies Judaism in its most authentic form. It is the validity of each of the opposing opinions as part God's Torah that makes Judaism vibrant and true to its own spirit. It is only from the Talmud itself that a rabbi needs to decide the law, taking into account all the different opinions mentioned therein.

No doubt Maimonides and Rabbi Joseph Karo had the best of intentions. They wanted to create common ground and felt that a unified codification would make that possible. Both felt that their fellow Jews needed a streamlined Judaism in which nearly nothing was left to imagination. As Maimonides' 13 principles of faith gave Judaism an appearance of a dogmatic religion, so do the *Mishneh Torah* and the *Shulhan Arukh*. These codified works introduced foreign elements into Judaism. Looking back, we can see that they caused a misrepresentation of the *nature* of Jewish law and its spirit and set in motion an entire genre of halakhic literature that is un-Jewish in spirit. The result was a severely false impression of Judaism, which became the *cause célèbre* for attacking Judaism as a religion of stern rigidity. Spinoza's *Tractatus Theologico Politicus* is a typical example of this, and extreme codification in today's Jewish world is the obvious result.

By all means, we should continue to study the works of Maimonides and Rabbi Joseph Karo and possibly even live by their directives. They belong to the best that Judaism has to offer. But we should be careful not to create an impression that there are no alternative ways. We must make our young searching people aware that halakha is much more than what these works represent. Above all, we should see these works as sublime commentaries on the Talmud. Specifically, Maimonides' *Mishneh Torah* offers us profound insights into how his genius mind read and understood the Talmud. It is in *this,* and not in his attempt to codify Jewish Law, that Maimonides made his greatest contribution to Jewish learning. Ultimately, it is only by the discussions in the Talmud that we, with the help of our rabbis, should decide how to live our religious lives.

Judaism Is an Autonomous Way of Living

The question we now need to ask is how to bring Judaism back to its original authentic "self" in which the halakhic tradition of *elu ve-elu* is once more recognized and applied. Can we reactivate this concept in order to bring new life into the bloodstream of Judaism for those young people who are in dire need? Surely the principle of *elu ve-elu* is not a blank check that anything goes. The principle should only be implemented if it will stimulate greater commitment to Jewish religious life while simultaneously responding to the many drastic changes that have taken place in our modern world. The need for human autonomy as well as spirituality and meaning that are sought by so many young people will have to be addressed.

We must realize that Judaism is an autonomous way of life. Although the need for conformity within the community must constantly be taken into consideration, ultimately one is expected to respond *as an individual* to the Torah's demands. Each human being is an entire world, and no two human beings are identical in their psychological make-up, religious needs or experience of God. One can only encounter God as an individual. What, after all, is the purpose of my existence if not to relate to God differently from my neighbor? To imitate what others do in their service of God is to demonstrate that there is no reason for me to have been born. The overwhelming need for human distinctiveness is demonstrated by the fact that no Jew received the Torah or heard the voice of God at Sinai in a similar way, as the Maharshal observed. The need for more halakhic autonomy is not for the sole purpose of adapting Judaism to the spirit of modern times, but also to make Judaism more authentic and true to its own spirit. Although the necessity for communal conformity often made it difficult for Judaism to emphasize the need for personal autonomy, the difficulty experienced by so many young people today may propel this matter to the forefront of our concern.

Difficult Questions

In light of the abovementioned observations, I wonder whether we can reintroduce the great talmudic debates in a way that will reshape Judaism into its original multifaceted and colorful self, so that the young searching

Jews of today will fall in love with it. Should we perhaps permit, and even encourage, people or communities to decide *themselves* that of the many opinions in the Talmud they would like to follow?

To answer this question we surely must move beyond the conventional way in which halakha has been applied throughout later generations. In many ways the question is not only a halakhic one; it is also one of hashkafa. We need to find new paths to Jewish spirituality, and the world of *aggada* may be able to help us. While it is not at all clear where issues of halakha end and where matters of hashkafa, *aggada,* and spiritual needs that influence halakhic thinking begin, it is necessary to enter into a new halakhic way of thinking; one that has rarely been used—but is clearly part of the world of the Talmud. This is the concept of multiple truths within God's Torah. In our modern world the spirit of halakha as a multifaceted living tradition becomes extremely relevant. Conventional rules on how to reach a halakhic decision may have to incorporate more spiritual requirements. However, this can be done only as long as they are rooted in the Talmud and do not violate the underlying principles of halakhic debate as disclosed by *elu ve-elu*. The debate regarding whether individuals can decide on their own which opinion in the Talmud they would like to follow is of utmost importance.

Halakhic Scholars and Religious Crisis

The great halakhic scholars of today and tomorrow will have to decide whether we are permitted to implement this idea. Will they be prepared to sincerely consider these questions? Are they equipped with enough knowledge about our world—the moral, spiritual, and religious crisis in which so many young people find themselves—to handle this matter? Do they fully understand the central place that human autonomy occupies in today's society and in authentic Judaism? Do they connect enough with the religious melody of halakha to even see the need for these questions? They can easily reject these questions as irrelevant, unacceptable, non-kosher or even heretical; but this won't do. Too much is at stake. The existential predicament of humankind at large and the Jewish people in particular is so great, that rejection of these problems will ultimately distance many fine Jews from the Jewish tradition and religious observance. Ignoring the growing need of so many young, intelligent, searching people for an autonomous

approach to a personal halakhic life is no longer possible. Great courage is required to even raise these questions, let alone give answers. What is needed is sincere willingness to think outside of the box.

Halakhic Problems

At first glance, it seems that many halakhic principles might bar the possibility of reintroducing the concept of *elu ve-elu*. The Talmud includes minority opinions concerning *dinei d'rabbanan*—rabbinic law. This is the category that urgently necessitates dealing with issues of spirituality and established halakha. Generally, minority opinions are not meant to be followed. The reason is obvious: allowing people to re-enact these opinions would have a destructive impact on the Jewish community and its need for uniform and normative behavior i.e., "so as not to fragment the Torah into many Torahs" (*Sanhedrin* 88b).

But what if following minority opinions would only increase the love for and adherence to Torah law (*d'oraita*) by many fellow Jews? Many of the rabbinic laws are fences for the distinct purpose of preventing people from violating Torah law, but what if they produce the opposite result, the absolute rejection of Torah law? Today, many of these rabbinic laws keep people *out* instead of inviting them *in*. They are not conducive to the spirituality longed for by all people trying to observe Torah laws. What if some of the minority opinions would be more conducive to the observance of Torah law? This is specifically true about rabbinic laws that affect the individual. These matters require great spiritual investment on an individual level. Would it not be wiser in these cases to encourage the implementation of minority opinions as recorded in the Talmud instead of prohibiting them and standardizing the majority opinions?

Bet Shamai and Bet Hillel

We wonder whether such an approach would be valid when dealing with the ritualistic controversies between Bet Shamai and Bet Hillel. Halakha unequivocally follows Bet Hillel, and under normal circumstances it is forbidden to abide by the opinions of Bet Shamai (*Eruvin* 13b). However, the reason is not entirely clear (See *Yebamoth* 14a). In fact, it seems there were cases in the past where following Bet Shamai's ruling was even encouraged

(*Berakhoth* 53b). Whatever the reason, would it be permitted to follow the opinions of Bet Shamai when some people feel more connected to this view? After all, many of these differences of opinion are not just legalities or academic disputes; they are, above all, differences in approach to religious life. (See for example volume 2 of *Mihtav Me-Eliyahu* (p. 120) by Rabbi Eliyahu Eliezer Dessler concerning the question whether one should light all eight candles on the first day of Hanukkah (Bet Shamai) or only on the last day (Bet Hillel).Would it not be more in the spirit of Bet Shamai and Bet Hillel to allow people this choice, now that religious commitment in a secular society is of an entirely different nature than it was in earlier days?

Ignoring Minority Opinions

Moreover, would the Talmud allow us not only to ignore *majority* opinions but *minority* rabbinic opinions as well if the result was people keeping the Torah laws? Undoubtedly, many rabbinic laws make it easier to observe Torah laws, but what if people feel confined by these laws that deny them the spirit of, say, what prayer or Shabbat is all about? In many instances it is not clear whether a law is *d'oraita* or *d'rabbanan*, and in such cases one cannot take any chances. But where we know for a fact that they are *d'rabbanan,* would this be permitted? After all, human beings are most complex. Freedom in one area often leads to greater commitment in another.

If, arguably, practical halakha would indeed allow us to ignore the minority opinion, this would be true only in exceptional circumstances (*bedi-avad*) and for specific individuals. It was never encouraged as a new way of dealing with religious crisis in which whole communities of people long for autonomy while genuinely searching for religious commitment. Indeed, in pre-mishnaic and talmudic times many of these rabbinic laws did not yet exist, and people made their own decisions on how to ensure that they would not violate Torah law or how to give meaning to their relationship with God through their own prayers or other rituals. There were no prayer books—and it seems that it was strictly forbidden to write down any prayers (*Shabbat* 115b). Is it not possible that we need a similar approach today?

Personalizing Blessings, Prayers, and Synagogue Services

Could people adopt other versions for blessings, such as those discussed in the Talmud but not codified in practical halakha? Would the Talmud really object to people formulating their own *berakhot* if it was more meaningful to them? When people complain that some of the official *berakhot* and prayers seem irrelevant; that these *berakhot* and prayers are of such beauty that they are unable to absorb their magnificent meaning and therefore feel hypocritical when saying them; or, that the constant reciting of the same *berakhot* and prayers no longer allows for saying them with religious fervor, is there not some truth to their claim? After all, was it not the purpose of the sages to formulate these religious texts in order to inspire people to sincerely praise and thank God? Is it not preferable for us to say different prayers when this goal would be better served? Needless to say, certain spiritual-religious requirements would have to be preserved.

Could various types of synagogue service be created in which alternative prayers and rituals are offered from which people can choose? *Minhagim*, rituals, and other traditions are most important and should not be taken lightly. They have greatly contributed to Judaism. But what if people desperately need to express their religious devotion in a different way? Just as it is possible for a rabbi to make a halakhic decision one day and a different one the next, because he sees matters differently—could this not also apply to the praying human being? What if this would help create a more genuine religious experience?

These questions and others are of the greatest importance if we want to revitalize Judaism in the hearts of many people.

Hora'ath Sha'ah

In this vein, perhaps we should look to halakhic concepts that deal with circumstances where the suspension of a particular law will "bring back the multitudes to religion and save them from general religious laxity" (*Mishneh Torah, Hilkhot Mamrim* 2:4). Such concepts might include *hora'ath sha'ah*, the need for temporary suspension of a law; *lemigdar milta*, improvement of a particular matter; and *et la'asoth Lashem*, a time to act for God. As the great talmudic sage Resh Lakish remarked, "There are times when the suspension of the Torah may be its foundation" (*Menahoth* 99a–b). These concepts usu-

ally refer to short-term deferments, and are generally limited in scope. However, there have been cases in Jewish religious history where matters have been changed on a long-term basis, and in some instances were never revoked. In fact, these principles have even been used for totally opposing religious needs depending on the *hashkafot* of communities who were at wit's end how to enable Judaism to survive in modern times. Such examples can be found in Rabbi Samson Raphael Hirsch's concept of *Torah im Derekh Erets*; the Hatam Sofer's opposition to general culture; the Hafetz Hayyim's permissive ruling about intensive Torah education for young women; and the rabbinic prohibition in certain circles, concerning women's prayer groups. All of these were a response to an acute crisis, whether *leKulah* or *leHumrah*, permissively or restrictively. They probably can't be included in the strict definition and parameters of *hora'ath sha'ah*, but they clearly carry its character and were accepted as such by different communities. They are all "*hora'ath sha'ah*-like."

To avoid any misunderstanding, I reiterate that in no way am I suggesting that we do away with parts of Judaism, or deny the divinity of the Torah and the importance of Rabbinic Law. The reverse is true. My observations and suggestions flow forth from a deep love and appreciation for what halakha is all about. It is out of love for the word of God that came down to us at Sinai that this essay was born.

Postscript

It is not the changes themselves that will bring young people what they are looking for. It is important that such changes create a new *image* of Judaism and halakha. They will set Judaism and halakha in a positive light and will ensure that Judaism is again understood as a living organism that is averse to dogmatism, finalization, and obsessive codification. The tradition of *elu ve-elu* must again stand at the center of Judaism's overall religious philosophy. The call for human autonomy as a condition for deep religiosity together with profound commitment to the word of God is essential.

It is impossible to discuss any of these issues without a deep commitment to *yirat Shamayim*, fear of God. No motive other than *yirat Shamayim* may guide us. It is this same *yirat Shamayim* that forces us to ask these questions and propose possible solutions. Denying their urgency would be a serious dereliction of our duty as religious Jews.

My suggestions in this essay are only proposals by an educator who wants Judaism to become much more meaningful to many young people who are otherwise unable to connect. No doubt some of the suggestions are fraught with risk, but no spiritual search is risk-free, and by shutting the door to all error we risk blocking the chances for greater love and commitment to Judaism. These observations have nothing to do with making Judaism easier so that people can be more lax in their observance. The reverse is true. I believe that Judaism may have to be made more difficult in order to become more meaningful. Simply making it user-friendly, by introducing all sorts of leniencies, will not bring young serious people closer to its message. After all, they expect sweat, challenge, and discomfort in order to accomplish great achievements in university studies, music, sports, and martial arts. They are well aware that to conquer these disciplines they need to fight, not be entertained. It is the very need to exhaust themselves that gives them the satisfaction of accomplishment.

Living a genuine Jewish life is hard work, and the revisions I suggest require hard work. Young people must be sure they are familiar enough with talmudic texts to make the autonomous decisions they seek. Our young people will only value Judaism when it is at least as challenging and demanding as all the other disciplines they study. In fact, it may need to be *more* challenging, since it is a lifelong involvement that requires constant attention even to the sanctification of daily trivialities. There are no short cuts. For many of them Judaism will become a joyful experience because it demands sweat and discipline, while its reward is deep meaning and a strong notion of mission and holiness.

I recognize that the road to implementation of these ideas is not simple; nonetheless the route must be drawn up before we can begin this journey. My intention is not to suggest a new halakhic way of living for all Orthodox Jews. Those who are deeply inspired by their religious commitment in accordance with well-established traditions should definitely continue to do so. If we come to implement some of these suggestions, one must never forget that one does not discover new lands by losing sight of the shore from which the journey had begun. I do hope, however, that my observations will bring them new insights as well, and help them realize how beautiful and dynamic Judaism really is. They should ask themselves whether the issues expressed have not a direct bearing on their own religious lives.

What the leadership of Orthodox Judaism needs to realize, above all, is that the internal danger is greater than the external threat of secularism. Judaism must renew itself, or face decline. The greatest problem Judaism faces is lack of belief in itself. Orthodox Judaism must stop being defensive and looking over its shoulder. It should strengthen itself by looking to its great talmudic resources and rebuilding itself accordingly. Only when it reappears as a dynamic living tradition, averse to all finalization and dogmatization, will it become the great passion of all Jewish people.

May *haKadosh Barukh Hu* grant us insight.

Halakha and Diversity

Zvi Zohar

(Dr. Zohar is Chauncy Stillman Professor of Sephardic Law and Ethics at Bar Ilan University, and a Senior Research Fellow at the Shalom Hartman Institute in Jerusalem.)

Anyone who is even partially involved in the life of a traditional synagogue becomes aware, sooner or later, that there is diversity within halakha. This becomes even more obvious after one has occasion to participate in activities at several synagogues: It would be rare to find two congregations that follow identical praxis. Traveling abroad, the differences seem all the more salient. Yet most people I know seem to live comfortably with such diversity. Isn't this strange? After all, if there is one God who gave us one Torah, shouldn't there be one norm for all observant Jews?

Some people I know would answer that we should differentiate between *minhag* (custom) and halakha ("law"): variety in *minhag* is OK—indeed, meritorious: A person should follow the custom of his family (or *community*; or *place*; but obviously these may be in tension . . .). The diversity noted above, in synagogue praxis, falls into this rubric of *minhag*. But, these people would continue, the same is *not* true regarding halakha—all Jews should follow the same halakha.

Now, as a matter of fact, quite a few differences between synagogues go beyond mere custom. Issues such as: what is the height and transparency of the divide between the women's and the men's section? Can a non-observant man be called up to the Torah? Is *Yom ha'Atzmauth* (Israeli Independence Day) celebrated (and if so, how)? All these are issues of halakha. So, things probably do not boil down to a demarcation between *minhag* and halakha.

My impression is that what tends to trouble quite a few Orthodox people is not so much variety within halakha (synchronic diversity), as much

as change within halakha (diachronic diversity). Let me try to articulate the viewpoint such persons may hold; a viewpoint that when held in a more relaxed version might be called "conservative" (with a small c) and in a more intense version might be called "fundamentalist":

- God is eternal and transcendent. He does not change, and He is above the vicissitudes of this transient, shifting world.
- God is holy, and is thus radically different from this secular, mundane existence.
- God is the source of the true and the good.
- Because of this, human beings recognize God as worthy of worship, and seek to lead their life in tune with His being.
- But, how can we know how to worship God, and how can we know what actions and behaviors are in tune with His being?
- To our great joy, God in His grace and love has revealed to us, through His prophet Moshe, His Torah. If we allow our lives to be guided by Torah, we will be living as God wills.
- God's Torah is primordial and primeval. Its existence pre-dates the creation of the world. As the Talmud teaches (*Zevahim* 116a): "He had in His archive a hidden treasure, 974 generations before the creation of the world—and He chose to bestow it upon His children."
- We, the Jewish people, have been granted the unique opportunity to live under God's grace, attuned to His eternal will by virtue of the eternal Torah He bequeathed to us. By following this eternal, God-given Way, we can raise our lives above the transient, mundane and arbitrary aspects of human existence, and imbue them with the truth, good, and holiness that derive from closeness to God.

It is thus clear why—on this view—change can be regarded as antithetical to Torah Judaism: when the initial state of affairs is flawed and lacking, movement toward a better condition is good, but when the initial state of affairs is perfect, any movement is a movement away from that condition. True, "Torah has 70 facets," and thus the halakhic ways of Yemenite Jews may be equally valid and primordial as those of Polish Jews. But since Torah is perfect, any *change* in either of these halakhic worlds can only be for the worse.

It is not difficult to understand the appeal of such a view regarding the unchanging, stable nature of Torah and of halakha.

But, there is one small problem: such a position is not consonant with what actually happened in the past. Any examination of the actual practice of Torah reveals that dramatic changes in halakha took place over the course of Jewish history. The implication of this is that however seductive it may be, an "eternalist take" on Judaism is a misrepresentation. And, as Maimonides wrote in his *Guide of the Perplexed*, religion based on misrepresentation is a false religion.

Obviously, it would require many volumes to survey the entire range of diversity within halakha over the millennia. But, I cannot expect the reader to just take my word for such a general claim. So as not to seize upon trivial or marginal examples, I propose to cite instances of changes and alterations that actually occurred in one of the most basic elements of Jewish life—marriage and divorce. However, it is important to bear in mind that my thesis relates not only to this realm, but to halakha in general.

Jewish Marriage

What human framework is more basic than marriage? Undoubtedly, the Torah is in favor of marriage. But what *kind* of marriage does Torah advocate? Abraham had only one wife—but several concubines. Isaac had one wife and no concubines. Jacob had two wives, and two concubines. King David had 18 wives, and Solomon had 1,000. According to halakha, as interpreted by Maimonides in twelfth-century Egypt, a Jewish man may have several wives—but no concubines. At that time in northern Europe, however, Jews were forbidden by the "Edict of Rabbenu Gershom" to have more than one wife. In eighteenth-century Germany, the prominent halakhist rabbi Jacob Emden wrote a passionately argued halakhic treatise advocating non-marital sexual partnerships for unmarried Jewish men and women, and extra-marital sexual partnerships for Jewish married men only, explaining that this was simply what had always been permitted under the halakhic framework of *pilegesh* (concubinage). Quoting many source-texts, he explained that this was perfectly fine according to Torah, and that any children born out of such relationships would be of absolutely kosher halakhic status.

This concise example from the realm of marriage suffices to illustrate that whatever certain ideologues may claim today, diversity in very basic Jewish norms over time and place is an innate feature of halakha. The rab-

bis who themselves instituted or justified these changes did not see themselves as operating against or outside of Torah. Rather, they thought that such changes expressed authentic commitment to Torah. What were the modes and processes of halakhic change that these (and other) rabbis followed? To illustrate, let us consider the "mirror image" of marriage—divorce. As we shall see, change can derive from interpretation, legislation, or custom.

Changes in Jewish Divorce Laws: Change Via Interpretation

The Torah (see Deut. 24:1) describes a divorce occurring through a "writ of [marriage] termination" (*sefer keritut*) given by the husband. The Talmud explains that such a document is valid only if given with free will. Thus, there seems to be no way in which a woman can receive a divorce if her husband is recalcitrant.

Maimonides rules, however, that a woman cannot be forced to remain in a relationship when she feels her husband to be sexually repulsive: "She is not a captive of war, who must have sex with a man she despises" (*Hilkhot Ishut*, 14:8). Therefore, when a woman declares that her husband is sexually repulsive to her, the court "immediately forces him to divorce her." But . . . Maimonides not only recognized Torah as eternal, but also included belief in the eternality of Torah as one of his "Thirteen Principles of Faith"; how could he validate a divorce to which the husband was coerced? Is not such compulsion contrary to the requirement that a divorce be given willingly?

Maimonides himself raised this question and provided the answer:

> Since he was compelled, why is this divorce not invalid? . . . Because a person who was overcome by his evil inclination to desist from performing a positive mitzvah or to commit a transgression, and who was then beaten [by the authorities] until he did what he ought to do or desisted from what he was forbidden to do, is not considered to be acting under compulsion . . . with regard to this man who refused to divorce [his wife]: Since he does want to be a Jew, he ipso facto wants to fulfill the commandments and to refrain from sin, but his evil inclination overcame him. When he was beaten, his evil inclination weakened, and so when he says "I want [to divorce]"—the divorce is in accordance with his will. (Laws of Divorce, 2:20)

Maimonides' move is an interpretive one: "will" here means not a subjective feeling but an objective mental position, which is assessed according to the overall context of a person's life choices. A person who consents to being a Jew thereby consents to what is entailed by being a Jew, and the court is merely enabling him to overcome a powerful urge that conflicts with his own deeper and more serious will.

The important point for us to note is, that acknowledging Torah as eternal does *not* mean acknowledging our (or anyone's!) *understanding* of Torah as eternal. Our understanding of Torah can change, and when that happens, we will begin to permit actions our ancestors understood that Torah forbade, or we will begin to forbid what they understood Torah to permit. And we will be right in doing so; for *we should do no more (and no less) than follow the best interpretation of Torah available to us*. Sincere commitment to Torah does not always lead, then, to "adherence to the holy ways of life that characterized Jewish existence in the past."

Let us consider the grounds of Maimonides' interpretation. Three assumptions stand out. One relates to human psychology: Maimonides has a theory of human personality that recognizes several "levels" of will that can be in simultaneous conflict. Although he did not arrive at this view by studying Torah, he is nevertheless confident that since the theory is correct, Torah must be in consonance with it. In other words, he assumes that Torah is a rational enterprise, and his reading of Torah is informed by his general understanding of reality. If so, it seems plausible that if his understanding of rationality or of reality were to change, his understanding of Torah would change, too.

Maimonides' second and third assumptions are not about reality, but about values. He holds that the status of a married woman is not like that of a captive, and that she is under no obligation to submit to the sexual advances of a man she finds repulsive—even if that man is her lawful husband. He also clearly assumes that sex is an essential component of marriage, that a woman cannot be expected to be bound in a sexless marriage, and that divorce is therefore an absolute necessity in such situations. Now, Torah never explicates these things about marriage. While some biblical passages might seem to support such views of marriage, others might be cited against them, as in Psalms 45:11 where the bride is enjoined "he is thy lord, and do homage to him." In any case, Maimonides' decision that Torah here requires an immediate, forced

divorce is dependent upon his value-laden understanding of what marriage is all about—an understanding that informs his reading of Torah no less than it derives from such reading.

At the very same time that Maimonides was composing these passages, his contemporary, Rabbi Jacob ben Meir (known as Rabbenu Jacob Tam), was teaching a radically different doctrine. Rabbenu Tam, the grandson of Rashi—and considered the greatest rabbi in twelfth-century France—held that if a man could be forced to divorce his wife when she declared that he repelled her, any married woman who was attracted to another man would claim that her husband disgusted her, receive a forced writ of divorce, and go off to her new sexual partner against her husband's will!

It seemed self-evident to Rabbenu Tam that this was deeply antithetical to Torah values, and he therefore argued that the possibility of forced divorce in such cases simply could not and did not exist in Torah law.[1] But, if the husband is not forced to divorce her, and she remains married to him against her will—what of Maimonides' value-judgment that a woman may not be compelled to have sex with a man repulsive to her?

Rabbi Asher ben Yehiel (Ashkenaz and Spain, 13th–14th centuries) responded:

> Is this a reason to force a husband to divorce, and thereby permit a married woman [to other men]? Let her not have sex with him, and remain a straw widow to the end of her days! In any case, a woman is not commanded to have children. Can it be, that because she wants to follow her headstrong desires, and has fastened her eyes on another man and desires him more than the champion of her youth, that we should fulfill her lust and force the man, who still loves the woman of his youth, to divorce her?! God forbid that any rabbi should rule thus! [. . .] In this generation, the daughters of Israel are cheeky, and if a wife will be able to extricate herself from under her husband by saying "he repulses me," not a single daughter of Abraham will remain with her husband, [rather] they will fasten their eyes on another and rebel against their husbands![2]

According to this view, women are not interested in marital stability but in following their lust and desire. Indeed, if given the choice, *not a single woman would remain married to her present husband!* One might argue that if that is truly what women want, perhaps they should be freed from their current unwanted state? But this is not the view of Rabbi Asher. His analy-

sis is grounded in a deeply-held understanding of the purpose of marriage. Marriage is a bulwark against socio-sexual chaos. Such chaos will occur if women will be able to follow their desires for men other than their husbands by forcing him to divorce against his will. Therefore, it is only by absolutely closing such options that social stability can be ensured.

This does not mean that Rabbi Asher is in favor of forced sex. He too holds that if a wife claims that her husband disgusts her sexually, she need not have sex with him. But that does not entitle her to a divorce. Better that she remain without sex for the rest of her life, he argues, than that her husband be forced to capitulate and give her up, against his will! Unlike Maimonides, who holds that a sexless marriage is a moral oxymoron and must be terminated by divorce, Rabbi Asher holds that if such a divorce will enable a woman to seek sexual satisfaction with another man, it is absolutely *morally* preferable that she remain married against her will—and if she will not have sex with her husband, let her not have sex at all.

However much some contemporary readers may be turned off by this view, it is very important to note that this is not a formalist positivistic presentation of halakha; rather, Rabbi Asher clearly bases his position on what he holds to be central Torah values: the sanctity and stability of marriage, the suppression of social chaos, the preference for marriage without female sexuality over an alternative of lust and licentiousness.

Change by Legislation

Since the values he set forth are seemingly eternal, why did Rabbi Asher explicitly contextualize his ruling by noting that: "*in this generation* the daughters of Israel are cheeky"? The answer is that he himself was aware of a very different legal tradition, one that had prevailed in Jewish law for many centuries. This tradition began in the year 650/651 C.E., when a dramatic legal enactment was instituted by the halakhic leaders of Babylonian Jewry, immediately following the Muslim conquest of that area in 637–650:

> When our masters in the times of the Sevora'im saw that Jewish women were going to the gentiles and with their assistance were obtaining forced divorces from their husbands, and the husbands were writing bills of divorce under compulsion and these were illegally forced divorces—and

> this resulted in disaster—they enacted, with regard to a woman who rebels against her husband and demands a divorce, that . . . we compel her husband to divorce her immediately.[3]

In contrast to the policy of the Sassanid Persian kingdom that previously ruled in Babylonia, Muslim legal authorities provided succor to Jewish women seeking divorce, and forced their husbands to acquiesce and issue a writ of divorce. However, as we saw above, if a husband is unlawfully forced to write a bill of divorce, it is invalid. Therefore, the Muslim coercion resulted in divorces that were halakhically invalid. However, it was impossible for the rabbis to prevent the women from remarrying, because doing so would enrage the Muslim authorities who had validated the divorce procedure. The result was a disaster, because according to halakha, the women's second marriages were adulterous, and children born from such unions were *mamzerim* who would never be able to marry other Jews. Since the rabbis could not change the political-legal reality of Muslim rule, they decided to institute a change in halakha. From then on, any Jewish woman demanding a divorce (not only on the grounds of sexual repulsiveness) would get it immediately—no questions asked—from a Jewish court! And since a writ of divorce lawfully imposed upon the husband by a *Jewish* court *was* valid, any subsequent marriage and children would be fully "kosher" according to halakha.

Here, we have a change in halakha that is not interpretive, but legislative. The rabbis in the year 650 did not claim that they had reached a new understanding of what Torah had always meant. They agreed that Torah strictly limited the cases in which husbands could be forced to issue a divorce. But they held that within the realm of values and norms recognized by Torah, it was possible for rational human beings to recognize a hierarchy. Torah upheld the husband's prerogative not to grant a divorce against his will, but it also regarded the prevention of adultery as a major value—and it was crystal-clear to the rabbis at that time that if historical conditions prevented the realization of both values, then prevention of adultery should be given preference over retaining the husbands' unilateral prerogative in matters of divorce. They canonized this recognition by legislation and for hundreds of years (from 650 until c. 1150, and in certain localities until after 1400) this legislation was recognized as valid and binding by halakhic authorities not only in the Middle East and North Africa but also in Ashkenaz (Northern Europe).

Legislative change in halakha does not see itself as undermining the eternality of Torah. Rather, it is grounded in the recognition that while Torah is eternal and perfect, human beings are imperfect, and historical reality is fickle. It is therefore possible that under certain conditions, implementation of (what we understand to be) the eternal norms of Torah will entail results that are destructive to (what we understand are) the eternal values of Torah. In some cases, such as the one above, this calls for abrogation of certain norms of Torah. In other cases, it calls for adding on limits or stringencies not required by Torah. However, all legislation under the aegis of Torah is by definition focused on the alleviation of such contextual conflicts, and is therefore—in principle—limited in duration: when the context changes—after a year, a century, or a millennium—the enactment may no longer be applicable.

Change by Custom

A third source of change recognized within halakha is custom. If we return once again from divorce to marriage, we see that a lot of what happens in the course of a Jewish wedding is grounded in custom: the melodies, the dances, and the breaking of the cup, for example. But most people are unaware of how much more of the ceremony is merely customary: The *huppah* is a custom; the participation and role of the rabbi is a custom; even the wedding ring is a custom, not required by halakha. When we think of custom, we usually think of it as preservation of the past, not as innovation. But when did today's customs begin? If people living in Western countries consider the melodies they use at weddings, they will recognize them to be European in character, which means that they cannot be from rabbinic times, because the talmudic rabbis were Middle-Eastern. And for each custom that we follow, medieval texts report customs that were then in vogue, which have since fallen into desuetude. In other words, the things we know as customs began, in some historical context that we usually don't think about, as innovation. And in other cases, what was once custom is now no longer followed even by the most religious among us. Custom reflects change.

While interpretation and legislation are grounded in the authority of rabbinic and communal leaders, why do we attribute authority to custom? There are two schools of thought within halakha with regard to this ques-

tion. One holds that since what is now customary began as innovation, it must have been validated originally by the rabbis of that time. The authority of customs we follow today derives, then, from the presumption that they reflect rabbinic decisions in the past. The other view holds that custom—as opposed to interpretation—begins not with rabbis, but with the people. The Jewish people, the Jewish community, possess creative powers that do not derive from texts, but from life and praxis. Halakha recognizes and validates these powers.

These two schools of thought differ most of all in regard to what should be done if custom and halakha seem to conflict. The first view argues that if a custom conflicts with halakha, that must mean that the custom was not originally validated by rabbis. Therefore, the custom should be tweaked so as to bring it into line with our understanding of halakha. According to the second view, since the custom was created by the people, rabbis should try to re-interpret or re-formulate their understanding of Torah, so as to provide halakhic justification for the custom. A more general formulation of this principle is that rabbis should cultivate within themselves an orientation that seeks to view the actual religious praxis of the Jewish people in the most positive possible light, rather than an orientation that tends to focus on where the community is "getting it wrong."

Interpretation, Legislation, Custom, and the Eternality of Torah

After presenting the religious outlook that opposes change and dynamism in halakha, we noted that for some seriously committed Jews, it seems especially imperative today to advocate a totally non-dynamic view, and to unequivocally espouse adherence to the original holy ways of life that characterized Jewish existence in the past. However, our brief survey of laws and customs relating to marriage and divorce reveals that there were many *different* "holy ways of life" that Jews followed in the past, and that these ways of life were themselves characterized by a dynamic of change. The adoption of a non-dynamic view of Torah is therefore itself contrary to the reality of Torah, as revealed by study of our holy texts.

Study thus frees us from the chains of anti-dynamic rhetoric and empowers us to realize that Torah changed not because Jews got tired of Torah, but because they were enamored of Torah and deeply committed to

halakha. This love motivated them to interpret Torah in the best possible light, as understood by the most outstanding moral and religious minds of their time.

Halakha changed because Jews wanted to celebrate Torah with the most beautiful and moving melodies, dances, and ritual objects they were aware of or that they could create. And it changed because of legislation in response to shifts in the wider world of which Jews were a part.

Clearly, at any one point in time, religiously committed Jews around the world were implementing only a small segment of the diverse norms and practices that were recognized and practiced by observant Jews during the thousands of years that have passed since the People of Israel received the Torah. And, while an observer will detect much similarity between the halakhic rulings and praxes of the various communities of observant Jews at any one point in time, she or he will also not fail to note the significant diversity that exists between them.

Not to recognize and validate the diachronic and the synchronic diversity of halakha is to deny not only empiric reality but also religious *normative* reality: as Rabbi Haim David haLevi, late Sephardic Chief Rabbi of Tel Aviv, wrote in 1989:

> There is nothing so flexible as the flexibility of halakha . . . it is only by virtue of that flexibility that the People of Israel, through the many novel and useful rulings innovated by Israel's sages over the generations, could follow the path of Torah and its commandments for thousands of years.[4]

But change is not *the* most central value of Torah. Living a Jewish life characterized by a sincere sense of organic continuity with the ways Jews lived in the past and with the ways they understood God and Torah is arguably more important and spiritually satisfying than incessantly seeking to re-create Judaism in consonance with current trends and mores.

A religious life in the spirit of Torah should grant the *presumption* of authenticity and validity to the living traditions and interpretations we have received from our great cultural and religious past—but never allow that presumption to override our critical commitment to interpret, to legislate, and to live Torah in the light of our own sincere rational, moral, and religious recognitions. It is by achieving the best possible balance between a deep commitment to organic Jewish continuity and a no-less-deep commitment to a critical vision of what Judaism can and should

become that we will really be in step with the rhythm of Torah itself. And there is no way we can do that without empowering ourselves through study of Torah.

NOTES

1. Cf. *Tosafot to tractate Ketubot 63b s.v. Aval Amrah Mais Alai; Rabbenu* Tam in *Sefer Hayashar*; and see Rabbenu Tam's position as quoted in *Novellae of RITBA to Ketubot, ad.loc.*
2. *Responsa of Rabbi Asher ben Yehiel* section 43:8
3. Responsum of Rav Sherira Gaon, *Otsar HaGeonim* to tractate Ketubot, no. 478.
4. From his article "On the Flexibility of Halakha," published in *Shana b'Shana*, 1989.

Rabbi Joseph Messas

Marc B. Shapiro

(Dr. Marc B. Shapiro holds the Weinberg Chair in Judaic Studies at the University of Scranton. His most recent book is Studies in Maimonides and His Interpreters.*)*

Orthodox Jews like to claim that they adhere to an unchanging tradition of laws and beliefs. Based on this understanding, it becomes possible to decide who "is in" and who "is out;" that is, who is part of the Orthodox camp and who must be placed in a different denomination. The term "Orthodox" itself, which is not part of traditional Jewish vocabulary but actually comes from the Christian lexicon, was adopted in order to distinguish different types of Jews. Yet what exactly defines so-called Orthodoxy is not so easy to pin down.

To illustrate the problem, let me give a few examples. When I was younger everyone knew that according to Orthodoxy, Jews were not permitted to ascend the Temple mount. Yet today many Orthodox Jews do precisely that, encouraged by great rabbis. A generation ago, the notion that women could read the Torah or get *aliyot* in an Orthodox synagogue would have been laughed at. In fact, it was precisely because of this that some women came up with the idea of a women's prayer group, at which women would be permitted to read the Torah. Yet today we have Orthodox minyanim in which women are, in fact, called to the Torah. When I was younger it was axiomatic that Orthodoxy could not accept women rabbis. Every Orthodox Jew *knew* that this was an impossibility. Seeing all the changes that have occurred in my lifetime, I don't think that I am going out on too much of a limb to predict that it will not be long before we have Orthodox women rabbis.

The reality is that Orthodoxy is not so much a concept as a social construct. With this understanding, it should not be surprising that what

the Torah-true population regard as unacceptable in one era, could very well be regarded differently among at least some of this population at another time. It is vital to bear this in mind when considering the works of R. Joseph Messas (1892–1974). Messas served as a rabbi in Tlemcen, Algeria and Meknes, Morocco, and at the end of his life as Sephardic Chief Rabbi of Haifa. Although well-known in the North African community, this very original thinker has only recently begun to catch the interest of both the broader Orthodox world as well as the scholarly community. Moshe Bar-Asher, Zvi Zohar, Avinoam Rosenack, David Biton, and Iti Moreyosef are among those who have written on different aspects of Messas' writings and worldview. From the rabbinic world, R. Zekhariah Zermati has recently published a collection of Messas' halakhic rulings, what he terms a *Kitsur Shulhan Arukh*. Even Orthodox feminists have found what to be attracted to in Messas, as he provides the first testimony to women's prayer groups, complete with Torah reading and the donning of tefilin (*Nahalat Avot*, vol. 5, part 2, p. 268). He also shows great appreciation for women's learning, going so far as to sympathetically recount the stories of two women who declined marriage so that that they could devote themselves to Torah study.[1]

In order not to repeat what others have said, let me focus on the area of halakha, which is where I think one finds Messas' greatest significance. Although Messas showed originality in every area he dealt with—and I don't think there was another North African rabbi who came close to his intellectual versatility—the application of this originality in matters of practical halakha required both a clear vision as well as an enormous amount of self-confidence. Messas was blessed with both of these qualities.

Some of his rulings are so far removed from the mainstream of halakhic thought that many might be tempted to regard him as outside the realm of Orthodoxy. Yet Messas was a central figure in the Moroccan Torah world and, as noted above, later served as Chief Rabbi of Haifa. His responsa are found in the writings of a number of his contemporaries, and his works continue to be widely cited by Sephardic halakhists. He is a good example of just how diverse Torah-true Judaism can be, especially when it is not confronted by non-Orthodox movements and thus not required to create artificial boundaries through denominational labels.

Messas grew up in Morocco, where he absorbed the best of the Moroccan rabbinic tradition. This meant that he devoted himself not only

to Talmud and halakha, but was also at home in philosophy, Jewish history (in particular the history of Moroccan Jewry), *parshanut*, and anything else that can be regarded as part of the traditional Jewish library. His three-volume *Otzar haMikhtavim,* recently reprinted, shows his great breadth of knowledge. In many ways, Messas is the Sephardic counterpart to R. Hayyim Hirschensohn. Both were incredibly original in their halakhic writings. They were also willing to investigate how much halakha could be adapted in order to take into account the realities of the modern world, when commitment to Jewish law is not absolute, even among those who identify with traditional Jewish values.

An example of this is seen in Messas' experience in Tlemcen. He arrived in the city in 1924 and found that although there was proper *shehitah*, the kosher butcher shops were all open on the Sabbath. At this time, there wasn't yet a system of *mashgihim* who would testify to the kashruth of an establishment. Instead, all of Morocco followed the old approach of relying on the personal religious observance of the butchers. This practice was based on the assumption that if you could eat in someone's house without questioning if the food was kosher, you could also purchase from his shop. Yet this principle only applies to observant Jews, and in this case the butchers were all public Sabbath violators. According to Jewish law, these people simply did not have the religious credibility that observant Jews need from their butchers.

At first glance, there appears to be no avoiding the conclusion that since the butchers were not religiously reliable, observant Jews were obligated to give up meat. (As Messas explains, it proved impossible to open a *shomer Shabbat* store to sell the meat.) Yet was this the only possible conclusion? Messas recognized the many problems that would arise if he declared the butchers not kosher, not least of which would be that many people would simply ignore his declaration, thus destroying any communal standards of kashruth observance. He was also concerned for the honor of his community, which was, as he tells us, portrayed as a place where everyone ate non-kosher. He therefore offered a radical halakhic justification for the status quo. He argued that since, according to one approach in the medieval authorities, the butchers were not violating any biblical commands which in Temple days would be regarded as a capital offense, they could still be regarded as trustworthy with regard to the meat they prepared and sold. He also offered other reasons why the local butch-

ers, despite being Sabbath violators, could be believed in matters of kashruth. Messas surely knew that he was going out on a limb with this ruling, but under the circumstances he believed that it was the only proper halakhic answer, one that dealt with the reality he was confronted with (*Mayim Hayyim* 1:143).

Although in earlier times it was obvious that one must avoid patronizing non-*shomer Shabbat* butchers, Messas felt that in his era, when so many were not observant, it was important to find a leniency. This is just one of many examples where Messas shows how dynamic halakhic decision-making can be, and how it can lead to some surprising conclusions. In this particular case it was very hard for those outside of his community to agree with his conclusions. Yet as R. Nathan Neta Leiter wrote to Messas, after expressing his disagreement: "I can find one justification for you, and that is what our Sages said, 'Don't judge your fellow until you are in his place,' and I do not know the nature of your country" (*Tziyun leNefesh Hayah*, no. 29).

This trend of Messas is seen in other responsa as well. His most famous halakhic ruling is that in an era when women generally go about with uncovered hair, it is no longer regarded as nakedness. As such, it is entirely permissible today for married women not to cover their hair (*Otzar haMikhtavim*, vol. 3, no. 1884, *Mayim Hayyim*, vol. 2, *Orah Hayyim* no. 110). He defended this opinion at length, and a well-known Moroccan halakhist from the subsequent generation, R. Moshe Malka, later Chief Rabbi of Petah Tikvah, expressed complete agreement with Messas' view (*VeHeshiv Moshe*, nos. 33–34).

The approach of *limmud zekhut*, that is, of finding justification for the practices of the masses, has a long history in Judaism. It is this approach that Messas adopts in his responsa on women not being required to cover their hair. Since, as he tells us, the wives of pious people do this, there was a great motivation to find it halakhically permissible.

There has always been a tension between the desire to follow the halakha as found in the books, and the competing desire to justify widespread behavior. I am not talking about justifying those who have abandoned tradition. Rather, I am referring to the practices of the traditional community, which in the Sephardic world encompassed a much wider range of observance in modern times than that of the Ashkenazic world. In much of the Ashkenazic world, those who didn't choose to be obser-

vant moved over to one of the other denominations. Lacking such denominations in the Sephardic world, the less observant found their place in the traditional community. As such, rabbis like Messas felt a sense of responsibility for these Jews. They would often bend over backward in attempting to justify their practices, all in order that others not see them, and they not see themselves, as rejecting Jewish tradition. Some would say that Messas bent so much that he even fell backward. This is what R. Matzliah Mazuz and R. Ovadiah Yosef had in mind when they wrote that one cannot rely on the rulings of Messas (*Ish Matzliah*, vol. 1, *Orah Hayyim*, nos. 3, 32; *Yabia Omer*, vol. 7, *Orah Hayyim* no. 44:3). Yet R. Moshe Malka states that anyone who speaks this way "will have to render an account." In other words, he has sinned against a learned and righteous man (*VeHeshiv Moshe*, no. 49).

The most radical of Messas' attempts at *limmud zekhut* also relates to Sabbath observance. This time, however, the issue was that people were carrying on the Sabbath. This was not something new, even for otherwise traditional Jews. At that time, most cities in the world did not have an *eruv*, and plenty of people would carry, especially small items such as keys, as well as push baby carriages. In their minds, this was very different from driving a car or opening their stores.

Rather than regard the carrying as just another sin, Messas attempts an amazing justification, which he tells us was also shared by R. Hayyim Beliah (1832–1919), who had also served as rabbi of Tlemcen. He argued that there is no need for an *eruv* in order to be able to carry on Shabbat. To say that this is a radical position is an understatement, since the laws of *eruv* are found in all the standard codes from medieval times until Messas' day, and no one had ever suggested such a thing. In the words of R. Shalom Messas, R. Joseph Messas' younger cousin, this view is nothing less than "*bal yeraeh u-val yematze*" (*Tevuot Shemesh, Orah Hayyim*, p. 167).

Yet Messas was not one to be frightened by originality, and was thus willing to offer an incredible justification of the masses' carrying on the Sabbath. He pointed out that our cities do not have the status of a public thoroughfare (*reshut haRabim*), in which carrying is biblically forbidden. Rather, they are to be regarded as a *karmelit*, whose status is between that of a private dwelling and a public thoroughfare. The rabbis forbid carrying in a *karmelit* because of fear that one would be led to also carry in a *reshut haRabim*. But today, when we don't have such large areas that qual-

ify as *reshut haRabim*, the decree against carrying in a *karmelit* is no longer applicable.

While the logic makes good sense, one must agree with R. Shalom Messas that this opinion is without any real basis. After all, Maimonides, R. Joseph Karo, and the multitude of other codifiers also lived in places without a *reshut haRabim,* and they all assumed that there is still a prohibition to carry in a *karmelit*. Yet as a *limmud zekhut*, Messas thought that his approach was compelling. (Prof. Moshe Bar Asher has a copy of Messas' manuscript responsum which he hopes to publish. Messas' arguments can be seen in R. Shalom Messas, *Tevuot Shemesh*, *Orah Hayyim*, no. 65).

In another responsum, Messas did not go so far as advocating complete abolishment of the restrictions against carrying on the Sabbath. However, using the same logic we have seen, he declared that there is no longer any need to be concerned with an *eruv hatzerot,* which allows one to carry in a jointly owned courtyard. The only reason carrying is forbidden in such a courtyard is due to a rabbinic decree designed to prevent people from mistakenly concluding that just as it is permitted to carry from their home into the joint courtyard, so too they can carry into a *reshut haRabim*. It is the *eruv hatzerot* that changes the status of a joint courtyard to a single domain, allowing one to carry in it. Messas argued that since we no longer have any real *reshut haRabim*, the reason for the decree of an *eruv hatzerot* is no longer applicable, and thus one is permitted to carry on Shabbat in a joint courtyard (*Mayim Hayyim*, vol. 2, *Orah Hayyim*, no. 110).

Another example of a rabbinic decree that he thought was no longer relevant today, and which could therefore be ignored, was that of *bishul akum* (food cooked by non-Jews). This was a decree in order to prevent assimilation, but (reflecting his time and place) Messas argued that there is very little assimilation, and what there is does not come about because of eating non-Jewish cooking. Based upon the reason given for this decree by the early authorities, he infers that there is no reason for the rabbis to continue to insist upon it. Along the same lines, he defends drinking alcohol that contains wine that had been handled by Muslims. He quotes a responsum by an earlier Moroccan rabbi who even permitted drinking the wine itself—Messas didn't go this far—and who had justified this decision as follows: "There is no unity [of God] like the unity found in

Islam, therefore one who forbids them to handle [wine] turns holy into profane by regarding worshippers of God as worshippers of idols, God forbid" (*Otzar ha-Mikhtavim*, vol. 1, nos. 454, 462, *Mayim Hayyim*, vol. 2, *Yoreh Deah,* no. 66).

Normally the rule is that even if the reason for a rabbinic decree is no longer applicable, the decree still stands. This would seem to undermine Messas' approach with regard to non-Jews' cooking and wine. Yet Messas' view was that this principle only applies where there is a fear that the original reason could be relevant in the future. Yet since there is no reason to think that idolatry will once again return to the civilized world, this issue is therefore no different from the talmudic prohibition against drinking from uncovered water. Since there is no longer a fear of poisonous snakes leaving their venom in this water, there is no prohibition to drink from it. Messas cites this example and applies its logic to the cases he deals with (*Otzar haMikhtavim,* vol. 1, no. 454).

Often Messas' halakhic decisions can find support in earlier sources, but will be incomprehensible to many because of the meta-halakhic concerns that have affected the halakhic process. For example, he permits having a cemetery for all religions if the Jewish graves are kept separate by four cubits (*Mayim Hayyim*, vol. 2, *Yoreh Deah*, no. 106:1). He was asked if it is permitted to view the dead and to put flowers on the coffin. A posek in Europe would not even consider such questions, because it is obvious that viewing the dead and placing flowers on a coffin are non-Jewish practices. Yet was this always the case? Messas notes that in ancient days the dead were viewed, and the reasons why this was banned are no longer applicable. Therefore, he holds that there is no problem with having an open casket. Similarly, the custom of putting flowers on the coffin is also an ancient Jewish practice, and Messas adds that the flowers help in instilling belief in the resurrection of the dead (*Mayim Hayyim*, vol. 2, *Yoreh Deah*, no. 106:3–4).

Based upon what I have written, some readers might conclude that Messas was not a serious halakhist. Yet nothing could be further from the truth. His commitment to the halakhic process in all of its parameters was no different from any of his more "conventional" colleagues, and he was a venerated member of the Moroccan rabbinic elite. It is just that he saw halakha as able to respond to the contemporary reality in a way that others did not. It is true that he came to many lenient, even radical conclu-

sions. Not for naught was he known as *Yosef haMatir* (Joseph the lenient), a play on the expression *Yosef haMashbir*.[2] Yet the majority of his responsa show nothing out of the ordinary, and are exactly what one would expect from a posek. In fact, in a number of responsa Messas even rules *leHumra* in cases where other posekim were able to find grounds for leniency. For example, when asked about a *mehitsa*, he states that it should be constructed so that the men cannot see the women at all (*Mayim Hayyim*, vol. 2 *Orah Hayyim*, no. 140).

From our standpoint, the halakhic rulings of Messas are not of much practical significance. As has been the fate of many other posekim, the rabbinic community did not accord him the sort of significance that allows his rulings to exercise much influence after his passing. Yet the life and works of R. Joseph Messas remain of great importance for another reason. He showed that traditional Judaism can encompass a great diversity of thought, and that even in matters of halakha, often thought to be the most "closed" of all Jewish disciplines, there is a myriad of interpretive possibilities to which we can avail ourselves.

NOTES

1. See Zvi Zohar, "*Kol haOseket beTorah liShemah Zokhah liDevarim Harbeh*," *Peamim* 82 (2000), pp. 150–162.
2. See Harvey E. Goldberg, "Sephardi Rabbinic Openness" in Nineteenth-Century Tripoli," in Jack Wertheimer, ed., *Jewish Religious Leadership: Image and Reality* (New York, 2004), p. 699.

Rabbi Joseph B. Soloveitchik and Co-educational Jewish Education

Shaul (Seth) Farber

(Rabbi Farber is founder and director of Itim*, an organization in Israel that helps people deal with the rabbinic bureaucracy for life-cycle events and matters of establishing Jewish identity. He is the author of* An American Orthodox Dreamer*, a book about Rabbi Joseph B. Soloveitchik's work to establish the Maimonides school in Boston.)*

There is little question that Rabbi Joseph B. Soloveitchik's decision to maintain a co-educational framework at the Maimonides School in Boston has been repercussive. Rabbi Soloveitchik, or "The Rav" as he was known to his students, was a towering intellectual figure of American Orthodoxy in the twentieth century; and thus, his opinions and approaches carried and still carry significant weight in contemporary Jewish practice and thought. It is not surprising, therefore, that the Rav's approach has been the subject of much debate, particularly as Orthodoxy has gained a greater foothold in American Jewish life, and as conservative ideologies that accentuate traditional roles (and that insist upon a maximalist position regarding gender separation) have gained greater currency.[1] Although the historical record demonstrates that Rabbi Soloveitchik had addressed his opinion regarding girls studying alongside boys, and we now can read his response with clarity, questions still remain regarding the application of his ideas to contemporary Jewish life.

In the last decade, new material has emerged regarding Rabbi Soloveitchik's position on this critical dimension of Jewish education. Nati Helfgot published two letters from Rabbi Soloveitchik addressed to Rabbi Leonard Rosenfeld, the then director of the Education Committee of the Hebrew Institute of Long Island (HILI), whose principal at the time was Rabbi Harold Leiman. These letters make a strong case for co-education in the context that I described in my book about the Maimonides School.

This article publishes for the first time two of the letters written by Rabbi Rosenfeld to Rabbi Soloveitchik, which facilitated the response of Rabbi Soloveitchik (published by Helfgot). These letters illuminate Rabbi Soloveitchik's attitude and provide vital context to Rabbi Soloveitchik's letters regarding Torah education for girls.

Background [2]

More than 30 years ago, the prominent Israeli educator Mordechai Bar Lev visited the Maimonides School in Boston and was shocked by what he saw: "For an Israeli visitor like myself," he wrote, "the phenomenon of co-education through all grades was striking."[3] The fact that Rabbi Joseph B. Soloveitchik, an Orthodox scholar from a decidedly yeshiva-oriented family, was the founder of the Maimonides School and continued to serve as the spiritual force behind its educational philosophy, certainly puzzled Bar Lev.

In fact, the question of co-education at Maimonides has plagued scholars and educators for years, given that co-education is generally not associated with the Orthodox community. One of the most prominent students of Rabbi Soloveitchik, Rabbi Hershel Schachter, expressed one point of view:

> When a religious high school opened in a large North American city, and it was mentioned to our rabbi [Soloveitchik] that the classes were mixed and that boys and girls studied together based on the model of *yeshivat Rambam* in Boston, our rabbi was amazed. He said: "But in that city there were always separate schools for boys and girls, and what circumstance forced them to open a new mixed school? In Boston [Rabbi Soloveitchik] was forced to behave this way for he only had two options: to be guilty of limiting education for girls or to be guilty of opening a co-educational school. He was forced into choosing the lesser of two evils, and he reasoned that given the contemporary circumstances, this decision was less problematic.

> But in other times in other places, where there are already schools that separate boys and girls and there is no need to act as such, it is certainly completely incorrect to do so.[4]

According to Rabbi Schachter, Rabbi Soloveitchik was forced into organizing a co-educational school because of pressing circumstances. Co-education, in Rabbi Schachter's view, was the lesser of two evils, the alternative being no religious schooling for girls at all. Rabbi Schachter does not deny that the school was co-educational or that co-education was an innovation. Instead, he suggests that given the considerations of the time, co-education was the best alternative for Rabbi Soloveitchik. Rabbi Schachter's evaluation of Rabbi Soloveitchik's innovation implies that the primary motivation for creating a co-educational school was based on practical and pragmatic considerations, not on educational, hashkafic, or halakhic ones.[5] Striking in Rabbi Schachter's formulation is the testimony regarding the applicability of the Maimonides School model around America, without knowledge of Rabbi Soloveitchik's work and personality, and apparently—according to Rabbi Schachter—against Rabbi Soloveitchik's will.

A second group of Rabbi Soloveitchik's students asserted that co-education was perceived by Rabbi Soloveitchik as an educational ideal or at least an educational issue. This perspective was advanced by Benny Brama, a former teacher at the Maimonides School, in an interview with the International B'nei Akiva movement. Brama suggested that Rabbi Soloveitchik anticipated the value of mixed education and that he deliberately and consciously created a school that implemented this belief.

> Co-education causes less sexual and social tension and brings, both within and without the yeshiva or school, a richer and healthier social life. Particularly in light of the sexual impropriety and the looseness that may be found all over America, Rabbi Soloveitchik's educational approach in the Rambam Yeshiva in Boston stands out positively, ([for] all the classes in the yeshiva are mixed, and the boys and girls are required to conform to the daily schedule that includes *shacharit* and *mincha*).
>
> Only a great thinker and halakhist like him, who understands that one should confront rather than flee from contemporary realities, could have established a yeshiva with this educational approach.[6]

Brama's argument suggests that the decision to implement co-education at Maimonides should be understood as part of Rabbi Soloveitchik's broader

interest in integrating Jewish and modern culture. Another student of Rabbi Soloveitchik also wrote about Rabbi Soloveitchik and co-education:

> The co-educational nature of Maimonides School leaves many, even avowed disciples of the Rav, uncomfortable. Contrary to reasons offered in certain circles, I understood that the Rav viewed co-education not as a halakhic issue, but rather as an educational question, one to be examined through the prism of sound educational philosophy and tested in the laboratory of life.[7]

A third group of Rabbi Soloveitchik's students did not attempt to justify the innovations as did Rabbi Schachter, or represent them as an educational ideal, as Meier and Brama did, but rather, denied that such an innovation ever obtained. Rabbi Leon Mozeson, a teacher at the school in the 1960s wrote that Meier's statements were "simply not true" and that Rabbi Soloveitchik had instructed him to separate boys and girls in his classroom.[8] Rabbi Mozeson's testimony as to his personal classroom conduct cannot be disputed but it is clear that most of the faculty at the school did not adopt his rigorous conservative posture. When Rabbi Soloveitchik visited classrooms, he was well aware that students were intermingled and sat and studied together.

When I last addressed this issue in writing, I wrote that Rabbi Soloveitchik left no written testimony that might explain the ideology behind co-education. However, subsequent to the publication of my book, two letters were published by Nati Helfgot that illustrate Rabbi Soloveitchik's attitude toward co-education in the contemporary context. It is to these letters that we now turn our attention.

The Rosenfeld Letters

In the introductory paragraph to Rabbi Soloveitchik's letters on girls studying Talmud, Helfgot writes that

> Rabbi Leonard Rosenfeld . . . wrote the Rav with a series of questions regarding the teaching of Talmud to elementary and high school age girls. . . . The Rav . . . soon replied indicating that he would not answer these questions directly until he was assured that the education committee would agree to strictly abide by his rulings and guidelines.

The full text of Rabbi Soloveitchik's letter, as published by Helfgot reads:

> Dear Rabbi Rosenfeld,
>
> I acknowledge receipt of your letter. In my answer to your previous inquiry concerning the permissibility of instruction of girls in Talmud I stressed that unless I am assured in advance by the school administration that my recommendations will be followed I would not take the trouble to investigate the matter. Since such an official assurance has been withheld (your letter did not contain any such commitment) I must decline to consider the controversial problem. The reason for my reluctance to engage in this controversial issue is the unique stand taken by many of our Jews on matters of Law and tradition. We have reached a stage at which party lines and political ideologies influence our halakhic thinking to the extent that people cannot rise above partisan issues to the level of Halakhah-objectivity. Some are in a perennial quest for "liberalization" of the Law and its subordination to the majority opinion of a political legislative body, while others would like to see the Halakhah fossilized and completely shut out of life. I am not inclined to give any of these factions an opportunity for nonsensical debates. [9]

This letter is suggestive on three fronts. First of all, it indicates that the letter was not the first time that Rabbi Rosenfeld and Rabbi Soloveitchik had discussed this issue. In fact, the response of Rabbi Soloveitchik (or perhaps more accurately, his unwillingness to respond) was precipitated by the inability to receive guarantees that his position would be adhered to. Secondly, Rabbi Soloveitchik suggests that he needed to investigate the matter. It is unclear whether he means that what had been taking place at the Maimonides School (for at least six years prior to these letters) was not investigated, or that the model of Maimonides would be irrelevant to the school in Long Island. But most importantly, this letter makes it abundantly clear that the Rav was well aware of the political hot-potato that girls studying Talmud represented (as well as the issue of co-education, as will become clear below) and that he was cognizant of the fact that this issue was not only controversial but also repercussive. Unlike Rabbi Schachter's assertion, Rabbi Soloveitchik seems in this letter to be writing decisively and consciously.

Rabbi Soloveitchik's engagement in the issue of women studying Talmud and co-education becomes illuminated by the letter that yielded the response above.

On January 12, 1953, Rabbi Rosenfeld wrote that the issue of girls studying Talmud at HILI (and ostensibly, co-education as well) had been the subject of discussions and letters between Rabbi Rosenfeld and Rabbi Soloveitchik. Before addressing a set of questions to Rabbi Soloveitchik, Rabbi Rosenfeld's letter begins:

> A while back I contacted your honor orally and in writing regarding the teaching of Torah She B'al Peh to girls in elementary yeshivot (and in high schools) in general, and in the Yeshiva of Far Rockaway specifically. In your answer, you set forth conditions upon which you would investigate the matter and the details of the Halakhot connected to them. I am pleased to report that I passed on your words to the education committee of the yeshiva, and we concluded that we would be very grateful if you would consider investigating this question and we certainly from our side, will accept all the conditions.[10]

From the letter it is clear that Rabbi Soloveitchik's response, particularly the words "investigate the matter," were drawn from Rosenfeld's letter. But while Rabbi Soloveitchik adopted the terminology, he added the words "controversial" leaving no doubt that Rabbi Soloveitchik was aware of the consequences of what he would ultimately write.

The questions of the Educational Committee were, as cited in the letter from Rabbi Rosenfeld to Rabbi Soloveitchik:

1. Is it desirable to teach the Oral Law to girls?
2. Is it permitted to teach the Oral Law to girls?
3. Is there a halakhic difference between Talmud, Mishna, *aggada*, and *halakha p'suka*?
4. Is there a halakhic difference between surface study and in-depth study?

As the above cited letter indicates, Rabbi Soloveitchik initially refused to respond. However four days later, Rabbi Rosenfeld issued a clarification. In a letter (this time, typed in English rather than handwritten in Hebrew, not printed on school stationery, and addressed curiously to *Dr.* Joseph Soloveitchik), dated January 27, 1953, Rabbi Rosenfeld again turned to the Rav. He wrote:

> I am terribly sorry if my letter outlining the question was not as clear as I thought it was.

> The matter was thoroughly discussed in the committee as well as the entire Board. It was moved, adopted and so recorded in the minutes that we shall be bound by your decision on the matter. There is thus a binding commitment on our part that this is *halakha l'maaseh* and not just *derush ve-kabel s'khar*.
>
> I, therefore, hope that since this condition has now been fulfilled that you will favor us with your responsum.

This question is framed in halakhic terminology. But more importantly, it illustrates the extent to which the topic of girls' education was discussed on multiple levels within the Long Island Orthodox community of the 1950s. Clearly Rabbi Soloveitchik understood, at least at this point, that whatever answers he provided would be taken seriously, both as halakhic decisions, and as policy.

It took Rabbi Soloveitchik more than four months to respond. In the interim, it appears that Rabbi Rosenfeld sent Rabbi Soloveitchik a number of additional letters as well. On May 27th, 1953, Rabbi Soloveitchik wrote a letter to Rabbi Rosenfeld through the offices of Rabbi Leo Jung.

> Dear Rabbi Rosenfeld:
>
> Please accept my apologies for not answering your letters sooner. The delay was due to my overcrowded schedule. As to your question with regard to a curriculum in a co-educational school, I expressed my opinion to you long ago that it would be a very regrettable oversight on our part if we were to arrange separate Hebrew courses for girls. Not only is the teaching of Torah she-be-al peh to girls permissible but it is nowadays an absolute imperative. This policy of discrimination between the sexes as to subject matter and method of instruction which is still advocated by certain groups within our Orthodox community has contributed greatly to the deterioration and downfall of traditional Judaism. Boys and girls alike should be introduced to the inner halls of Torah she-be-al peh.
>
> I hope to prepare in the near future a halakhic brief on the same problem which will exhaust the various aspects of the same. In the meantime I heartily endorse a uniform program for the entire student body.

To be sure, this letter makes it very clear that Rabbi Soloveitchik was disdainful of a model of Torah education that discriminated against girls. Moreover, he ascribes to unequal education a desiccating quality that he feels partly rendered Orthodoxy irrelevant on the contemporary scene. His lashing out against the ultra-Orthodox, who at the time were only a small

percentage of American Orthodoxy, is remarkable, given his Lithuanian Orthodox background.

Rabbi Soloveitchik's response does not frontally address the issue of co-education as a halakhic desideratum. Rather, it takes for granted that, in the case that was presented to him, co-education is a norm. Nonetheless, he is careful to note that having separate Hebrew courses for boys and girls is ultimately problematic for a resilient Orthodoxy, at least as long as the girls will not be treated as seriously as the boys.

It is always tempting to seek to apply one response, given in one set of circumstances, to a wider set of circumstances. Rabbi Soloveitchik, in fact, did not support co-education in the Yeshiva College campus,[11] even though he was probably aware that at the time, the women of Stern College would not receive the same Torah education as the men of Yeshiva College.

Nonetheless, each situation must be viewed within and through the local prism. It is conceivable that two locales might share Orthodox ideologies, but emerge with two radically different schools, depending on whether the instructors are capable and willing to provide equal education for boys and girls. Within contemporary Jewish life, this situation can vary from community to community.

In the two letters cited above, Rabbi Soloveitchik affirms, in remarkably stark terminology, that equal (and qualitative) Torah education for boys and girls is a necessary component of a vibrant and dynamic contemporary Jewish life. Since the Rav was aware of the opposition to his approach within the ultra-Orthodox community, he had planned to write a more detailed paper. One can only speculate whether he meant for such a detailed brief to serve as a road map for contemporary Orthodox girls' education, since no such paper has, as of yet, been published.

Conclusion

Rabbi Soloveitchik's affirmation of co-education as a legitimate educational alternative continues to be repercussive, often in ironic ways. In her striking defense of single-sex education, Elana Maryles Sztokman recently wrote:

> This topic is of particular interest in the Jewish world, in which single sex education is often seen as "old" while co-ed is seen as more progressive.

> Rabbi Joseph Soloveitchik, for example, promoted the Maimonides co-ed Orthodox day school in the 1950s, as a "modern" answer to single-sex education. In practice, however, just because boys and girls are in the same building, and possibly even learning the same texts, they are not experiencing the same educational experiences and opportunities. The problems that exist in co-ed classes in public schools—boys dominating math and science, boys interrupting and harassing girls, boys dominating teacher attention—undoubtedly exist in Jewish schools as well. They may even be bigger problems in Jewish schools. We would not know because the subject of gender in the Jewish day school system has not been adequately researched. [12]

The stationery of the Hebrew Institute of Long Island carries the motto "To carry on the golden tradition of Jewish learning in a progressive American school." HILI, Maimonides, and many other Orthodox Day Schools have continued the practice of co-education since the 1960s, even though its progressive character might today be questioned. The fact that co-education in the general Orthodox community has not been adopted, should not deter the Jewish community from stating what the evidence demonstrates: Rabbi Soloveitchik understood that the only way to ensure equal education was to provide a co-educational environment.

NOTES

1. See Seth Farber, *An American Orthodox Dreamer* (Hanover: Brandeis University Press, 2004), 68–87.
2. Much of this section is a reiteration of the section in my book that addresses this issue.
3. Mordechai Bar-Lev, "*Tatzpit al Shtei me-Archot shel Chinuch Yehudi ba-Gola*," *Niv HaMidrashia* 2 (1979), p. 310.
4. H. Schachter, p. 55. Rabbi Schachter's opinion echoes that of an earlier halakhic authority, Rabbi Moshe Feinstein. See Rabbi Moshe Feinstein, *Igrot Moshe Yoreh De'ah* 1:137; *Yoreh De'ah* 3:78; *Yoreh De'ah* 4:28. Rabbi Feinstein begrudgingly granted that circumstances might force a co-educational school to operate for younger students, but he refused to allow older students to study together. Notwithstanding the conservative approach of Rabbi Feinstein, many Modern Orthodox schools were co-educational, though the practice of segregating boys and girls for *limmudei kodesh* became commonplace in the 1960s.
5. Rabbi Schachter cites Rabbi Soloveitchik's son-in-law, Rabbi Yitzchak Twersky, as a source for this statement. This statement could not be fully cor-

roborated, and Rabbi Twersky's full engagement with all aspects of the school until his death in 1997 suggests that he did not subscribe to such a belief. Dr. Atarah Twersky, Rabbi Soloveitchik's daughter, was similarly involved with the school despite the co-educational format. All of Rabbi Soloveitchik's grandchildren who lived in Boston attended the school.

5. Benny Brama, "*Al Shitat ha-Rav Soloveitchik*," in Amnon Shapira (ed.), *Chevrah Meurevet Banim u'Banot be-Bnei Akiva be-Yameynu* (Bnei Akiva, 1981), pp. 58–59.
6. Menachem Meier, "Maimonides School and the Rav," *Tradition* 31:3 (1997), p. 116.
7. Leon Mozeson, "Maimonides School and the Rav," *Tradition* 32:1 (Fall, 1997), pp. 101–102.
8. Helfgot, 82.
9. My thanks to Ezra Rosenfeld who provided me with copies of his father's letters.
10. See Yehudah L. Rosenblatt, "The Conundrum of Co-education at Yeshiva" in *Commentator*, November 29, 2006.
11. "When Segregated Education Works," *Jerusalem Post*, April 1, 2008.
12. Elizabeth Weil, "Should Boys and Girls Be Taught Separately," The New York Times Magazine, March 2, 2008.

Orthodox and Non-Orthodox: Can We Learn from Each Other?

Ben Greenberg

(Rabbi Greenberg is Co-Director of the Orthodox Union's Seif Jewish Learning Initiative on Campus at Harvard University, and is the Orthodox Rabbinic Advisor at Harvard.)

The halakhic status of Jews who publicly violate Shabbat and/or publicly deny key elements of the Jewish faith (for example, *Torah mi-Sinai*[1]) is well known. Those Jews are not to be counted toward the quorum for public prayer, nor are they to be learned from or with. It is even questionable whether one should perform the public mourning rituals upon their passing.[2] The question that became pressing for the nineteenth-century European rabbinate[3] was how to interpret within a halakhic framework the unprecedented amount of public desecration of Shabbat, coupled with open rejection of key tenets of traditional Judaism. If this new reality were to be treated in a similar way as in previous times, the end result would be that many Jews—actually the vast majority—would be ineligible to be counted for a quorum.

Rabbi Yaakov Ettlinger (1798–1871) was the Chief Rabbi of the German town of Altona, and was considered one of the most prominent German Orthodox rabbis of his era. He also was one of the first rabbis to have received academic training, having studied at the University of Wurzburg in Bavaria. It is worth mentioning that he would become a teacher to both Rabbi Azriel Hildesheimer and Rabbi Samson Raphael Hirsch. Rabbi Ettlinger was asked the question of how to consider wine that was touched by non-observant Jews.[4] The standard practice was to

consider the wine *stam yeinam*, that is to say, forbidden to consume. The wine in question was considered to be the same as wine that was touched by idolaters.

Rabbi Ettlinger responded to the inquirer with a revolutionary new way of framing non-Orthodox observance in the modern era. At first he suggested the category offered in several passages in the Talmud of *omer mutar,*[5] one who thinks something is permissible when in actuality it is not. The status of the person who is within the parameters of *omer mutar* varies from *karov le-meizid*, "close to intentional sin," to *ones*, someone "compelled" or "forced" into an action. However, Rabbi Ettlinger settles on the framework of *tinok sheNishbah*, one who has been captured and raised by idolaters—and thus not to be held responsible for his actions.[6] By extension, those who had been raised in a household of Reformers were not to be blamed for their incorrect actions, and thus not to be placed within the categories of "public violators of Shabbat," "heretics" or "deniers." Rabbi Abraham Isaac Kook, the first Ashkenazic Chief Rabbi of British Mandatory Palestine, extended this ruling even to those raised within traditional homes.[7] Rabbi Kook understood general society to be so utterly pervasive that it infiltrated even the most pious family. The end result of these rulings is that one would be hard-pressed in modern society to find any person who would fit the original categories deemed worthy of rejection.

In recent times, Rabbi Dov Linzer, the Rosh haYeshivah and Dean of Yeshivat Chovevei Torah Rabbinical School, has argued that we look to operating with the *omer mutar* category more, and rely less on the *tinok she-nishbah* framework.[8] He reasons that the *omer mutar* category allows for preserving the internal integrity of those who do not practice Orthodox Judaism while still maintaining our assertion that Orthodox Judaism is the correct and true form of Judaism:

> This argument, then, is structurally similar to that of *tinok sheNishba*, but in terms of the discourse it is drastically different. Rather than taking a patronizing stance vis-à-vis other Jews, we are actually adopting a more humble and self-aware position. We recognize—we are saying—that since the advent of Modernity there is no presumption of the truth of a given community's religious claims. As such, while we firmly believe in our religious truths, we have no expectations that someone else would believe them to be binding. We must, however, ask ourselves how our halakhic system

> treats people who do not believe, and are not expected to believe, that this system applies to them. To this, our answer is that such people are not held liable or excluded as a result of their non-compliance with this system. *Omer mutar* accurately describes today's reality of the multiple and competing faith claims (and non-faith claims) that exist within Judaism. It is perfectly descriptive and non-judgmental, and should be a major part of our inclusive discourse.

Whether one agrees with Rabbi Linzer's preference for the *omer mutar* framework, or prefers to remain with the more common *tinok sheNishbah* paradigm, the result of either category is that those people who were once excluded from counting toward a quorum and receiving honors in the synagogue are no longer treated in that manner. These people, in effect, are no longer classified as *mumar leKhol haTorah kulah*, "deniers of the entire Torah." The restrictions and limits that at one time were placed on them and toward them no longer apply.[9]

The Talmud[10] has a fascinating account of a complicated relationship between rabbinic Judaism's most famous apostate, Elisha ben Abuyah (also known as *Aher*) and one of the most important tannaitic figures, Rabbi Meir. The story is recorded of Rabbi Meir running after Elisha ben Abuyah while the latter is riding a horse on the Sabbath. The purpose of Rabbi Meir's chase after Elisha ben Abuyah is, as the Talmud states, to "learn Torah from his mouth." The fact that Elisha ben Abuyah was publicly violating the Sabbath did not give Rabbi Meir pause in his desire to gain from the wisdom and insight he had to offer. One can visualize the scenario of the exhausted tanna, Rabbi Meir, literally chasing the apostate Elisha ben Abuyah to learn Torah from him.

I suggest that beside the obvious point about Rabbi Meir's enthusiastic willingness to learn from Elisha ben Abuyah there is an important lesson to be learned about the environment necessary in which a tanna can learn from an avowed heretic. It is when the pursuit seems to have no end that Elisha ben Abuyah turns to Rabbi Meir and states: "Meir, return from running after me; for I have measured the steps of my horse, and at this point is the *tehum,* the "boundary," of Shabbat." The element that made their relationship possible was mutual respect. There was not one person during their generation or today who could assert with even a shred of credence that Rabbi Meir was legitimizing Elisha ben Abuyah's violation of traditional practice. Similarly, Elisha ben Abuyah was able to find his own

sense of self-worth not in attempting to disprove or insult traditional Judaism but rather in his own sense of self. In other words, Elisha ben Abuyah did not need to engage in harsh polemics with Rabbi Meir or need to convince him to follow his ways. Their dynamic relationship existed in a state of respectful interaction and dialogue. The permissibility to learn from a heretic like Elisha ben Abuyah was not just extended to Rabbi Meir but indeed generations of Jews for two millennia have learned from him and generations more will continue to do so.[11]

Rabbi Shlomo Kluger (1783–1869) was the dayan and rabbi of the town of Brody in Galicia (currently in western Ukraine) for more than 50 years. He was also the teacher of Rabbi Yosef Dov Soloveitchik, the author of the seminal work *Bet HaLevi* (and great-grandfather of the twentieth-century American Modern Orthodox leader who shared his name). Rabbi Kluger was asked about the permissibility to study Moses Mendelssohn's work *Bi'ur,*[12] which served as both a translation of Tanakh into High German and a commentary on it. Rabbi Kluger commented that the ability to learn with and from works of heretics all depends on "the circumstances of the time," and cites the example of Elisha ben Abuyah as proof of his assertion. When, according to Rabbi Kluger, is it appropriate to distance ourselves from the teachings of non-Orthodox Jews? Rabbi Kluger recounted his personal experience with one such person to illustrate the conditions that would mandate a separation from them: ". . . and we saw that he was very wicked, and he used to make fun of liturgical poetry and penitential prayers, and turned penitential prayers into Purim; and in this way he mocked the Sages, and he turned their words into a laughingstock, and so in these [instances] it is obviously the circumstances of the time which causes one to distance from their writings, a very far distance. . . ".

The circumstances that would warrant, in the opinion of Rabbi Kluger, one to "distance oneself from their writings" is an atmosphere of derision and mockery, where the non-Orthodox Jews attempted to make the words of the Sages "into a laughingstock." Conversely, the situation where one could learn from the teachings of non-Orthodox Jews, even those who are confirmed heretics, is similar to the encounter recorded between Elisha ben Abuyah and Rabbi Meir, that is, a time and place where there exists an environment of respect for all those involved.

How do we Orthodox Jews today deal with current reality? Is this a time that calls for greater understanding and dialogue, or a time for distancing and a circling of the wagons? Rabbi Yehiel Yaakov Weinberg

(1884–1966) was the Rosh haYeshivah and Dean of the Hildesheimer Rabbinical Seminary in Berlin. In his youth he studied at both the Mir and Slobodka yeshivot. He received a Ph.D. from the University of Giessen, having written his dissertation on the Masoretic Text. His students included Rabbi Menahem Mendel Schneerson and Rabbi Eliezer Berkovits. Rabbi Weinberg is considered one of the greatest and most authoritative posekim of the twentieth century.

Rabbi Weinberg maintained a deep friendship with Professor Samuel Atlas, who taught at the Hebrew Union College-Jewish Institute of Religion. The Hebrew Union College is the flagship rabbinical seminary of Reform Judaism, and Professor Atlas was an active and important figure in the development of Reform Judaism in America. Rabbi Weinberg corresponded with Professor Atlas over the course of many years through the medium of the written letter. These letters were stored for safekeeping in the library of the Jewish Theological Seminary and were recently translated into English by Rabbi Dr. Marc Shapiro of the University of Scranton.[13] These letters portray a rabbinic Gadol who is deeply troubled by trends occurring in the Orthodox community, particularly in its relationship to both non-Orthodox Jewry and to the larger world. Rabbi Weinberg wrote:

> September 19, 1957
>
> I am very distressed at the great fanaticism which has increased in strength in the Orthodox camp. Read the last issue of *Ha-Ma'or* [Tamuz, 5717] and see the blindness which is afflicting it. The Satmar rebbe forbids studying Hebrew and others say the formation of the Hebrew state was a sin which cannot be repented for. In *She'arim* [30 Av, 5717, p. 2] one writer protested that R. Saul Lieberman was given the Rav Kook prize, due to the fact that he works with the Reformers. See the article; you will enjoy it. On the one hand, they proclaim every "rebbe," whom everyone knows is not outstanding in Torah knowledge, as *gaon* and *rosh kol benei ha-golah*. For the members of the Agudah, every unimportant rabbi who joins them is considered a great *gaon*.
>
> In *She'arim*, they proclaimed a ban against participation in the Congress for Jewish Studies in Jerusalem. On the other hand, they argued, why didn't they [the organizers] invite the *geonim* in Israel and the Diaspora, who know so much more than all the academic scholars of Israel and the Diaspora? They made this argument to Professor [Ben-Zion] Dinur, and he responded that the rabbis are not involved with academic studies of Judaism. They poured ignorant scorn on this answer. I see that in the end there will be a split in the body of the nation. They also invited me to come

> to the Congress and sent me an airplane ticket, but due to my weak health I was prevented from going. **However, in Jerusalem it was publicized that I intended to come, and I was flooded with letters strongly urging me not to come and participate in a gathering of deniers and heretics. I did not pay attention to these warnings and sent a letter of blessing and apology that I could not come. This letter was read in public.**

He also wrote about a particular "Liberal rabbi" whom he had met:

> October 16, 1959
>
> I visited this Liberal rabbi in his hotel and was thrilled to see that he is a wonderful man, honest in his heart and mouth. **I have already quipped before the men who surround me that this Liberal rabbi causes a "*hillul ha-shem*," because in him we see that one can be an upstanding and noble man, full of the spirit of love for Israel, its Torah, and its language, even if one does not belong to the community of zealous Hasidim** and is not punctilious about laws and customs. Yet with those fervent zealots we see the opposite.

These letters need no further comment. They clearly demonstrate a great concern on behalf of Rabbi Weinberg for a "split in the body of the nation," due to the unwillingness of the "fervent zealots" to engage with the academic, and more broadly, non-Orthodox Jewish communities. He affirms the integrity of non-Orthodox rabbis as people who can be "upstanding . . . full of the spirit of love for Israel, its Torah, and its language. . . ".

In our own time and on our own shores, Rabbi Shmuel Goldin has eloquently addressed the question of pluralism from an Orthodox perspective. Rabbi Goldin is the rabbi of Congregation Ahavath Torah, an Orthodox synagogue of 700 families in Englewood, New Jersey. He is an instructor of Bible and Philosophy at Yeshiva University. He is also the past president of Rabbinic Alumni of Yeshiva University and the past president of the Rabbinical Council of Bergen County.[14] Rabbi Goldin addressed members of the academic community at the Jewish Theological Seminary, the flagship rabbinical seminary of the Conservative movement in 2000 on the subject of pluralism from an Orthodox orientation.[15] A key paragraph in his talk is the following:

> At the opposite end of the spectrum, to reach this point of valuing without validating, my own Orthodox community is going to have to make major

> changes. It is going to have to learn not to be afraid of the non-Orthodox and to stop seeing the Conservative and Reform movements as a threat to its own existence. Sometimes in my own frustration I feel that the Orthodox community is living in the past. Decades ago sociologists were predicting the demise of Orthodoxy in America. The Orthodox community was told that we were not going to last and that we were soon going to be a mere memory, while the Conservative and Reform would inherit the mantle of leadership and existence in America. Because those were the predictions, we within the Orthodox community hunkered down behind the barricades. We said, "We've got to defend our turf; we can't do anything that might appear as legitimizing anyone else. We can't in any way legitimize the Conservative movement. We can't legitimize the Reform movement because otherwise we're going to lose." Well, things have changed. The Orthodox community is strong. It's not perfect—take my word for it—but it is thriving and self-perpetuating. The Conservative and Reform movements are no longer a threat to our existence. Yet, we are still acting as if we are afraid of you. **As far as I'm concerned, we within the Orthodox community have to reach the point where not only are we not afraid, but where we are confident enough in ourselves to admit that we have something to learn from you. Most importantly we must learn that this admission does not entail legitimization of all your religious views. Just as I believe you have much to learn from us.** If we can become confident enough to say this without feeling that we are threatening our own existence, we will have moved much closer to the position of valuing without validating.

I believe we are indeed in the era that Rabbi Goldin described. It is quite possible to value some of the opinions and teachings of a person or a movement without validating or legitimizing all the opinions and teachings of that person or movement. Furthermore, the walls of absolute separation that some in the Orthodox community have built to protect themselves from the non-Orthodox and the larger world have bred distrust, misunderstanding, and hatred within the Jewish people. I believe that Orthodox Judaism, when represented properly within the marketplace of ideas, will not only survive but thrive and demonstrate its spiritual and intellectual integrity. I argue that learning with non-Orthodox Jews will not cause the masses of Orthodox Judaism to defect. In fact, the opposite is true. The transformation of non-Orthodox forms of Judaism into the unreachable "forbidden fruit" only serves to heighten its seductive power and allure. Furthermore, as Rabbi Goldin suggested, "we have something

to learn" from the non-Orthodox just as they can learn from us. When a Jew cannot sit down with another Jew to learn our sacred texts together, the Jewish people, as a whole, is at a profound loss.[16]

NOTES

1. See for example Rambam, Laws of Repentance 3:8.
2. Rambam, Laws of Mourning 1:10.
3. For a larger discussion on the nineteenth-century European Jewish community see *A House Divided: Orthodoxy and Schism in Nineteenth Century Central European Jewry* (Brandeis: 1998) and *Tradition and Crisis: Jewish Society at the End of the Middle Ages* (Syracuse: 2000), both by Professor Jacob Katz.
4. *She'elot U-Teshuvot Binyan Tziyon Ha-Hadashot* 23.
5. TB *Shabbat* 72b; TB *Makkot* 7b; TB *Makkot* 9a.
6. See for example TB *Shabbat* 68b.
7. *Iggerot Re'ayah* 1:138.
8. "Discourse of Halakhic Inclusiveness," *Conversations* 5768.
9. See for example *She'elot U-Teshuvot Melamed Le-Ho'il Orah Hayim* 29. For an interesting related conversation see the Me'iri (*Beit Ha-Behirah* to *Gittin*, pp. 257–258, *Beit Ha-Behirah* to *Abodah Zarah*, p. 39 and *Beit Ha-Behirah* to *Baba Kamma* p. 330) in discussion on how to frame non-Jewish religion in his time.
10. TB *Hagigah* 15a.
11. *Avot* 4:20.
12. *She'elot U-Teshuvot Ha-Elef Lekha Shelomo Yoreh De'ah* 257.
13. "Scholars and Friends: Rabbi Jehiel Jacob Weinberg and Professor Samuel Atlas," Marc Shapiro, *Torah U'Madda Journal*, vol. 7.
14. See his biography on the Rabbinical Council of America's website for a more complete background: http://www.rabbis.org/news/article.cfm?id=100794.
15. "Why Can't We All Just Get Along? An Orthodox Rabbi's Perspective on Pluralism," *Edah Journal* 1:1.
16. The overriding thesis of this article is that inter-denominational learning can only occur when the parties involved respect the religious integrity of each other and there is a non-coercive environment. While the vast majority of non-Orthodox rabbis and scholars nowadays do not have as their agenda the disproving of Orthodox Judaism, there are a few individuals who do. Similarly, there are those in the Orthodox community who approach the non-Orthodox with derision and mockery. Neither approach can be tolerated. It is ultimately the responsibility of the community Orthodox rabbi to determine whether or not it is appropriate to learn from any individual teacher, Orthodox or non-Orthodox. The need to make these decisions is one of the reasons a community hires a rabbi.

Authority or Authoritarianism? Dynamics of Power in the Contemporary Orthodox Rabbinate

Renee Garfinkel and Hannah Rothstein

(Renee Garfinkel is a practicing clinical psychologist in Washington, DC. She is affiliated with George Washington University's Institute for Crisis, Disaster and Risk Management, and co-hosts a radio program, Danger Zone, broadcast on Sirius, XM, and British Sky radio. Hannah Rothstein is the coordinator of the doctoral specialization in Organizational Behavior at Baruch College and the Graduate Center of the City University of New York, specializing in evidence-based professional practice and policy making.)

"Nearly all men can stand adversity, but if you want to test a man's character, give him power." —Abraham Lincoln

Differentiating between legitimate and abusive uses of power and authority by rabbis and (other Jewish leaders) has been a concern for the Jewish community ever since the advent of Rabbinic Judaism following the destruction of the second temple. The great rabbinic authorities of the Mishna and Talmud were aware of the potential for abuse of power, and even while establishing their authority, they established ways of limiting this authority, for example, the traditions of debate and of the (respectful) acknowledgement and careful setting down of minority opinions. Even those whose views or behavior were

considered heretical were not written out of our tradition. Despite, or perhaps because of, the need to govern the Jewish people without the usual political and military tools, discourse was privileged over dictatorship. Despite, or perhaps because the Jewish people lived as a minority among powerful others, Jewish tradition emphasized restraint in the exercise of power, and developed narrow legal rulings that were sensitive to local and even individual conditions.

Today, however, most rabbinic institutions actually oppose presenting or examining the merits of points of view other than their own. In place of careful consideration of the merits of different opinions before offering a halakhic ruling, these points of view are ignored, ridiculed, or besmirched, and their owners are vilified as evil enemies of Torah. Instead of seeking to understand the social, religious, and economic realities of specific communities, they presume to know what is best for everyone without bothering to consult them. Our knowledge and experience as psychologists (one clinical, one organizational) leads us to assert that the growth of rabbinical authoritarianism, the abuse of rabbinic power, and other pressures for conformity—not the voices they are attempting to censor—are the biggest threats to the future of Judaism and to the nature of the Jewish State.

As psychologists and as halakhic Jews, we believe that the legitimate exercise of authority is a positive force in both individual and communal spheres. We point out that the root of the word *authority* comes from the Latin *augere*—to create, to enlarge, and to make grow. Authority shares its root with the words "augment" and "author," words that speak of growth and creativity. In a relationship of authority there is a source of creative energy, a recipient of that energy, and finally, what is created or achieved. Fundamentally, authority is generative. You can see its dynamic at work in a variety of positive human relationships—with a parent, a teacher, a doctor, a community leader—in which someone outside of ourselves helped us to achieve some good outside of ourselves. Authority is distinguished by the fact that the energy that flows from it—which specifies the rights and responsibilities in relationship to it—is not for itself. The energy that flows from authority is transformed through the process of its transmission into growth in others.

Rabbi Elazar ben Azariah, a second-century C.E. talmudic leader, is a Jewish example of leadership by authority. When he took over from

Rabban Gamliel, he cancelled the latter's policy that restricted attendance at the Bet Midrash to only the most elite students. Rabbi Elazar ben Azariah opened up the Bet Midrash, added hundreds of benches, a policy that won talmudic approval. The Talmud notes that on the day that the Bet Midrash was opened to the masses, the most difficult problems were solved.

Rabbi Joseph Soloveitchik, perhaps the quintessential Modern Orthodox rabbinic authority, was opposed to authoritarianism and its use of coercion to enforce adherence to mitzvoth. (See *Thinking Aloud* by Rabbi David Holzer, for specific examples.) How much more strongly would he have opposed the use of coercive measures to produce the extra-halakhic conformity that has now become the norm for acceptance as a "truly" Orthodox Jew?

Authoritarianism is entirely different from authority: Authoritarianism is about power. Authoritarianism serves the few who want to dominate the many. In contrast to the growth-enhancing dynamic of authority, authoritarianism is aimed at reducing freedom by imposing conformity and restricting individual development. Authoritarianism is a repressive force whose tactics include coercion, force, manipulation, exclusion, and humiliation. The energy that flows from authoritarianism is designed to amass and maintain power and domination, to control people's lives.

Judaism's concern about the perils of authoritarianism goes back at least as far as the prophet Samuel who preached against the institution of monarchy (Samuel I 8:8–11). Samuel warned that unchecked centralized power would seek to accumulate and increase, that kings will take and not give. Finally, he predicted that the abuse of power would become unbearable. And Samuel was right; the Israelites were not well served by their kings, despite the existence of a counterbalancing institution, the Prophets, who were charged with speaking truth to power.

Much later in Jewish history the Hasmoneans assumed the monarchy. As priests, they combined religious and political leadership roles—to the detriment of both. Hasmoneans were authoritarian, ruthless rulers who corrupted the institution of the priesthood.

Power and influence are heady stuff. In a series of recent role-playing experiments, researchers simulated experiences of power, and found that "powerful" participants condemned the cheating of others while cheating more themselves. Moral hypocrisy comes easily to the powerful.

We see that social science studies concur with what the Torah and history both demonstrate: that is, when power becomes centralized and authoritarian, it inevitably leads to a disconnect between the leaders and their followers, between the leaders' public judgment of what is just and right and their own private behavior, between the public interest and the leader's personal and political benefit.

The Authoritarian Worldview

According to scholars who have studied the phenomenon, an authoritarian worldview is characterized by the following ideas (each is illustrated with a position popular in at least some quarters of the Orthodox community.)

The world is made up of "Us" and "Them."

The fractionalization of Orthodox groups creates smaller and more particularistic in-groups that place all other Jews in the out-group category. Freud referred to this type of phenomenon as "the narcissism of small differences."

Although the existence of multiple groups may superficially appear to represent diversity, in fact each group is authoritarian, requiring more and more conformity in order to fit in and carry its particular label. For example, Frumster, a dating website, asks its members to self-describe by choosing one of seven categories for Orthodox, four for the Orthodox-Conservative continuum, and one for everyone else.

"We" are good, and "They" are bad.

Many Orthodox people argue that we are a holy people—but non-Jews and their culture are at the root of most of the evil in the world; the rest is attributed to the rebellion of Conservative and Reform Jews.

We need to get them before they get us!

This is a defensive posture that perceives threats everywhere and leads to intolerance, hatred, and even violence. Furthermore, this stance leads to the interpretation of any action that we don't like as anti-Semitism.

The ends justify the means.

Since "our" values are right and true, we are justified in doing whatever

we need to maintain our power and position. Financial fraud is accepted among some Ultra-Orthodox Rabbis, if they believe it is to the advantage of a worthy cause of theirs.

It is fine to have punitive attitudes toward the weak.

Authoritarians disdain those who are weak or of lesser status. Choosing conversion as an arena in which to exert power reflects this attitude—prospective converts are very low status; they are weak and vulnerable. Sexual exploitation of prospective converts and of children are crimes that demonstrate this attitude—they are two of the most vulnerable and powerless groups. Additionally, failure to resolve the institutional oppression of *agunot* reflects institutional indifference to these most powerless women.

Subservience toward authority is vital.

Authoritarians disdain those they view as below themselves and are very submissive toward those they see as being strong and above themselves. Rabbis in the Hareidi or Hassidic hierarchy defer to those with more (perceived) power—even if it means backtracking from a position that they had taken—even a public one—and they often claim that they had been "deceived" into taking the original position.

The Rabbinical Council of America's capitulation to the Israeli Rabbanut regarding conversion procedure and personnel credentialing is another sorry example. Despite widespread acknowledgment of the Rabbanut's deficiencies of integrity, competence, and reliability, the perceived power of the Rabbanut was sufficient reason for the RCA to overturn centuries of the Diaspora tradition of local rabbinical autonomy and leadership.

Groupthink

Authoritarianism and the abuse of power by rabbinic leaders are not the only sources of behavior and thought control in the Orthodox community. *Groupthink* exerts an additional set of pressures to conform to an increasingly narrow, exclusionist view of what it means to be a Torah committed Jew, and is perhaps even more nefarious since it arises from within the community membership. For those who are unfamiliar with the term, groupthink is a type of thinking that occurs in cohesive groups,

where the desire to remain a member of the group and to maintain consensus, overrides critical thinking and leads to faulty group decisions. Irving Janis, who researched historical fiascos created by groupthink, defined it as "A mode of thinking that people engage in when they are deeply involved in a cohesive in-group, when the members' strivings for unanimity override their motivation to realistically appraise alternative courses of action." While group cohesion provides the foundation needed for groupthink to develop, Janis has suggested that insular, homogeneous groups that have directive leaders and that experience stress from external threats are particularly vulnerable to groupthink. We suggest that these are attributes of current Orthodox Judaism, and that our community displays all of the symptoms of groupthink described by Janis and his colleagues. The symptoms are listed below, followed by real-life examples from within the Orthodox community.

Symptoms of Groupthink

1. ILLUSIONS OF INVULNERABILITY create excessive optimism and encourage risk-taking.

Example:

There is a widespread belief that social problems such as substance abuse, spousal or child abuse, and addictive gambling are less prevalent in the Orthodox community than elsewhere, even when there are no reliable statistics, or that the statistics indicate otherwise. When a scientific study by Rachel Yehuda, Ph.D., Michelle Friedman, M.D., Talli Y. Rosenbaum, P.T., Ellen Labinsky, Ph.D., and James Schmeidler, Ph.D., published in the *American Journal of Psychiatry,* found that the Orthodox women in their sample were sexually abused at about the same rates as other women, Avi Shafran, representative of Agudath Israel, sprang into action, claiming not only that the survey was biased, but also that "the Torah-observant population is greatly underrepresented in the realms of societal ills like rape, AIDS, prostitution and marital infidelity that affect their less repressed neighbors," while simultaneously admitting that he has no statistics to back up his claim. He just knows.

Other leaders within the Orthodox community dismissed the results of the survey by saying that "approximately 40 percent of the respondents were *ba'alei teshuva*, and therefore, their experiences are irrelevant to those raised in Orthodox homes."

2. THE GROUP RATIONALIZES WARNINGS that might challenge the group's assumptions.

Example:

Consider the following explanation of the outrage over Rav Eliezer Melamed's endorsement of soldiers' refusal to obey orders to attack Jews: "Secular zionists, who by and large built Israel are accused of trying to dismantle Israel, because their motives for creating the State was not based in Torah. Only Torah Jews imbued with a nationalist impulse stand in their way. Those who built it—right and left—have been trying to dismantle it for well over a decade and a half—and only Torah Jews imbued with a nationalist impulse stand in their way."

Another example: Yitzhak Kakun, editor-in-chief of the Shas weekly *Yom Le'Yom* claimed that the arrests of members of the Syrian Jewish community of New Jersey and Brooklyn, on suspicion of money laundering was an anti-Semitic plot cooked up by the FBI.

3. THERE IS UNQUESTIONED BELIEF in the morality of the group, causing members to ignore the consequences of their actions.

Example:

In offering an explanation of why leading Hareidi religious figures (and others) allowed Leib Tropper and EJF to control conversions, Rabbi Steven Pruzansky wrote that

> *Gedolei Torah*—and most rabbis—are incapable of recognizing true evil and hypocrisy. Call it the 'Yitzchak Avinu and Esav Syndrome.' I have been in the presence of *Gedolim*, and they live on a plane of purity and saintliness where such incidents—while theoretically possible; after all, the Tanakh is filled with stories of the foibles of great people—are not considered practical possibilities. Most never encounter salaciousness, degradation, and the dark side of man. (Pruzansky blog, Dec. 23, 2009)

Another example of this willfully amoral mindlessness is the increasingly frequent reference to "*Daas Torah is hefekh daas Baalei Batim,*" (Lay understanding is the opposite of Torah wisdom), a phrase that insulates rabbis ("*Gedolim*") from criticism and replaces serious, respectful dialogue with contempt for anyone else's perspective. (For a sensitive treatment of this issue, see Rabbi Yossi Ginzberg's December 29, 2009 post on the blog, "Emes Ve-Emunah.")

4. THE GROUP PROMOTES STEREOTYPING of those who are opposed to the group as weak, evil, biased, spiteful, disfigured, impotent, or stupid.

Examples:

Consider the following quotations:

> The Conservatives *begin* the process with a desired result in mind (abolishing the mehitza, permitting cohanim to marry divorcees, counting women in the minyan, etc.) They are quite adept at manipulating the halakha to achieve that result, twisting and turning the words of our sages until they are "saying" what the Conservatives want them to say. (Pruzansky blog, Dec. 4, 2009)

> The feminist movement ravaged the American family. (Pruzansky blog, Nov. 29, 2009)

As another example, When Nofrat Frankel and the "women of the wall" attempted to read from a Sefer Torah in the women's section at the Western Wall, they were accused of doing it solely for political purposes, and of "inverting every relevant fact in order to make [their] argument" (Yaakov Menken, "The right to disrupt your prayers" *Cross Currents*, November 30, 2009). Commented one of the readers of this column: "Getting arrested for wearing a tallit makes this woman a martyr for egalitarian rights and for civil rights. This gives the small group of non-Orthodox Jews in Israel a way to be noticed. Otherwise, they are totally ignored."

A common theme is to accuse others of nefarious motives, even when they have stated benign or benevolent ones. How exactly is it that the in-group members know the motives of others so much better than the others know their own motives? Or are they accusing them of deception and trickery?

5. DIRECT PRESSURE (AKA PEER PRESSURE) is used to conform placed on any member who questions the group, couched in terms of "disloyalty."

Example:

Rabbi Norman Eisenstein announced that no judge on a conversion court would be accepted if he believed the universe was more than 5,770 years old.

6. THE GROUP SELF-CENSORS ideas that deviate from the apparent group consensus.

Example:

For a clear and compelling example of this, think of the number of

people who you know who have altered their publicly expressed opinions or behavior (or asked family members to change theirs) in order to not threaten the matchmaking options of their children. In cases we know personally, a young man was denied permission to go to college because of the danger it posed to his sisters' marriage opportunities, while middle-aged couples have stopped going to the movies (although they will watch the same films at home, in private) for the sake of their children's potential "*shiddukhim*."

7. ILLUSIONS OF UNANIMITY among group members is promoted; silence is viewed as agreement.

Example:

Everyone might disagree, but everyone thinks that everyone else agrees:
You conform to a certain dress code in order to fit into the group—"I don't think there is anything wrong with wearing pants . . . but . . . ."

8. The group has self-appointed MIND GUARDS, who shield the group from dissenting information. These can be *group leaders who guide the flock and weed out dissenters, and who cultivate a negative attitude about talking to outsiders.* These are often Hareidi journalists and columnists.

Example:

Forbidding Hareidim to use the internet, Rav Yisrael Hager, the son of the Vishnitzer Rebbe, called on the community to refrain from buying tefilin and mezuzoth from anyone connected to Hareidi websites. The Rav's comments came at the start of the Shovavim period (the period that begins with the reading of *Parashat Shemot* and ends with *Parashat Mishpatim*), a time that the Kabbalists teach is auspicious for repentance. The Rav added that children from families with internet connections should not be accepted to schools, and that rabbis and teachers who do not conform to this policy should not be employed as teachers.

Overall, groupthink encourages overestimation of the group's power and morality, closed-mindedness, and pressures toward uniformity, and leads to defective decision-making. Although some of these examples are from the Hareidi rather than the Centrist/Modern Orthodox community, not all are. The symptoms of groupthink are increasingly observable in C/MO groups as well. If we don't want critical decisions facing the Jewish community to be defective, we need to be more vigilant about preventing, or disrupting groupthink.

Preventing Groupthink

The best way to prevent or disrupt groupthink is to eliminate or avoid the conditions under which it occurs. Although it is not likely that we can remove the external threats to the continued existence of the Jewish people, we can address the three others:

1. Directive leadership
2. Isolation of the group from outside sources of information and analysis
3. Homogeneity of members ideology and social background

1. Directive leadership is a "command-and-tell," military-style leadership, which is helpful in critical situations of imminent threat, but has been identified as a chief cause of defective group process and poor outcome for decision-making in groups. A good leader is capable of a variety of leadership styles, adjusting the style to suit the situation.

2. & 3. That openness to outside sources of information and analysis helps counteract the groupthink tendency is self-evident, but the advantages of diverse groups may need some explanation. The advantages of diversity are not just our ideological bent—there is a good deal of research on the advantages (and disadvantages, to be honest) of diverse groups in terms of organizational functioning:

Diverse groups tend to be more creative and are better at problem-solving than are homogenous groups. When groups include people with different types of education and experience, they have a richer deliberation about the best course of action. Diversity helps an organization become more adaptable and flexible in responding to a rapidly changing world, while attracting and retaining its best members. Diversity, though, does increase turnover within the group, making it less socially integrated than groups of people who are all alike. Nevertheless, suspicion and hostility toward diverse opinion and demographics cause long-term harm to the group.

Conclusion and Recommendations

Recently, a number of young, educated, sincerely religious Israeli couples decided to reject the Rabbanut system entirely and make independent

wedding plans. They arranged their own halakhically correct marriages and were willing to be officially considered common-law husband and wife rather than participate with that disreputable institution. Will this become a trend? Let us hope there is still time for it to serve as an illustrative warning. This is what happens when leadership fails: the best and most capable will not stand for it.

Religious authority in Judaism is meant to be a force for affirmative growth, to help us on our way toward becoming a "nation of priests" and a "light unto the nations." Authoritarianism won't get us there.

Just as we accept that we are subject to invisible physical influences, such as gravity or bacteria, we need to understand at a deep level—both individual and communal, lay and clergy—the workings of psychological forces on our reasoning and judgment, opinions and behavior. We need to foster the humility to recognize our vulnerability to the easy temptations of authoritarianism and the pitfalls of groupthink. Since these forces operate outside our awareness, we recommend the following changes in organizational structure and process to help keep them at bay:

1. INTENTIONAL ORGANIZATIONAL SELF-REFLECTION. Self-reflection, or *heshbon hanefesh,* is a religious obligation for individuals and is a recommendation whenever national calamity strikes. The Orthodox, religious Zionist community undertook such self-reflection following the assassination of Yitzchak Rabin and, at least for a while, the community made changes. Today, the parade of scandals in the religious community is a calamity that calls for self-reflection, particularly for religious and lay leadership. As a first step, independent professional consultation should be engaged on a regular basis to meet with leadership for the express purpose of examining their thinking process and power relationships.

2. TRANSPARENCY AND LAY OVERSIGHT. Since any individual or group with power, left unchecked, will tend to tip, however unintentionally, toward policies of self-interest, it is essential to be able to examine rabbinical decisions against standards of logic, fairness, and consequences for community concerns. This in no way threatens their halakhic expertise and authority. Rather, it refines and extends it.

3. MAKE A CONSCIOUS, DECLARED DECISION TO INCORPORATE DIVERSITY AS A HEDGE AGAINST THE INROADS OF FUNDAMENTALISM. For too long now, the Modern Orthodox/Centrist rabbinical leadership has been busy looking

over its right shoulder, defensive about its authenticity in the face of attacks from the religious right. Nevertheless, we continue to affirm the value of secular study, while acknowledging that at times it may present a religious challenge; we accept the risk, based on our beliefs. Similarly, while it is true that diversity in organizations entails some risk, it is a better choice than paranoia, black-and-white thinking, and hypocrisy, which are characteristic of authoritarian organizations.

For Further Reading:

Altemeyer, Bob. *The Authoritarian Specter*. Cambridge, MA: Harvard University Press, 1996.

Holzer, Rabbi David. *The Rav: Thinking Aloud*. New York: Holzer Publishing, 2009.

Janis, Irving Lester. *Groupthink. Psychological Studies of Policy Decisions and Fiascoes*. Boston: Houghton Mifflin, 1982.

Lammers, Joris, Stapel, Diederik A. and Galinsky, Adam. "Power Increases Hypocrisy: Moralizing in Reasoning, Immunity and Behavior." *Psychological Science* (in press).

When Worlds Collide:[1] Why Observant Student Teachers Refuse to Teach in the *Mamlakhti-dati* School System

Esther Lapian

(Esther Lapian is a teacher and teacher educator in the field of Bible studies and the teaching of Jewish texts. She works extensively in Israel and abroad as a consultant to Jewish educational organizations from every religious sector. She recently opened a private educational consulting service called Paces, aimed at "walking parents through the paces" of educational challenges presented by the Israeli school system. She made aliya *from the United States in 1987. This article originally appeared in Hebrew, in* De'ot, *the magazine of* Ne'emanei Torah vaAvodah, *no. 42, May 2009, and has been translated into English by Sarah Nadav.)*

During the past several years as an educator in the fields of Tanakh and Jewish studies, I have come across a prevalent and disturbing phenomenon: Most of the religiously observant student teachers whom I have met are not at all interested in teaching in the *mamlakhti-dati* school system (the religious public school system in Israel). When the time comes for them to decide on a professional placement, they apply to secular schools, or to the new model of specialized *dati-hiloni* schools (religious/secular schools), or to pluralistic religious schools. Several years ago, as the head of the Tanakh department of such an experimental *dati-hiloni* high school, I found that more than half

of the Jewish studies faculty was comprised of incredibly dedicated and talented religious young people. When I asked them to describe the thought process that brought them to an experimental framework (in our case, a particularly demanding one), the majority of them admitted to never having even considered *Mamad* (religious public school system) as a professional option, for reasons that will be discussed in this article. Some had tried to teach in the *Mamad* system and had given up.

Why is this true? Why are these bright, highly motivated, religiously observant young people, who are extremely knowledgeable in both Jewish and general studies, opting out of the *mamlakhti-dati* school system? And if *they* are opting out, then who is teaching our children?

In this article I would like to address these questions by relating several stories that reflect the changes that are taking place in the *Mamad* schools and in the teachers colleges. I want to examine how and why these changes, which are occurring in both the formal and informal frameworks of the *Mamad*, are alienating many young, committed, and engaged religious student teachers out of its educational system. In addition, I would like to suggest conceptual and practical changes to improve an ever-worsening situation.

Observations from the Field: Primary School

A Story about Matisse

When our daughter was in fifth grade at the local *Mamad* (religious public school), she decided to do her independent project on Henri Matisse. We went to do research at the Israel Museum art library and spent several hours reading his biography and examining books of Matisse's paintings. Some weeks later I bumped into the teacher in the school hall, and couldn't resist asking her what she thought of my daughter's project. "Well," she said hesitating, "it was a bit skimpy." "Skimpy?!" I cried in disbelief. "She's in fifth grade. She could have chosen 'Water' or 'Color' or 'Why Is the Sky Blue?' Instead she picked a difficult topic and handed in work she did herself. What do you mean by skimpy?" "Well," she said quietly, "the truth is . . . I have never heard of Matisse."

After recovering from the sad implications of this story, we need to ask ourselves some hard questions: Why is a person with so little intellectual curiosity, or basic professional self-respect, hired to teach school children?

Once hired, why are such teachers maintained?

The status of teacher knowledge in the secular primary schools is, unfortunately, not much better than that of the teachers in the *Mamad* system. It is unlikely, however, for a teacher in a secular school never to have heard of Matisse, implausible that she would not refer to an encyclopedia while grading her student's work, and inconceivable that she would look the student's parent directly in the eye and say: "I have never heard of Matisse."

Why are so many *Mamad* teachers like this, particularly—but not exclusively—in the younger grades? And why does a teacher in the *Mamad* system feel safe in doing this? The answers are not pleasant. One: Matisse was not Jewish. [In the eyes of the narrowly Orthodox,] non-Jews don't count. Two: Matisse was an artist. Art is irrelevant. If the fifth grader's paper had been a biography of a great rabbinic sage, the teacher would certainly have done her homework. Three: Matisse painted nudes. Nudity is immodest, and immodesty is *the* cardinal sin, greater than ignorance and intolerance (more on this later). In fact, the teacher had asked my daughter to remove one of Matisse's abstract line drawings of a nude from the paper. The principal insisted that it stay in. Poor Matisse, he never had a chance.

So why is this person permitted to teach our children?

The answer lies in the ever changing face of the *Mamad* teacher. Whereas once the *Mamad* teacher and principal were observant Jews who prided themselves on their abilty to combine love of Torah with love of all knowledge, today more and more *Mamad* teachers pride themselves on their insularity, and yes, their ignorance of all things not Jewish.

I would like to underscore this point with three stories from my recent experience in *Mamad* teachers colleges.

Observations from the Field: Teacher Training

Recently, I taught at a well-respected college for primary school educators, considered for years a pillar of *dati-leumi* (religious Zionist) Judaism. For administrative reasons, the college hosts students from an influential *hareidi-leumi midrasha* (Hareidi Zionist school) who pursue their B.ED at the college. They are excellent students, and their influence on the school is great—as are their demands.

Feminist Research

Early on in the semester, in a course on pedagogy, I referred to a research study by feminist scholars on a gender-related educational issue. After class, some of the students approached to further discuss my conclusions, but questioned my reference to feminist scholarship.

That night, I received a call from a faculty representative from the *midrasha*. His official job was liaison between the *midrasha* and the seminar; his unofficial job was to be a watchdog for religiosity. He asked that I meet him the next day in his office allotted to him by the college.

I was told the following: Academic research is not important to us. Please avoid referring to it. Feminist research is anathema to us. If you happen to teach Tanakh, do not teach comparative *parshanut* à la Nehama Leibowitz. We don't evaluate the great *parshanim* (classic rabbinic Bible commentators); they are all equally great. We don't compare and contrast. *Who are we, after all?*

A Trip to London

Wanting to prevent further such confrontations, I avoided all areas of controversy—not my natural inclination. During a class exercise demonstrating varying approaches to planning, I asked my students to plan a trip to London. I noticed one pair sitting and not working. I approached to ask if they needed help. The following conversation ensued.

"We have never been to London."

"All right," I said. "Make believe."

"We don't want to go to London."

"Well," I said, thinking perhaps that they were Anglophobic. "How about Paris?"

"We don't want to go to Paris either."

"Okay, where do you want to go?"

They thought for a moment and said, "To the Golan."

Literary Analysis

Soon after, I began teaching at another *dati-leumi* college intended for junior-high and high-school educators, also a prominent institution in *dati-leumi* education. The school was eager to develop into an Israeli model of Yeshiva University, a degree-granting religious university. In this vein, the school held a half-day conference on the topic of literary

approaches to teaching Tanakh. All the presenters were religiously observant. I delivered a paper on the topic of thematic reading. When I returned to class, I found my normally compliant students up in arms. How could I apply literary tools to the reading of Tanakh? Tanakh is a sacred book, not literature. It is forbidden to apply literary text analysis to the Torah.

This was compartmentalization at its best. Literary analysis, a gentler cousin of biblical criticism, has a way of unnerving some religious people. The students' instincts were right; this material is sensitive and troubling. But what struck me most was the fear, a near panic, at what they had heard, and a refusal to have a discussion. In a house of learning, the response to ideas that challenge our assumptions cannot be fight or flight. That is the Hareidi way; it is not meant to be the approach of classical *dati-leumi* education. In addition, these were students preparing for high school teaching. Certainly the day would come when one of their students would question them on this topic. What will their response be?

The colleges and students alluded to are not marginal or atypical. They serve as major feeders of teachers to the *Mamad* school system. Those students are the teachers of our children today.

What the above stories have in common is that they all reflect the growing influence of the Hareidi ideologies on *Mamad* education via *hareidi-leumi* teachers and attitudes: lack of curiosity bordering on disdain for all things not Jewish; distrust of academia—even while earning an academic degree; distaste for feminism—even while benefiting from the contribution of feminist activism to the equality of women in the workplace; fear of critical thinking; refusal to recognize and grapple with issues of modernity and post-modernist humanist thought; extensive use of the advances of modern research in areas of medicine and technology, along with an unwillingness to admit or to acknowledge the central role of the university in bringing about these advances.

The *hareidi-leumi* worldview, while clearly one I do not share, has the right to its input into the religious and political discourse of the State of Israel. But the legitimate place for the dissemination of its values is within its own schools and communities. The *dati-leumi* school system, once the pride and joy of the *dati-leumi* world, is emptying at a frightening rate, because the liberal *dati-leumi* establishment refuses to acknowledge that, despite a shared commitment to the observance of (certain) mitzvoth and to the State of Israel, what divides us is greater than what unites us.

On Sukkot 2005, *Ne'emanei Torah V'Avodah* hosted a joint conference with Edah,[2] an American organization associated with religious Zionism and Modern Orthodoxy.[3] In a keynote address, Rabbi Saul Berman delineated the major ideological issues on which the Hareidi world and the Modern Orthodox world differ: pluralism/tolerance, the religious meaning of Medinat Israel, Jew and Gentile, da'at Torah, *Torah u'maddah*, *humrah*, women in halakha, outreach, and activism. On the majority of the issues listed, the *hareidi-leumi* attitude is closer to the Hareidi attitude than to the *dati-leumi* attitude.[4] Aside from the approach toward the State, we differ on the central, most significant issues of modern Jewish life.

These ideological differences weigh heavily upon the young students with whom I have contact. Humanistic in their orientation and pluralistic in their outlook, they do not want to teach in the *Mamad* schools, because they do not want to instill values that are not theirs. They all (women and men) have academic degrees, some in Bible and in Talmud, as well as in literature, history, music, and art. They embrace the world because it is awesome, and they are curious. They cannot teach honestly without alluding to all that they know, nor do they want to.

These religious students have been to China and India, some even to London! They believe Jews are special, but they don't believe that everyone else is devoid of values. They go to concerts, they know who Matisse is, and they know a thing or two about wine. The men know how to cook . . . and most of the women wear slacks.

They are rigorous in their thinking, but not rigid in their outlook. They struggle to find the interface—often through reexamination of religious sources—between the yeshiva/midrasha and the university, between Levinas and *dati-leumi*, *shiurim* and *shira*, Carlebach and Kleinstein. Their challenge is to make these worlds overlap, not to compartmentalize them.

They represent the oft alluded line between *dati* and *leumi*, between modern and Orthodox. These are the students who should be teaching our children. Most of them will not.

The Dress Code

A disturbing corollary of *hareidi-leumi* influence that threatens the caliber of teachers in the *dati-leumi* schools system is the growing obsession with the dress code relating to women. Part of the reason why the teacher in the

Matisse story continues to teach in our schools is because she looks the part. She and hundreds like her are teaching in our schools, despite the fact that they may be inferior teachers, because her elbows are covered, her skirts are long, and in the case of married women, her head is covered.

Over the past 10 to 15 years, the *dati-leumi* establishment has become obsessed with the dress code of women. Prominent rabbis write outrageous articles measuring centimeters on the neck and on the arms. While the suitability of male teachers is measured in how much they know and the quality of their prayer, in the case of women, the skill of pious dressing can override the skills of good teaching.

Modesty is a significant tenet of Jewish life, but we have begun to lose all sense of proportion. When appearance is secondary to talent in a school system, the big losers are the children.

A case in point: Several years ago a new *dati-leumi* academic school opened in our neighborhood to address the needs of our predominantly liberal *dati-leumi* population. Most of the parents, working people, professionals, and academics, were eager for a superior local school for their children that could compete with excellent schools outside the neighborhood. The girls' school, however, was headed in a different direction. From its inception, it insisted that homeroom teachers wear head coverings *at all times,* that is, outside of school as well as in. All non-homeroom teachers, that is, art, history, math, were requested to wear a head covering *in school***,** even if they didn't do so in their personal lives. Thus, with one swift religious stringency, the eagerly awaited alternative *dati-leumi* school committed to excellence, disqualified all outstanding *religious* teachers who didn't "look the look."[5] While the boys' school, instituted at the same time, searched for the "best and the brightest," the girls' school's front-line concern was attire. Not only did the students have a dress code, so did the teachers.

It is not within the scope of this paper to discuss the halakhic ins and outs of these dress demands. The point of emphasis here is that this stringent dress code does not reflect the norms or the values of the *religiously observant* parent body. The vast majority of the mothers in this school do not cover their hair, and many wear slacks. At the opening ceremony of the school the number of mothers counted with head coverings was 10 out of 150! Thus the unstated message conveyed to girls is that their mothers are not qualified to be their religious role models.[6]

The ever-increasing insistence on a dress code for teachers is another reasons my religious students avoid teaching in the *Mamad* system. It is important to note that some of my married students do in fact wear head coverings, but some do not. Some wear head coverings and slacks and want to continue to do so, not because they are rebellious, but because slacks are comfortable and efficient. These young women are halakhically committed, *and* halakhically informed; many are well versed in talmudic texts. They know that the ban on slacks is a sociological issue, not a halakhic one, and that head covering has become the sociological equivalent of a kippah only recently. Graduates of *midrashot* and *yeshivot*, they spend countless hours examining the sources. Thoughtful and honest, they are looking for ways to be true to halakha and true to themselves.

Thus these young *dati-leumi* teachers opt for schools that will let them wear what feels comfortable, while retaining their personal sense of modesty; schools that will focus on their thinking abilities, their pedagogic skills, and their ability to touch the hearts and minds of their students. They are not going to the *Mamad* system.

Yet, aren't these the very teachers we want teaching in our schools?

Conclusion

The *Mamad* school system has lost its sense of identity; it is no longer responsive to the needs of its community. The vacuum created is being filled by ideologies that do not reflect the vision and the values of the majority of the pupils' homes and communities. By allowing *hareidi-leumi* influence on our schools, we abrogate our responsibility to our own community. Not only are young teachers leaving the system, so are the children.

Talented teachers with a more embracing attitude to the modern world as well as to its challenges will find work elsewhere, in the secular public school system and in other frameworks mentioned in the opening of this paper. But who will teach the thousands of children from liberal *dati-leumi* homes? For now, the majority of *dati-leumi* parents are not looking for alternative frameworks, although with each passing year, more and more are doing so. They are still eager for a neighborhood school that reflects their combined commitment to Torah and general wisdom, in the broadest sense of the word.

In the final analysis, it is the teachers who make a school. In order for children to return to the *Mamad* system, we need to make spiritual room for the many talented young religious teachers who are grappling with the same issues as the families, teachers whose intricate approach to the world is similar to that of their students.

A Practical Suggestion for Change

The past few years has seen the development of several excellent academic programs throughout Israel that support promising young students financially in exchange for a commitment to teach Jewish studies in the religious public school system for a stipulated number of years. I would like to see the creation of similar programs that would prepare bright and motivated religious university students for teaching in the *Mamad* system. In exchange for tuition and financial support, perhaps by the religious branch of the Ministry of Education, as well as private donors committed to liberal religious values, they would be asked to commit to several years of teaching in the *Mamad*.

In addition to the regular courses in disciplinary knowledge and in pedagogy, there would be classes and workshops devoted to issues such as: the implications of the past 100 years' of biblical research; recent Talmud research; issues related to women; national service; conflicts arising between Synagogue and State; democracy and Judaism; attitude toward non-religious Jews, and so much more. As of now, most of these issues are discussed only in informal youth programs such as Gesher. Their place is in the schools.

In order to accomplish this, we need teachers who are not afraid.

There are many options for such a program of study, worthy of a separate paper. But in order for such a program to be effective, there needs to be more than specialized education for students. Just as the general public school system is reevaluating its attitude toward Jewish studies and therefore training teachers to spearhead that movement, so does the *dati-leumi* school system need to do some serious self-reflection. Only then will they be able to bring back young religious teachers who think outside of the box, who are committed to halakha and to academic research, who are rethinking old approaches—not rejecting them—who love children, love knowledge, and embrace the world.

NOTES

1. *When Worlds Collide* is a 1933 science fiction novel co-written by Philip Wylie and Edwin Balmer.
2. Edah was an organization "committed to . . . Modern Orthodoxy, which maintains a serious devotion to Torah and Halakhah while enjoying a mutually enriching relationship with the modern world."
3. Closest Hebrew and Israeli equivalent: *dati-leumi*.
4. The exceptions being: Medinat Israel, outreach, and activism.
5. The "other" girls' school this school was meant to compete with still retains the educational, and I contend, the religious, edge. There is no demand for head coverings from the married teachers, including those who teach religious subjects.
6. See "*Hok Ha'Kovah Ko'vei'ah*," by Esther Lapian, an unpublished paper delivered at Kolech Conference, 2006.

Mathematics and Other Problems for Orthodox Schools

Jennifer M. Lewis

(Jennifer Lewis has a Ph.D. in teacher education and mathematics education from the University of Michigan, where she teaches classes and conducts research in mathematics education. She also works in Jewish education through her affiliation with the Mandel Foundation. Before that, Jenny taught in public school for 10 years.)

New ideas about the teaching and learning of mathematics present challenges for Orthodox schools. In part, these ideas about the teaching and learning of mathematics are challenging to *any* schools: teachers lack content knowledge in the subject because they have had insufficient opportunities to learn themselves; teachers are strained pedagogically to teach a subject that they learned differently as students; ambitious aims for subject matter learning compete with a whole host of educational issues that need no enumeration here. For Orthodox schools, new understandings about cognition and learning are particularly fraught. Readers of this journal will not be surprised to read that there are tensions inherent in a stance that embraces *Torah uMadda*, but in this piece I relate an experience that brought this tension into strong relief for me: conducting a professional development seminar on teaching and learning for heads of Modern Orthodox yeshivot.

Rabbis and Third Graders Doing Math

To give a glimpse of these tensions, we peek in on a gathering of heads of

school and teachers of religious studies from schools that define themselves as Modern Orthodox. For this professional development seminar, school leaders from around the United States gathered for three days of collaborative study about teaching and learning.[1] The seminar began with my posing a mathematics problem to the participants, virtually the same problem that they would subsequently watch third graders working on: "I have pennies, nickels, and dimes in my pocket. If I pull out three coins, what amounts of money might I have?" Unaccustomed to doing math problems in a group setting, and even less comfortable making public presentations about their mathematics reasoning, the school leaders shared their solutions to the coin problem and explained how they arrived at their answers. The rabbanim came to the chalkboard to show their solutions; they eventually came to consensus that there are 10 possible solutions to the three-coin problem and collectively constructed an informal proof to convince themselves. The rabbanim then turned their attention to the video of third-graders working on a very similar problem that their teacher had posed: "I have pennies, nickels, and dimes in my pocket. If I pull out *two* coins, what amounts of money might I have?"

In the video, we first see the teacher leading the class through a discussion of the parameters of the problem, and the definitions of the terms used. She then sets the students loose to work independently for a few minutes. Children draw or record different possible combinations in their notebooks. Some shuffle coins on their desks to find different arrangements; some draw the coins in their notebooks while others use a range of symbols to show each combination. After working for a while, the teacher asks the children to share their solutions. The discussion proceeds at a slower pace than most mathematics lessons; there are long silences and children offer a number of wrong answers. The teacher gives few comments and little correction; instead, she asks many questions and throws it to the class to determine if a child's answer is correct. She asks repeatedly, "How did you get that?" "How do you know?" "What do other people think about that?"

Here is a brief excerpt from this classroom discussion:

Teacher	Fifteen cents. Could somebody say how they think Sheena made 15 cents. What coins she used to make fifteen cents? Tembe?
Tembe	Ten and a five cent.

Teacher Okay. Dime . . . make a little more room here. . . . So you had, one nickel and one dime. Okay. Who had another solution besides fifteen cents? What else might I pull out of my pocket? Ofala?

Ofala Twenty cents.

Teacher Okay. . . . How did you get twenty cents, Ofala?

Ofala Two dimes.

Teacher Two dimes? Riba, would that work?

Riba Yes.

Teacher How do you know?

Riba Because ten plus ten is twenty.

Teacher Sean, do you agree with that?

Sean Huh? Yes.

Teacher Two dimes would make twenty?

Sean Yeah.

Teacher Okay. So we have fifteen cents and twenty cents. Were there any others that you came up with? Tembe, what did you and Devin come up with besides fifteen cents and twenty cents? What's another one you found? What did you guys write down? I know that you found some other ones, I think when I came by. What about this one? How did you get that?

Tembe That's his one.

Teacher Devin, do you remember how you got six cents? You don't remember? Does somebody know how Devin might've gotten six cents? He wrote six cents down in his notebook. How do you think he might've gotten six cents? Betsy?

Betsy A nickel and a penny?

Teacher One nickel and one penny. You think that's right, Devin? One nickel and one penny?

Devin Yeah.

Teacher Can you show us with your coins? Not in your notebook. Can you get the, can you get a nickel and a penny out of your box? How much is the penny? Okay, the penny is one. And the nickel is . . . .

Devin Six cents.

Teacher Altogether it's six. Good, Devin. Okay. Any others? Mark? Did you come up with any others besides fifteen, twenty and six?

Mark	Eleven.
Teacher	Eleven cents. How did you get eleven cents?
Mark	Ten cents and a penny.
Teacher	One dime and one penny. Did anybody else find that one? Sean, did you come up with eleven cents? Well, what do you think about that? Would that work with a dime and a penny?

Mathematics Teaching and Learning to Teach Project (1990). Deborah Ball, Third Grade, September 18, 1989. Unpublished transcript. University of Michigan: Ann Arbor, MI. The names of the students have been replaced with pseudonyms.

The assembled rabbanim were intrigued by this classroom excerpt. They were keen observers of teaching and learning, despite protests that some had no formal education training. Our seminar used this video and the mathematics work that preceded it as a springboard to discussions of learning and teaching—in mathematics and in general. In this excerpt, students had reasoned through a complex problem to learn mathematics, and the role of the teacher's authority had shifted from one of providing answers to one of facilitating the reasoning through ideas so that students could come to warranted mathematical conclusions. We saw the teaching of mathematical practices that students could use to develop robust understandings of mathematical ideas. Participants found this image of teaching to be engaging and powerful; a number of them approached me to do continuing work in their schools to develop this kind of teaching and learning school-wide.

I hesitated. Over the days of this professional development seminar, I had become increasingly aware of the tensions between this model of teaching and learning and my understanding of the mandates of Orthodox education. As deeply committed as I am to this kind of teaching and learning, and as much as I want to join with others in the improvement of Jewish education in the Orthodox sector, I am not sure that these two forces are compatible.

In what follows, I will describe how this model has evolved, its antecedents, and why I believe it provides an authentic and rich learning experience in mathematics and in other subjects—including *limmudei kodesh*. At the same time, I see that the issues that preoccupy even "Modern" Orthodox schools today are in some cases orthogonal to this view of learning. It is this tension that I write about in this article.

A "New" View of Teaching and Learning [Mathematics]

Here I elaborate further what is meant by this "model of [mathematics] teaching and learning." I place "mathematics" in brackets because the current wave of educational reform is based on a general view of teaching and learning that extends to mathematics as well as other school subjects.

In the case of mathematics, the model of teaching and learning envisioned goes beyond traditional models where teachers show students how to perform procedures and mathematical routines.

> Complete understanding . . . includes the capacity to engage in *the processes* of mathematical thinking, in essence doing what makers and users of mathematics do: framing and solving problems, looking for patterns, making conjectures, examining constraints, making inferences from data, abstracting, inventing, explaining, justifying, challenging, and so on. Students should not view mathematics as a static, bounded system of facts, concepts, and procedures to be absorbed but, rather, as a dynamic process of "gathering, discovering and creating knowledge in the course of some activity having a purpose" (Romberg, 1992, p. 62). (Stein, M. K., B. W. Grover, and Hennigsen, M., 1996. "Building student capacity for mathematical thinking and reasoning: An analysis of mathematical tasks used in reform classrooms." *American Educational Research Journal* 33(2): 455–488; emphasis in the original.)

Instruction in such classrooms departs in some ways from traditional mathematics instruction. Students reason through problems, and the teacher's authority is less about conferring correctness than it is about helping students learn how to engage in mathematical practices so that they can adjudicate for themselves what is mathematically correct and what is not. This model does not mean that students no longer learn algorithms or have to practice procedures; it also does not mean that each student is free to determine for herself what is correct and what is not—mathematics instruction will always be directed toward precision, correctness, and convergence around a right answer. Although this model includes these aspects it goes far beyond them as well.

It is clear why this model holds such appeal for the school leaders I worked with. Swap "Torah learning" in place of mathematics above, and most Jewish educators nod their heads in vigorous agreement with this stance toward learning. The image of students engaged in "a dynamic

process of 'gathering, discovering and creating knowledge in the course of some activity having a purpose'" is just what school leaders say they want.

This way of teaching mathematics is based in part on a disciplinary view of mathematics. In *Proofs and Refutations* (Lakatos, I., 1981. *Proofs and refutations: The logic of mathematical discovery*. Cambridge: Cambridge University Press), Lakatos provides an image of how learners arrive at mathematical truths in his description of an imaginary classroom working on a geometry problem respecting the number of vertices and edges and faces in regular polyhedra. (The details of the problem have mostly been omitted for our purposes.)

> The dialogue takes place in an imaginary classroom. The class gets interested in a PROBLEM. . . .
>
> After much trial and error they notice that for all regular polyhedra V – E + F = 2. Somebody *guesses* that this may apply for any polyhedron whatsoever. Others try to falsify this *conjecture*, try to test it in many different ways—it holds good. The results *corroborate* the conjecture, and suggest that it could be *proved*. It is at this point—after the stages problem and conjecture—that we enter the classroom. The teacher is just going to offer a proof.
>
> TEACHER: In our last lesson we arrived at a conjecture concerning polyhedra. . . . We tested it by various methods. But we haven't yet proved it. Has anybody found a proof?

In Lakatos' description of a classroom, we see his emphasis (in the original text) on the mathematical processes captured in the nouns *guess, conjecture, corroborate,* and *prove.* The classroom dialogue that helps students participate in these practices is a medium in which mathematical conclusions are derived. In a more traditional mathematics classroom, students would be told that V – E + F = 2, and perhaps shown a proof for why this is so. In contrast, in Lakatos' example, students participate in the construction of this proof themselves. This kind of mathematical reasoning is one of the disciplinary images on which current models of mathematics teaching are based. It is centrally concerned with students' deep understanding of the discipline, not just their performance of school tasks.

This model of teaching and learning also draws from wider ideas in the philosophy of education. Israel Scheffler expresses one conceptualization of teaching and learning that underlies this view:

> Teaching may be characterized as an activity aimed at achievement of learning, and practiced in such manner as to respect the student's intellectual integrity and capacity for independent judgment. Such a characterization is important for at least two reasons: first, it brings out the intentional nature of teaching, the fact that teaching is a distinctive goal-oriented activity, rather than a distinctively patterned sequence of behavioral steps executed by the teacher. Second, it differentiates the activity of teaching from other activities such as propaganda, conditioning, suggestion, and indoctrination, which are aimed at modifying the person but strive at all costs to avoid a genuine engagement of his judgment on underlying issues. (Scheffler, I.,1965. "Philosophical Models of Teaching." *Harvard Educational Review* 35(2): 131–143)

In Scheffler we see where this model of teaching and learning collides with the mandates of an Orthodox education. To what degree, and in what subjects, do our Orthodox schools want to nurture and encourage "independent judgment"? In issues of faith, and in questions of halakha, to mention two prominent examples, are we prepared for students to make independent judgments? And these are not tangential subjects in Orthodox schools; one might argue that both issues of faith and questions of practice are the *raison d'être* for Orthodox schools, and part of what distinguishes them from other streams of schooling. As the seminar with the rabbanim progressed, I became more and more aware of the press for their schools to insist on convergence of thought and action in the teaching of particular subjects.

The view of learning depicted here does not apply solely to mathematics. It is not even about a subset of school subjects. It is descriptive—it *describes* how students learn, generally. This description of how students learn, though, implies a normative view of teaching—how teachers should teach, given that learning proceeds in this way. And mathematics is perhaps a *kal vaHomer* case in the sense that it seems to non-mathematicians as an unlikely discipline to be reasoned through and understood—and for this reason is even more threatening than perhaps other school subjects. A discipline that was always construed as positivist (at least in the school context), in which authority for right and wrong was determined by the teacher and the textbook, is instead a discipline —like others—in which knowledge is socially constructed and the authority for right and wrong is in part determined by what the students reason to be correct, with teacher and textbook guidance. For the Orthodox educator,

this has serious implications for how all subjects will be treated. I do not know that the current climate in Orthodox schools can accommodate this stance; on the other hand, teaching that is responsible and responsive to learners requires it.

Challenges of Modernity

This small vignette about the teaching and learning of mathematics provides a window onto the challenges of modernity for Orthodoxy. We tend to name the onslaught of media, the vivid intrusion of non-traditional lifestyles into our communities, and constant press of material culture, as major challenges to Orthodoxy. Instead, this vignette points to the challenges of epistemologies that recast authority, truth and the creation of knowledge as human constructs. I fully embrace these modernist epistemologies, but do so cognizant and even wary that they do not rest easily with the worldview that has taken hold in the current Orthodox environment. To ignore these new views of learning, in my mind, is to deny how students actually acquire knowledge, habits of mind, and dispositions. This suggests that we will need to imagine educative environments for Orthodox students that, in Scheffler's words, "respect the student's intellectual integrity" and strive for "a genuine engagement of his judgment on underlying issues."

What might such educative environments look like? Here I defer to my colleagues whose primary work is instruction in Orthodox schools, who are engaged with its specifics of context and content on a daily basis, to develop instructional designs particular to this need. I close this article with some broad outlines for the kind of instruction this approach implies in *limmudei kodesh*. First, we would need to imagine the treatment of all *limmudei kodesh* that could be shaped by their disciplinary practices as conducted by experts—by *talmidei hakhamim*, as we saw in the case of mathematics, such that children would engage in the very practices that more advanced *talmidim* encounter, instead of learning school subjects as "bounded system[s] of facts, concepts, and procedures to be absorbed." One example already present in many schools is the mode of pedagogy found in the traditional Bet Midrash which provides a model of teaching and learning, even for young children. Elie Holzer's analyses of havruta study provide one window into such a practice (See, for example, "What

connects good teaching, text study and *hevruta* learning? A conceptual analysis," *Journal of Jewish Education* **72** (3), 2006). To put such practices into play widely, our work in teacher education would be to devise pedagogical scaffolds for teachers so that students can effectively engage in these practices using materials and methods suited to their ages and prior knowledge. It would require, too, revisiting the nature of the teacher's authority in *limmudei kodesh*, one that would acknowledge the wisdom of our sages and teachers and concomitantly put students' thinking at center, bringing both worlds into productive dialogue. We look back to the transcript of a third-grade mathematics discussion at the beginning of this article as a model for how such conversations might proceed. A teacher's authority in such environments would be a function of his content knowledge as well as his ability to bring students to engage in the "gathering, discovering, and creating knowledge in the course of some activity having a purpose."

But we cannot shy away from such subjects as *dinim* or *halakha,* and the practice of *tefilah*. Here too schools might strive for students' genuine engagement of judgment, to echo Scheffler. Students, even at young ages, would learn to reason through the multiple points of view presented by our sages across the centuries, by the teachers in our schools, and by fellow students. Our schools have tended to teach *dinim* as lists of rules and formulae to memorize, analagous to the V – E + F = 2 formula for regular polyhedra. The same can be said for interpretations of *humash*—and in fact most subjects in *limmudei kodesh*. I wonder if we have avoided opportunities for students to reason through ideas rather than memorize them as foregone conclusions, understandably fearful that our children will come to their own conclusions that move them away from Orthodoxy. Instruction in these subjects could be expanded to include the reasoning process of the rabbis, the arguments and stretches of faith that characterize the conversations of *HaZal*. Of course this kind of instruction is already happening in many schools. I want to suggest that this kind of teaching and learning—even when it comes to halakha and questions of faith—will show a tradition that is robust, multifaceted, and stands up to scrutiny. To address diverse learners—diverse in hashkafa, in family background, in learning styles—the school curriculum will need to include an array of pedagogical presentations that includes this approach. Rather than threatening our continuity, this pedagogical stance conveys a respect for the individual's intellectual integrity and the ability to reason and come to independent conclusions.

The last decades have seen Orthodox schools overtaken by decidedly non-modern elements. To recruit knowledgeable teachers who live authentic Jewish lives, Modern Orthodox schools have hired more and more teachers who do not embrace a modern perspective. This is a pity; our schools need to reflect and generate a particular worldview, and we are missing the opportunity to do so. Our teacher education seminaries need to be guided by a vision of education centered on helping students gain tools to come to warranted conclusions in the intellectual company of one's sages, teachers, and peers. This educational stance could distinguish the contribution of Modern Orthodox to the Jewish education world, and would require the design and scholarship of educational researchers to develop protocols, pedagogical structures, and instructional activities that would carry this vision into practice. Modern Orthodoxy has the capacity for these ambitious goals; our schools and teachers' seminaries can be generative sources for an Orthodoxy where this is the hallmark.

NOTES

1. The professional development seminar described here was convened and generously sponsored by the Visions of Jewish Education Project of the Mandel Foundation, Israel. The content presented in the seminar, and the views in this article, are solely the author's.

Benjamin Disraeli: Englishman and Jew*

MAURICE WOHLGELERNTER

(Dr. Maurice Wohlgelernter taught as Professor of English, first at Yeshiva College, and, thereafter, at Baruch College, CUNY. He also served as Visiting Professor at New York University, New York Institute of Technology, City College, and Bar Ilan University. He was simultaneously active, during those years, as a practicing rabbi.)

I always believed in Dizzy, that old Jew. He saw into the future.
—*Winston Churchill*

Family

That the "old Jew" actually saw into the future, as Churchill understood it, may be true. But, that for some 40 years, during the first half of the nineteenth century, Benjamin Disraeli proved to be the most prominent Jew in England, is beyond doubt. That no Englishman of that age could ever approach him, it was said everywhere, and was equally true, even if the Englishman was unaware that he was in the presence of a "foreigner." Perhaps, that is why the same Churchill was motivated to pronounce further, on another occasion, that Disraeli, "who never fully assimilated to the English way of life, remained a permanent 'immigrant' in the country of his birth." Small wonder that after Disraeli became one of the leading English—indeed European—political figures of the nineteenth century majestically involved in his country's destiny, still answered "Who are you?" with "I am an Englishman." Englishman though he may have been, he was viewed nevertheless as "both emancipated and ghettoized."

* IN MEMORIAM: *Dr. Bernard Lander*
President and Founder of Touro College, 1971-2010.

Perhaps for that reason, among others, we find that some 130 years after Disraeli's passing in 1881, historians, biographers, philosophers, academicians, and secularists have, in the last two decades or so, published fifteen or so books, monographs, and essays, all analyzing the life, times, works, and accomplishments of Disraeli, that "old Jew." The most recent among these works, one notes admiringly, is a new and fascinating brief study by Adam Kirsch, poet and senior editor of *The New Republic,* entitled *Benjamin Disraeli,*[1] all part of a series of studies, already published by Schocken Books, devoted to the promotion of Jewish history, culture, and ideas.

The Disraeli family tradition began in England with the arrival of the first Benjamin, aged 18 in 1748, bearing the nomenclature *D'Israeli,'* a name commonly bestowed on Jews of Arab-speaking Middle Eastern countries. On arrival young Benjamin changed the name to D-*i*srael, with a small *i,* bearing a coat-of-arms with the Latin motto *Forti est nihile difficile,* to embellish his ancestry, a common practice of that time. So brilliantly successful did Benjamin become that he left behind a most handsome financial legacy, ensuring that neither his son Isaac, nor his grandson Benjamin, would ever have to work for a living. Isaac, therefore, devoted his luxurious life to reading and writing. At age twenty-five, that "bookworm" published a bestseller, *Curiosities of Literature,* as well as a volume of essays entitled *Literary Forgeries.* In fact, he gained a respected reputation among the literati of his time, winning especially the admiration of one of England's leading poets of the nineteenth century, Lord Byron.

Of some passing interest, also, is the fact that many Englishmen found it difficult, for example, to pronounce *D'Israeli* as one word, often separating them into two, as in *D-Israeli,* resulting inevitably in the fact that Benjamin was often called "Dizzy," which the grandson himself eventually changed to "Disraeli," as in one word.

"Name change," we know, often results in "faith change." And so it was that Isaac, an "emancipated Jew," ultimately bequeathed to his son, the young Benjamin, an ambivalent attitude toward Judaism. Isaac admired, among others, one of the prophets of the Enlightenment, Moses Mendelsohn, as well as the "rationalism" of Voltaire, resulting, naturally, in a gradual withdrawal from the traditional faith of Judaism—its laws, customs, and traditions. Witness, for example, the vitriolic exchange between Isaac and the Elders of London's most famous Orthodox house of worship

in all of England—the Bevis Marks Congregation. Elected to serve as one of its prestigious Elders, Isaac refused that eminent post. Some four years later, when again elected for that honor, Isaac once more refused, ultimately resigning from the congregation altogether. He eventually manifested ambivalence toward traditional Judaism in his life and home.

Not surprisingly, therefore, that Isaac, writing to a friend, would comment: "Religion drained Jews of their genius. . . . Ten centuries have not produced ten great men. . . . To hate the Talmud is not to hate Judaism but to hate obscurantism; it is a complete system of barbarous learning for the Jews." And then in a wild exhortation to the members of his own people, Isaac states further: "I would implore the Jews to begin to educate their youth as the youth of Europe and not Palestine; let their Talmud be removed to an elevated shelf to be consulted as a curiosity of antiquity and not as a manner of education."

Arrival

Into that home, baby Benjamin arrived on December 21, 1804. On the eighth day day after his arrival, Isaac had him circumcised according to biblical and talmudic law and custom. Anyone aware of Isaac's decided hostility of any traditional practices must surely have wondered at this "pious" decision. After all, Isaac was certainly aware, better than many, that Jews of every age, because of their deep devotion to such practices, evoked universal mockery for their insistence on remaining a "peculiar people." Nevertheless, Isaac in this instance ruled in favor of his "past."

But not, alas, for very long. A mere 13 years later, as Benjamin was approaching his bar mitzvah, Isaac decided—in that summer of 1817—to have this youngster and his siblings—Sarah, an older sister, and his two younger brothers Ralph and James—converted at the altar of the Church of England. To anyone acquainted with Isaac's negative views of Judaic law and practice, the decision could not have been a shock. In later years, the irony of this conversion, forcing Benjamin to omit celebration of his "Jewish manhood," never left him.

On the contrary, as Mr. Kirsch reminds us, Disraeli, as he aged, developed his own views of his newly adopted faith. "Christianity," he argued repeatedly, "is really the fulfillment of Judaism." In other words, both faiths are really one: "Each religion," therefore, "should acknowledge its

dependence on the other. . . . Christianity is completed Judaism, or it is nothing . . . just as Judaism as incomplete without Christianity." To sum up that unusual viewpoint, Disraeli invented a bewildering aphorism, repeating it often, that "he" was "really the blank page between the Old Testament and the New." All of which made it much easier for him to maintain a public image of "remaining a Jew while simultaneously enjoying the legal rights of a member of the Church of England." So that "Christianity," Disraeli argued further, "far from representing a betrayal of Judaism was actually an expression of his Jewish pride."

The year 1817 brought a number of other changes in Disraeli's life. Isaac moved the family to a larger residence in Bloomsbury, near the British Museum, the family home for the next twelve years. Young Benjamin attended Higham Hall, "an obscure school of some fifty students, run by a Unitarian minister." He received a good but not a superior education, "leaving the Hall after only three years." Needless to say, Disraeli never attended Oxford or Cambridge, perhaps because "ever since his youthful days, he always detested school." Or, as Disraeli recalls in his novel *Vivian Grey* (1826), Vivian's mother, much like his own, was "one of those women whom nothing in the world could persuade that the public school is anything but a place where boys were roasted alive." And in such schools, Vivian repeatedly hears the word "stranger," a euphemism, we know, for "Jew," leading constantly to fistfights. On Easter Sunday, for instance, boys would actually rush out of chapel after school, shouting: "He is risen, He is risen/All Jews must go to prison." This form of prejudice was passed down by generations of students, like nursery rhymes, evoking Disraeli's intense anger. As he aged, Disraeli learned "to lock that anger with rigid self-control, deliberately managing an air of innocent detachment." How sad that Disraeli actually heard variations of those remarks for the rest of his life, especially in politics.

To enter that world of politics and the "power" he always dreamed of attaining, Disraeli modeled his own image and lifestyle on that of Byron, the English Romantic poet, "by imitating his flamboyant dress, exquisite appearance which, combined with his precocious genius and sharp wit, helped pave his way into London's society." And like Byron, Disraeli was attractive to women, especially older ones, "having affairs with many of them, in a society where politics and adultery were overlapping pastimes." That interest in "older women," some believe, may have resulted from the

greater attention Disraeli's own mother paid to his siblings than to him. In any event, Disraeli also describes some of those "escapes" in *Vivian Grey,* where the title character, "with his charming arrogance, vaulting ambitions without any scruples or political principles, pretended to care about people he means to exploit. One must mix with the herd: enter their feelings, humor, their weaknesses, sympathize with their sorrows, and will do anything to get ahead." Though Disraeli eventually "got ahead," in an outstanding way, he remained an outsider, and all because of his "Jewishness," or that "irreducible otherness" which made it impossible for him to close the gap.

And yet, despite Disraeli's lingering "Jewishness," we must remember that it always remained privately operative. A fantasy, really. For we need recall that in the 1830s, already a member of Parliament, Disraeli took a trip to the Middle East, visiting Jerusalem, which he enjoyed. Yet, on his return, his description of that city was, by all accounts, "most disappointing," perhaps because that city figured in one of his "fantasies as a future metropolis of England," thus fulfilling his abiding desire for power, which more than his fiction remained central to his life. And England, not Israel, would be the Israel of his imagination, making himself his own "Messiah."

If further proof were ever necessary that his "lingering Jewishness was privately operative," one need but remember the famous "Damascus Affair," which occurred some ten years after his return from Jerusalem. A "blood libel" resurfaced in Damascus in February 1840, when the murder of a Catholic priest was blamed on a Jewish barber, resulting in a reign of terror and the torture of the city's leading Jews, some of whom were actually killed. Moses Montefiore, a prominent Jewish Englishman, organized a movement to halt those killings. As a fellow member of the House of Commons, he turned to Disraeli to join him in a protest, with the goal of forcing the Egyptian government of Muhammad Ali to put an end to this affair. Disraeli refused, proving that his "psychologically powerful Jewishness" did not include sensitivity to the existence of his fellow Jews struggling to survive. He sadly elevated the "fantasy of Jewishness over political reality."

That political reality all found its way, like all else Disraeli thought or fashioned into his fiction, which he used as character studies of some of England's national figures, as well as his own. Mr. Kirsch is not the first to recognize the literary and historical significance of Disraeli's writing. Even

three years before Disraeli's death the eminent Danish critic Georg Brandes, author of the classic multivolume *Main Currents of Literature in the Nineteenth Century,* confirmed that truth in 1878 in his *Lord Beaconsfield: A Study.*

Consider, for example, Disraeli's novel *Contirari Fleming,* wherein the title character proclaims that it is "better to be a man of action than a man of letters." Nor would Contirari even consider "literature more than a substitute for politics." And however exceptional the wide range of Disraeli's fiction, it was still—and always—"politics that fascinated him most." And Contirari's Venetian ancestry also "becomes not only part of his ancestry" but it also, as Mr. Kirsch contends, "enables Disraeli to turn his alienation into a source of pride . . . . For it is the historical grandeur of Venice and his Venetian ancestors that emboldens Contirari to succeed in politics *and* poetry, to become his people's savior. It was Disraeli's "own wish that one day, he, too, would serve as England's savior and be the one to rebuild a Jewish homeland in Palestine by restoring Jews to their Promised Land."

Under somewhat similar circumstance, *Alroy,* the central character in Disraeli's novel of the same name, dreams that he, too, might one day rebuild Jerusalem, restoring its Jewishness and historical dignity. But then Disraeli, remembering his own life as a convert, describes Alroy's hope as follows: "the only liberation the Jew needs is a liberation from Judaism, with all its outmoded taboos and social disadvantages." For Disraeli, a baptized Christian, who made his way into gentile society, self-deliverance was far more practical than Alroy's dreams. All of which leaves Disraeli no choice, except in his fiction, to conclude that England, not Israel, as already noted, "would become the Israel of his imagination, making himself his very own Messiah."

Of this one may be reasonably certain, that in the most critical period of Disraeli's life, the private "Messiah" turned into an "historical and practical one."

Politics

After *four* attempts to gain a seat in the House of Commons, Disraeli finally won one in July 1837, the year Queen Victoria ascended the British throne. But to maintain that seat, he first needed to cleanse his disreputable past. Since he was known, heretofore, in many circles as a "dandy,

an adulterer, an eccentric genius, and, of course, a Jew," change was definitely in order.

Disraeli, seeking more stability and a better reputation, fell in love with Mary Anne Lewis, widow of the wealthy Wyndham Lewis, a colleague and fellow Parliamentarian. In keeping with Disraeli's pattern, she was some 12 years older than he. She predicted, interestingly, that in a few years, Disraeli would become "one of the great men of his day," a prediction that came true. That marriage lasted 34 years. However strangely, Disraeli never planned to have a family, in part, because he would have been forced to decide, as Mr. Kirsch puts it, "whether he wanted them to be English with Jewish ancestors, or Jews who happened to make their own sphere of action." Before Mary Anne died in 1872, she told a friend that her life had been a "long scene of happiness owing to his love and kindness."

Cleansed socially and financially, Disraeli entered the world of English politics with his first speech in Parliament, on December 7, 1837, eventually to become the most brilliant orator in the House, admired by some colleagues and, simultaneously, envied by many others. He tried always to make an impression by a show of personal independence instead of blind Tory party loyalty. Thus, Sir Robert Peel, on becoming Prime Minister a few years later, would never even think, because of his dislike and envy of Disraeli, to appoint him to the cabinet. All of this moved Disraeli to become a member of a group of elected officials known as "Young England," thus giving the party a newly "romanticized sense of itself; which allowed more Englishmen to see the need for reform." And all sorts of reform became necessary because of the Industrial Revolution, during which "countless thousands of English laborers moved from their farms to the burgeoning manufacturing cities."

So Disraeli began to question, "What shall we now conserve as Tories?" He argued that "it was necessary to maintain strong links between the past and future." Besides, he argued further, reform was needed, lest the growth of the urban labor force would lead to a revolution as occurred in France. "Any lack of involvement in social reform would lead the public to believe that the Tory party was unimaginative and ruthless."

Disraeli's conservatism was "neither unimaginative nor heartless," but rather, based on the principle that "power has only one duty: to secure the social welfare of the public." Suffering dare not be ignored. In other words, "the haves and have nots must be bridged." To improve England's politi-

cal future, therefore, would not be the "dispossessing of the rich or enfranchising the poor; instead, it would mean the empowering the rich and teaching the poor to trust their betters." The reconciliation of the nobility and the working class, Disraeli believed, "was the core of what should become politically operative in England."

Subsequently, Disraeli and Peel found themselves in conflict over the repeal of the Corn Laws in 1845. Peel wanted to cancel them; Disraeli to keep them. Briefly, these laws regulated the import of all sorts of grains: "wheat, barley, rye, and corn," which were originally enacted to protected English farmers from cheap foreign grains flooding their markets, forcing them to lower prices they charged for their own crops. Favoring free trade, business opposed the Corn Laws, while workers also opposed them in the name of free trade. Disraeli favored them. Peel, meanwhile, disavowed the principles of his own party, eventually consorting with the Whigs, who also favored their repeal. As a result, Disraeli demanded on March 17, 1846, that Peel call a new election. By the middle of that year, Peel's credibility had been destroyed—mainly by Disraeli—forcing the Prime Minister to leave the party. Disraeli and his associate Lord George Bentink now commanded the House.

The weakness of Peel and his predecessors resulted in the strange political reality that in the three decades from 1846 to 1876 there was only one conservative administration in England—and that for only 18 months. This meant, among other things, that Disraeli spent more time in opposition than any other British political figure. How interesting, therefore, that Disraeli's attacks on Peel during the debate on the Corn Laws forced Peel to connive with the Whigs to repeal them. Disraeli was moved to argue forcefully: "Above all, maintain the law of demarcation between parties, for it is only by maintaining the independence of the party that you can maintain the integrity of public men and the power and influence of Parliament itself." Peel, embarrassed, left the party with most of his Peelites following him. The party fell while Disraeli ascended, together with his associates.

In February 1867, at the age of 63, Disraeli finally became leader of his party, moving him to declare: "Yes, I have climbed to the top of the greasy pole." While in power, however briefly at first, Disraeli was able to introduce the famous Reform Bill, of August 1867, which enabled almost a million Englishmen to gain the right to vote. That classic bill moved

Professor Gertrude Himmelfarb, the City University of New York historian, to comment: "The Reform Act of 1867 was one of the decisive events—perhaps *the* decisive event in modern English history. For it was this act that transformed England into a democracy." Disraeli, of course, deserved most of the credit: "Here's to the man who rode the race, who took the time, who kept the time, who did the trick."

In response to this Herculean accomplishment, the Marquis of Salisbury, in common with others who resented Disraeli's political success, offered only the following bitterly prejudiced remark: "Disraeli is an adventurer without principles and honesty. A political feat that might have been applauded in a natural-born Tory, but deeply suspect in a Jew, who, by definition, could be nothing more than an adventurer." The sensitive reader will conclude that any attack on Disraeli turned, in the hands of his enemies, and at times even friends, into an attack mainly on his Jewishness as though his "objectionable actions were always traceable to his race."

Soon after Disraeli's Reform triumph, Lord Derby, the Prime Minister, was forced, because of his declining health, to resign his office; Disraeli, as leader of his party, went to Queen Victoria to be appointed formally to succeed him. Though the Queen, at first, found Disraeli somewhat reviling, he eventually became the leading defender of the crown or monarchy. That devotion to the monarch, as Mr. Kirsch emphasizes, rested on two basic sources: First, "his political philosophy which glorified the crown as the tribune of the people;" and, second, his "poetic imagination" which allowed him to see prosaic Queen Victoria as a monarch out of chivalric romance; and whose proud destiny will, in his eyes, "bear relief to suffering millions." Besides, Disraeli never lost a sense of awe that a middle-class Jew should be the close associate of an English monarch, "sending her letters constantly filled with political news and social gossip to amuse her, something on her own she never received in her life." It so happens that the death of Prince Albert, her husband, in 1861, allowed Disraeli to gain her fullest confidence and her particular praise that he "always spoke from the heart."

Evidence of the close relationship between Disraeli and the Queen may be further confirmed by the following brief but touching exchange between them, on his retirement after six years in office: "His relation with Your Majesty were the chief, he might almost say, his only happiness and interest in this world." To which she replied with equal sincerity by taking

the extraordinary step of writing to him in the first person: "When we correspond—which I hope we shall on many a private subject and with anyone living astonished or offended . . . I hope it will be in this more easy form." To which Mr. Kirsch, probably smiling, adds: "They almost sound like parting lovers."

And all despite the fact that Disraeli once confided to Matthew Arnold, the English critic and luminary: "Everyone likes flattery, and when you come to royalty, you should lay it on with a trowel." Yet, his fervent relationship with Her Majesty was, as he records, his only happiness and interest in this world; acting always as her champion had been one of the most gratifying of Disraeli's experiences. So gratifying, in fact, that because of her admiration of his loyalty and devotion, he was the only Prime Minister ever allowed *to sit* when he visited her royal residence. Hence, on August 11, 1878, after Disraeli delivered his last speech in the House of Commons as Prime Minister, the Queen, a day later, crowned him with the title "Earl of Beaconsfield," a name of a village not far from his residence in Hughenden. She even visited the new lord for dinner, evoking, sadly, another egregious comment from another bitter critic: "The Queen was going ostentatiously to eat with Disraeli in his ghetto." It was the type of remark that Disraeli, from experience, would generally expect and take in stride, as he often did with similar remarks from other friends and enemies, throughout his career. He would, nevertheless, carry on with his life and work, and "continue to embrace reform while simultaneously making conservatism a constructive political force." And of the future of conservatism, he argued constantly, "depended on improving the living standard of the poor, and to remedy the evils of the Industrial Revolution."

However powerful Disraeli may have become while assuming the leadership of his victorious party and Parliament, he was not immune to personal tragedy. As mentioned previously, Mary Anne, his wife of 34 years, died of cancer in 1872, at age 80. But as Mr. Kirsch reminds us, "with no children and no truly intimate friends, her death left him profoundly alone, and his future political triumphs would be shadowed by that loneliness." But not for long, however. For, after corresponding with Selina, the Countess of Bradford, and Anne, the Countess of Chesterfield, to both of whom he wrote some 1,600 letters, he chose the former to be his new wife.

Since Disraeli's real passion was foreign policy and playing a role on the international stage, he pursued that interest vigorously. Hence, when Russia declared war on, and defeated, Turkey, Disraeli warned her as Prime Minister not to move on Constantinople, ordering British troops from India to the Mediterranean to enforce his wishes. That brinkmanship stopped Russia from crossing the Dardanelles, thus avoiding war. Not surprisingly, at the famous Congress of Berlin in June 1878, attended by all the leading statesmen of Europe, Disraeli was the star of that gathering. No other statesman deserved greater credit for stopping the Russians. That, among other things, also resulted in Turkey's acceding to Disraeli's desire that England secure ownership of the island of Cyprus as a base for resisting any future Russian aggression. By stopping Russia Disraeli expanded the borders of the British Empire single-handedly. Small wonder that Bismarck would be moved to comment in Berlin, admiringly: *"Der alter Jude, das ist der Mann* [That old Jew, he is the man]." And he was.

Disraeli also loved the East. When informed that Khedive's Egypt was bankrupt, Disraeli was able to secure a financial interest in the Suez Canal Company, by purchasing, with the help of a four billion pound loan from Edmond Rothschild, a minority share in the company, with the rest remaining in French hands. Though his coup was mostly symbolic, Disraeli wanted it "as part of his grand design to increase English power in the East."

One is moved, therefore, to sum up Disraeli's political career, as does Mr. Kirsch, moving from being a Prime Minister, which is a political reality, to that of a "statesman," eventually becoming the greatest Parliamentarian of his, and perhaps of all, time, while mostly in opposition, as well as becoming an incredibly powerful debater.

Disraeli, like Churchill, and earlier, the Duke of Marlborough, who as writers "understood their country poetically as well as politically," made England become for Disraeli the "Israel of his imagination."

Departure

Reviewing Disraeli's rise from a "back bencher" in the House of Commons to England's Prime Minister, a confidant of Queen Victoria, and an international statesman, one dare never forget that he was, throughout his life, very conscious of being a Jew. That he was well aware of his roots, more

often than all the reminders hurled his way by both his political and social opponents, is no less true. Consider, for example, one of the less heralded events of his life: the publication of Darwin's *Origin of Species* in 1859, with which he disagreed publicly, arguing that "man is born to believe. Depriving him of his basic beliefs would leave him dangerously demoralized." The question, as Disraeli formulated it, ran simply thus: "Is man an ape or an angel? My Lord, I am on the side of the angels." And even in politics, Disraeli often appeared on the side of the angels. For in his novel *Tancred,* he writes: "There can be no political freedom which is not founded on Divine Authority; otherwise, it can be at best but a specious fathom of license, inevitably terminating in anarchy."

Furthermore, there occurred an incident in his life which, for this reader at least, seemed to establish permanently that inner confirmation of his Jewishness. In 1849, desperately in need of cash, Disraeli decided to sell his father's 25,000-volume library to London's Sotheby's. But not before choosing for himself the various Jewish works, which he transferred to his own estate in Hughenden. A mere glance at these titles could easily evoke wonder and awe, if that were ever really needed, that he could not divest himself of his "Jewishness" as he understood it. The titles of these works alone are both surprising and convincing: *History of the Jews in Spain, France, Italy, and England;* various works on the Inquisition; editions of the *Song of Songs* and the *Book of Joel; Protection of the Jews of Palestine; Travels of R. Benjamin Metudela; Defense of the Old Testament; Memoirs of Moses Mendelsohn; The Traditions of Jews; A Succinct Account of the Rules and Covenants of the Jews.* The decision to hold these volumes back helps prove his abiding interest in the knowledge, if not necessarily his personal practice, of Judaism. So that when in his own works we find Disraeli announcing that "Christianity was only a completed Judaism . . . was more a political than a theological stance." That "theological stance" might very well have motivated Disraeli to include almost an entire chapter six, in his novel *Trancred,* a rather lengthy exposition of the Jewish festival *Feast of Tabernacles,* known everywhere by its Hebrew name of *Succoth.* There Disraeli describes the arrival of the Emir and his family to visit the Tancred household during that eight-day holiday. The Emir recognizes, at once, that Tancred is "civilized and fashionable," and his "household is of a race that persists in celebrating their Hebrew homage; and of a race whose graceful rites that are, at least, homage to a benignant

nature." And that every child in Israel, in

> a dingy suburb of some bleak northern town, happily celebrates the vintage of purple Palestine . . . and that he must dwell for seven days in a bower, and must build it in the boughs of his thick trees; and those trees are the myrtle and the weeping willows. . . . His mercantile connections will enable him, at considerable cost, to procure some palm leaves from Canaan, which he may wave in his synagogue, while he proclaims Hosannah, the highest. . . .
>
> After services at his synagogue, he sups late with his wife and his children in the open air, as if he were in the peasant villages of Galilees, beneath its sweet starry sky. . . . Perhaps, as he is giving the Keedush, the Hebrew blessing to the Hebrew meal, breaking and distributing the bread, sanctifying it with a preliminary prayer the goblet of wine he holds . . . offering a peculiar thanksgiving to the Feast of Tabernacles.

The reader begins to wonder: having paid homage to the faith his father denied him, was Disraeli really still the intellectual mercenary and hypocrite his enemies depicted him? Or was he permanently "disoriented" from the lack of a genuine bar mitzvah celebration and upbringing? Or was it all the result of the most tragic element of his career, that, at the height of his powers, and even among his closest allies, he remained an "outsider?" Or, was it simply his native Jewishness, that "irreducible otherness" that made it impossible for him to close the gap? There came a moment, however, during the very final minutes of his life, when Disraeli ultimately acknowledged his "irreducible otherness."

Suffering critically from a bronchial condition, Disraeli was hospitalized. After being confined for some time, Disraeli was uncomfortable and unhappy in those particular medical surroundings. Lord Kidd and some other friends succeeded in sneaking him out of the hospital during the night and brought him home. Soon after Disraeli's return home, Lord Cairns, another friend, suggested that Kidd summon Canon Fleming, of the local church, to visit their sick friend, for possible last rites. Disraeli objected, arguing that he wanted no clergyman present, nor, for that matter, any discussion of Christianity and Redemption. Instead, holding Kidd's hand, Disraeli whispered the following with his last breath: "There is one God . . . of Israel," his English equivalent of the major verse in all of Judaism, "*Shema Yisrael:* Hear O Israel, God is our God, God is One." According to Jewish Law as recorded by Maimonides, at the beginning of the second chapter of *The Laws of Repentance,* that verse made Disraeli an

immediate penitent: "Even after spending a lifetime of sin, if one repents on the very last day of his life, *all* his sins are forgiven." As he breathed his last, Disraeli, that "old Jew," went to meet his Maker, as the "new Jew."

NOTES

1. Adam Kirsch, *Benjamin Disraeli*. New York: Schocken Books, 2008.

Sounds of Silence*

PINCHAS LANDAU

(Pinchas Landau is a Jerusalem-based independent economic and financial consultant. Born in London, he studied at Hebron Yeshiva and the London School of Economics prior to making aliya with his family in 1976. If you'd like to respond to this article, you can email the author at landaup@netvision.net.il.)

Hello darkness, my old friend
I've come to talk with you again

"Can you point me to rabbis or other leadership figures in the Orthodox Jewish community who have spoken or written about the moral aspects of the financial crash and the economic crisis? Is there a specifically Jewish ethical and moral response to what happened, relating also to the prominent role of Jews, including and perhaps especially observant Jews?"

"Do you know of anyone who, in the period of the stock market and property manias in the 1990s and the decade that just ended, saw those developments in a moral context, as involving ethical issues for individuals and communities? Are there any Orthodox leaders who talked or wrote about the trends underway in the financial sector in the United States and elsewhere, as moral and ethical issues that Orthodox/observant/Torah True Jews should have something to say about?"

These are the kind of questions I have been posing to (an admittedly unscientific sample of) rabbinic teachers, colleagues, and friends in recent months. The responses can be categorized as follows:

* The title and section headings of this article are taken from the lyrics of *The Sound of Silence*, a song written by Paul Simon in 1964 and performed by him and Art Garfunkel.

A. "No, but why don't you ask so-and-so; he's 'into' that kind of thing."

B. "Yes, you should see/look up/speak to so-and-so or this-and-that." However, these references led to material that was either overtly halakhic and very narrowly focused, or that indulged in very general ethical reflections (such as that the crash and crisis highlight the role of divine providence at the global and individual levels, or the need to adopt and maintain a modest lifestyle).

C. "Yes," followed by a referral to articles or speeches by relevant Jewish personalities—but addressed to general audiences.

Taken together, these responses are profoundly discouraging. The answers translate as follows:

A. Even people who have a definite interest in this topic haven't seen or heard of relevant material. They, like me, want to believe that said material exists, but have no hard evidence thereof. They—we—are deliberately indulging in wishful thinking, because the alternative is too awful for us to contemplate.

B. Many people, including—or perhaps especially—rabbis and educators actually have no clear idea what ethical and moral issues are. More precisely, they have great difficulty distinguishing between legal/halakhic and moral/ethical treatments of issues, preferring to subsume the latter in theological, or even mystical, conceptual frameworks

C. Those who have addressed the topic from a moral perspective have preferred to direct their remarks to a general audience. This is the most depressing response of all.

None of this is meant to suggest that what I am looking for does not exist. Both I and most of my interlocutors continue to assume that such material does exist, that various people at various times did address various aspects of these complex and multi-faceted issues. I would therefore hope that one of the results of this article will be that kind readers will point me to relevant material, thereby substantiating our naïve faith.

But finding a few righteous men in Sodom will not change the basic premise of this article, which is that Orthodox Judaism, as currently conceived and practiced, is morally challenged. The ongoing financial and economic crisis is arguably not even the most severe moral challenge fac-

ing it and us. Rather, the crisis has exposed the moral bankruptcy of much of Orthodoxy—of all streams, in both the Israel and the Diaspora—so sharply, that henceforth this sorry state of affairs will be difficult, if not impossible, to continue to ignore.

The crisis has exposed the existence of a widespread moral darkness within, indeed at the heart of, Orthodox Judaism. This black hole expresses itself the way all such negative moral phenomena do—via silence.

In restless dreams I walked alone

Let's cut to the quick. What I am looking for is moral leadership, which I define as people with the courage to tell at least the members of their flock, if not the world at large, what is wrong with what they are doing and how they can and should do better. In the best case, this leadership should be demonstrated in real time—that is, with regard to what is currently happening or likely to happen. But if it appears ex post, that is considerably better than nothing.

I expect this leadership to relate to the moral and ethical aspects of that broad swathe of human existence that is currently pigeonholed by those who think only by, about, and inside the box as "macro-economics," "finance," and "labor." My reading of Tanakh, Talmud, and Midrash suggests that this whole aspect of human activity is central to the theory and practice of Judaism. If, therefore, it is now enveloped in crisis, it is impossible that Judaism has nothing to say about it, beyond theological platitudes and/or legal formulations. It should, therefore, be impossible for the recognized leadership of Orthodox Judaism, which constantly stresses its credentials as *the only* authentic Judaism, to be silent.

What do I expect Orthodox leaders to say? The simplest and best way of illustrating my concern about Orthodox moral leadership is to give a concrete example of moral leadership, as defined above. The following is an extract from a speech given to a group of Canadian bankers and other financial sector types, in February 2009, at the very height of the crisis. The speaker is Paul Volcker, the octogenarian former Chairman of the Federal Reserve Bank who, when appointed by President Carter in 1979

with a mandate to end the inflation that had been eating away at the American economy and society for 15 years, proceeded to raise interest rates to 20 percent per annum and push the economy into not one, but two, recessions, in order to get the job done. Clearly, he is not someone afraid of a challenge or of making sacrifices to achieve essential goals. We "join" the audience in the midst of Volcker's description of what went wrong and how:

> You might ask how [the housing/mortgage boom] went on as long as it did. The grading agencies didn't do their job and the banks didn't do their job and the accountants went haywire. I have my own take on this. There were two things that were particularly contributory and very simple. Compensation practices had gotten totally out of hand and spurred financial people to aim for a lot of short-term money without worrying about the eventual consequences. And then there was this obscure financial engineering that none of them understood, but all their mathematical experts were telling them to trust. These two things carried us over the brink.
>
> One of the saddest days of my life was when my grandson—and he's a particularly brilliant grandson—went to college. He was good at mathematics. And after he had been at college for a year or two I asked him what he wanted to do when he grew up. He said, "I want to be a financial engineer." My heart sank. Why was he going to waste his life on this profession?
>
> A year or so ago, my daughter had seen something in the paper, some disparaging remarks I had made about financial engineering. She sent it to my grandson, who normally didn't communicate with me very much. He sent me an email, "Grandpa, don't blame it on us! We were just following the orders we were getting from our bosses." The only thing I could do was send him back an email, "I will not accept the Nuremberg excuse."

Bear with me as I analyze these three paragraphs. This is the former Fed chairman talking to bankers. Does he use jargon—let alone numbers, formulae, or Greek symbols? No. In one paragraph, seven sentences, 108 words, he says everything any semi-intelligent person would need to know to understand the sources and development of the crisis, through to its denouement.

But these are bankers he is talking to. They already *know* all this. Precisely for that reason, Volcker lays it out for them in simple words, and then lays it in to them with a series of powerful, accurate blows: Incompetents—BIFF! Liars—POW! Greedy and irresponsible—WHAM! And the coup de grace, conceited fools—CRACK!!

Then the switch from his audience's generalized stupidity to his own intense personal pain: his grandson decides to squander his promise and potential on the alchemy of financial engineering. Volcker is well aware that his smart grandson can and probably will (in the pre-crash world) earn millions in his chosen career, but that does not prevent him from defining this decision—entirely correctly from a moral and a *religious* perspective—as "wasting his life."

Most of us, even if we felt that way, would not allow it to come between us and our beloved grandchild. Volcker did—and does not shrink from telling his (now-adult) grandson that his moral compass is on a par with that of a Nazi war criminal.

That kind of thinking is what I call moral clarity and that kind of talk, in public, is what I call moral leadership. So when I ask readers to point me to written or spoken words from Orthodox Jewish leaders relating to the entire gamut of moral issues thrown up by the boom, mania, crash, and bust—from systemic risk to one young man's dilemmas in life—that's the kind of thing I'm looking for.

Do you know a rabbi, of any stripe, from any stream, who stood up before, during, or at least after the crash and told his congregation of real-estate or stock-market speculators that they were scoundrels and probably criminals to boot? Do you know of a rosh yeshiva who told a student looking to leave the yeshiva and get a job, not to "waste his life" in a highly-regarded and very high-paying profession? Or an Admor who told a Hassid that adopting the business practices of his bosses or colleagues was morally repugnant? If you do, you have the privilege of being exposed to moral leadership. I'm looking for it, so far unsuccessfully—and if I can't find it among rabbis, rashei yeshiva, and Admorim, I'll take it where it's available.

Yet there is a concept that "by two witnesses' testimony shall the matter be established." Let me therefore quote another prominent figure in the financial sector, this time someone in the very heart of one of its most morally problematic areas, namely mutual fund management.

John Bogle is the founder of Vanguard, a company that pioneered low-cost fund management. This is hardly the place to examine the pros and cons of Bogle's approach, but it's not irrelevant to note that his concept is based on the premise that investors in regular mutual funds are consistently and systematically ripped-off by their fund managers' panoply of fees.

Here is an op-ed piece he wrote, which appeared in the *Wall Street Journal* in April 2009:

> I recently received a letter from a Vanguard shareholder who described the global financial crisis as "a crisis of ethic proportions." Substituting "ethic" for "epic" is a fine turn of phrase, and it accurately places a heavy responsibility for the meltdown on a broad deterioration in traditional ethical standards.
>
> Commerce, business, and finance have hardly been exempt from this trend. Relying on Adam Smith's "invisible hand," through which our self-interest advances the interests of society, we have depended on the marketplace and competition to create prosperity and well-being.
>
> But self-interest got out of hand. It created a bottom-line society in which success is measured in monetary terms. Dollars became the coin of the new realm. Unchecked market forces overwhelmed traditional standards of professional conduct, developed over centuries.
>
> The result is a shift from moral absolutism to moral relativism. We've moved from a society in which "there are some things that one simply does not do" to one in which "if everyone else is doing it, I can too." Business ethics and professional standards were lost in the shuffle.
>
> The driving force of any profession includes not only the special knowledge, skills and standards that it demands, but the duty to serve responsibly, selflessly and wisely, and to establish an inherently ethical relationship between professionals and society. The old notion of trusting and being trusted—which once was not only the accepted standard of business but the key to success—came to be seen as a quaint relic of an era long gone.

It's worth citing Bogle just to put that wonderful phrase—alas, of anonymous authorship—"a crisis of ethic proportions," before a wider audience. But here, too, a few paragraphs suffice for a man with a functioning moral compass to pinpoint the moral rot that led to the systemic disaster that is still unfolding.

And no one dared
Disturb the sound of silence

The foregoing examples not only illustrate what moral leadership is, they also hint at why it is so rare and why, in particular, virtually no prominent

Orthodox leader has given voice to the moral outrage so palpable across America since the crash, and so prevalent within the Jewish community as well—but seething beneath the surface.

Moral leadership demands a larger measure of courage than most people have. This is especially the case when one's job is on the line—as it most assuredly would be for most community rabbis, if they dared take a stand that directly challenged the mores of their immediate community and their wider stream or branch of Judaism. And if losing their livelihood was not enough for most pulpit rabbis, school principals, and even rashei yeshiva, there are also the "knock-on" effects of their audacity on their family, from their wives—who are usually also deeply engaged in community activities, to their children, whose education and, at least in some circles, marriage prospects would be at stake.

In that sense, Paul Volcker was free to speak his mind, because he held no post and his personal and family situation is not at risk. John Bogle, of course, is independently wealthy as a result of Vanguard's success and hence similarly worry-free.

But the "excuse" of personal/family vulnerability does not stand up to close examination. What would the average rabbi of an Orthodox community do if his congregants became regular visitors to gambling joints or strip clubs?

In fact, there is no need to use such lurid examples. Owning shops selling pork, or any business operating on Shabbat, would be quite sufficient. In any of these cases, most rabbis would be forced to take a stand, even if they were weak and sought to avoid confrontations, and whether or not their job was on the line. Nor would most school principals or rashei yeshiva hesitate to act if people engaged in these problematic activities held positions on their boards.

There's the rub. Both public Sabbath transgression and overt trafficking in pork, despite their very different halakhic implications, are clear and obvious *casus belli* for Orthodox religious functionaries. In such cases, accusing a rabbi of exceeding what is expected of him would strike even irreligious or non-Jewish observers, as ludicrous. Yet taking a stand against persons found guilty of a broad range of white-collar crimes is not considered an obvious *casus belli*, even for Orthodox Jews who define themselves as observant and/or Torah True. Indeed, it may well be closer to *hara kiri* on the part of a rabbi who tries it.

This distinction has no basis in Jewish law, let alone in the corpus of rabbinic ethical literature. But it reflects the behavioral norms of many Orthodox Jews and the mores of many Orthodox communities.

Nor is the fear, or practical impossibility, of clashing with communal lay leaders—who are usually the religious leader's employer, whether directly or indirectly—the only factor behind the phenomenon of silence. Often, the claim will be made that speaking or writing in public about these issues will cause, or spur, anti-Semitism. Today, with anti-Jewish feeling and activity on the rise almost everywhere, that is certainly not a concern that can be lightly dismissed. But it can, nonetheless, be dismissed in most cases.

Two counter-arguments immediately suggest themselves. One is that most anti-Semitism is irrational and will always find itself a cause, or excuse, whether we provide it or not. The other is that it is not the principled stand against moral turpitude that will cause anti-Semitism, but the failure to denounce moral breakdown and thereby facilitate its continued spread. The prominence of Jews in the hated financial elite, in today's charged atmosphere, causes far more anti-Semitism than would the explicit denunciation of the ills of the financial system by Jewish religious personalities.

But, of course, the real reason why the anti-Semitism argument is so weak is because we cannot agree, in principle and *a fortiori*, to conduct our communal life on the basis of what the reaction of anti-Semites might be. The content and tone of the intra-communal debate may take account of it, but it surely cannot set the agenda.

The silence of many religious leaders in the face of moral challenges stemming from the areas of business and finance reflects conflicts of interest on their part. In many cases, rabbis have an interest in the financial wellbeing of individuals who are prominent supporters of institutions that operate under their aegis. They are therefore compromised in their ability to address problematic aspects of the business areas in which those persons are engaged—let alone the specific business practices of those persons.

Many rabbis actually seem to believe that the means can and do justify the ends, so that the worthy goal of an educational institution or a charitable endeavor may require ignoring the source of the funds that realized that goal—both the person and the business activity in which he garnered

his wealth. From there it is but a short step to the implicit recognition of using wealth obtained illegally or immorally to "buy salvation."

Finally, as a spate of cases has shown, leadership can be complicit not by merely ignoring the issues, but by direct involvement. Obviously, in such cases there is no point in discussing moral leadership—nor do moral issues resonate with the followers.

Silence like a cancer grows

Was it ever thus? Was there always a huge gulf between the moral heroes and the lofty ethical principles depicted in the sacred literature, and the grubby reality of life as people—rabbis and laymen alike—lived it?

No doubt to some extent it was. But there is evidence that Orthodox Jewish society did not always feature a warped value system in which business ethics and money morality is relegated to second-class status, at best.

One of the few people who has devoted himself to writing and speaking about Jewish business ethics is Dr. Meir Tamari. His work and research has generated several books, as well as numerous articles published in general and Orthodox newspapers and magazines.

Tamari is convinced that the phenomenon of religious bifurcation, in which ritualistic and theological/mystical elements of Judaism have risen to prominence, while inter-personal and, in particular, pecuniary moral and ethical practices have withered, is neither very recent—meaning post-Holocaust, nor very ancient—meaning pre-modern.

He suggests that it was the demise of the kehilla as the lynchpin of Jewish society that started the rot. This development can be traced back to the impact of the Khmelnitsky massacres in the mid-seventeenth century, and the subsequent descent of most of East European Jewry into chronic and deep poverty. The political dismemberment of Poland in the late eighteenth century and the Napoleonic wars were the coup de grace for the old structure, leaving a society in which a very narrow stratum had wealth while the mass of people had nothing—except babies, in the huge population explosion of the nineteenth century.

With no fiscal autonomy—because the kehilla's taxation powers were

gone—the religious leadership became entirely dependent on the few rich people available for their own financial survival and that of their families and their institutions, whether these last were yeshivot or the courts of the Hassidic leaders. That structure was inherently corrupt and served as a further spur to the process already underway, as Enlightenment ideas and values spread through Jewish population centers, of a growing estrangement and eventual mass flight of Jewish youth from their ancestral religion.

This undemocratic and unhealthy social structure has survived into the twenty-first century, and indeed thrived, despite the fact that today's Jewish society is completely different from that of pre-Holocaust Europe, with affluence having replaced poverty, especially in the Western Diaspora. Much academic work needs to be done to understand and explain how the structure has proved so robust, but for the purposes of this article, the existence of this social structure and its salient characteristics, including its warped moral value system, must be accepted as fact.

The proof Tamari cites for his hypothesis is telling, because it comes from direct documentary evidence of social, religious, and economic conditions and values among Orthodox Jews over the centuries—namely the responsa literature. He notes a sharp decline in the percentage of responsa dealing with "money matters"—as opposed to ritual (food, Shabbat, etc.) and personal status issues—in the modern period compared to the earlier period of Jewish history in pre-Khmelnitsky Poland and, earlier still, in Spain and Franco-Germany. This is certainly something for scholars to subject to further scrutiny.

More recently, in last century or so, Tamari notes another change creeping into the responsa literature, a change that resonates to the sounds of silence. A typical pre-modern responsum relating to a monetary dispute would provide a thorough analysis of the legal aspects of the matter under discussion and conclude by presenting a legal ruling. Often, however, it would not stop there, but would append a short addendum that discussed the moral aspects of the dispute and suggest a possible extra-legal resolution which would probably require one or both parties to rise above the letter of the law and take an ethical, rather than a purely legal view of the situation. Tamari finds that this latter approach has fallen into desuetude and is rarely found in the recent and contemporary responsa literature.

This chimes well with what we see and hear all around us: Rabbis and other religious functionaries have increasingly become religious tech-

nocrats, honed in their specialties and well-versed in the professional literature pertaining to these specialties—e.g. Shabbat or medical halakhot—but increasingly distant from the empathetic approach that might enable them and their questioners to rise above the legal sphere of *din* to the moral sphere of *lifnim mishurat haDin*..

In fact, the contemporary questioner may not even want that kind of answer. That is what Haym Soloveitchik highlighted in his article, "Rupture and Reconstruction," especially in the final sentence: "[Contemporary Orthodox Jews], having lost the touch of His presence …now seek solace in the pressure of His yoke." In those areas of their lives where Orthodox Jews seek rabbinic guidance, they want *din*, not *lifnim mishurat haDin*. And in the wider context, people get the leadership and the leadership style that they want and deserve—in religion as in politics.

And the people bowed and prayed
To the neon god they made

This is what John Bogle clearly understands and expressed so well in the article quoted above. The moral rot that found such dramatic expression in the financial crash of 2007–2009 is rooted in the collapse of those basic human values—trust, reliability, mutual confidence—without which commercial and financial activity cannot take place. It requires no great intellectual leap to see that the same values are needed in the domestic sphere, to make marriage and family life work. The moral collapse is taking place across the board, even if the dynamics of breakdown differ between areas of human activity.

It is also essential not to fall into the trap of thinking that this is a recent process, dating back only a few years. Over 20 years ago, an investment banker of a bygone age whose name still has positive connotations for veteran New Yorkers (imagine—an investment banker who did good and was held in high esteem!), wrote a similar article making a similar point. That was Felix Rohatyn and he, too, was bemoaning the rise of a new and corrupt culture on Wall Street—a culture in which the moral concept of "it isn't done" was replaced by the legal approach that if it isn't

against the law, it's fine. Once the lawyers were in control, the next stage of the collapse of ethical behavior was the rise of the compliance culture, which effectively said that no one can be trusted not to break the rules, so we'll watch everyone all the time.

But the moral decline of Wall Street in the 1980s that Rohatyn mourned, that Tom Wolfe lampooned in *Bonfire of the Vanities* and that Oliver Stone pilloried in his 1987 movie *Wall Street*, seems minor and almost childish compared to what we have witnessed this last decade.

Yet in the 1980s there were still relatively few Orthodox Jews in the big Wall Street banks and investment houses. By the time the Naughties—as the outgoing decade is sometimes called—rolled round, there were many—the product of hard work and excellent grades achieved in the top business schools. By this time, the obstacles to Orthodox Jews working in these lucrative and highly-regarded jobs had largely been solved—even the need to sometimes miss two consecutive working days, because of the incidence of Jewish festivals. Orthodox employees in leading firms in the world's two main financial centers of New York and London conducted Minha services daily in corporate boardrooms and often managed to cram a *daf yomi* session, or other *limmud Torah*, into their long and hectic work days at the office. Their non-Jewish colleagues thought nothing of the need to accommodate aspects of the Orthodox lifestyle. Multi-culturalism was the norm in downtown Manhattan as in London's Canary Wharf, so that trading rooms wherein bearded, skull-capped, or turbaned Moslems, Jews, and Sikhs worked side-by-side became an unremarkable sight.

In between the praying, the learning, the kosher sushi, and all the rest, the new generation of Orthodox youngsters participated, willingly and even enthusiastically, in the creation, design, and sale to unsuspecting "suckers" across the country and around the world of those "financial weapons of mass destruction"—in Warren Buffett's telling phrase—that have inflicted massive damage on the American public and, ironically but fittingly, brought the entire Wall Street culture crashing down around them.

Most of these young people, despite (or is it because of?) their background in the world's leading yeshivot, seminaries, and other institutes of advanced Jewish study, never saw the inconsistency in this behavior. They made sure to raise the point in their job interviews with potential employers of their need to leave early on winter Fridays. Did any mention to their

interviewer before taking the job, or to their superiors or peer reviewers in periodic meetings while on the job, that they felt uncomfortable—nay, sickened—by the foul-mouthed patter that was standard style on trading floors, or by the crude sexist banter and jokes that were the norm in most departments of most firms?

Did any of them discuss, among themselves or with their rabbis, rebbes, mekubalim, and other religious mentors, the moral chasm between the readings in the Torah and Prophets they heard read in synagogue on Shabbat morning, or the sentiments contained in their kids' *divrei Torah* at the Shabbat table, and what they heard and did when they went back to work on Monday morning? Were they confused? Did they feel disoriented? Or were they able to live totally compartmentalized lives?

It seems that many did and continue to do just that—as a survival mechanism for religious people in a secular and hence culturally hostile world. The multi-cultural ethos of "live and let live" allows them to fulfill their religious obligations—reciting grace after meals, praying Minha, and even learning or reciting Psalms at work or while commuting—and still work in any sector, at any level.

But these achievements in the area of professional and workplace integration have exacted an enormous, terrible moral price. People integrated into companies, industries, and professions where moral values have eroded or diluted have, inevitably even if unconsciously, become corrupted. Many of them are today either amoral or immoral, although they delude themselves into believing that their religion, as they understand and practice it, makes them morally superior and provides them with a large measure of immunity to the immoral wider culture in which they move.

Thus it is that there are many Orthodox Jews—from Modern to Hareidi—whose minds and hearts are already lost to Judaism. They lean emotionally toward Gordon Gekko, the villain of *Wall Street,* whose motto is simple and direct: "greed is good"—because it gets you what you want. Worse still, they lean intellectually toward Ayn Rand and her hero John Galt in *Atlas Shrugged*. Most of them, of course, have never heard of Rand, let alone read the ideas she put into John Galt's mouth. Yet the views of many of the younger generation of Orthodox Jews, especially but not only in the United States, are aligned with her libertarian ideology, despite its being profoundly anti-Jewish and, in the deepest sense, idolatrous.

And the vision that was planted in my brain
Still remains
Within the sound of silence

The unfolding crisis has exposed the false gods once again as being unable to deliver the goods. Nothing new there; the young Abram tried to explain that to his father Terah in Ur of the Chaldees, and it seems that Terah eventually got the point. Ayn Rand's most prominent devotee, Alan Greenspan—the man who followed Volcker as Fed chairman—at least had the intellectual and moral courage to publicly admit that ideas he had held and nurtured for decades had been destroyed by the financial crash.

If Greenspan can see the light, there must surely be hope for all those others whose minds have been less severely poisoned. Unfortunately, the crash is likely to prove only the first stage of a prolonged crisis, which will impose deep and painful changes on the economy and society of America and the entire Western world. But this trauma provides the opportunity for Orthodox Judaism to admit that it took the wrong turn some way back and needs to get onto a road that leads somewhere worth going.

How do we find our way back to where we went wrong, and how do we then go right?

Finding our way back is the definition of *teshuva*, repentance. We know that the essential first step of *teshuva* is to accept and then admit that what we thought or did was wrong. That means ending the fraudulent pretence that current Orthodox theology and lifestyle are good enough, let alone ideal.

From there, it's got to be back to basics—and basics in Judaism means education. But education can no longer mean what it is still widely taken to mean—the maintenance of traditional religious values and practices. As Haym Soloveitchik explained 15 years ago, the assumption that basic values will be effortlessly absorbed by Jewish children growing up in a Jewish culture is not true or workable in today's world.

Basic values that used to be commonly accepted and upheld by all Western societies, can no longer be taken for granted. They are going to have to be taught, imparted, inculcated—consciously and carefully. The

values governing that huge part of people's lives encompassing work, income, wealth, spending, and investment must be resuscitated and these activities rescued from the clutches of "professional experts"—and then re-integrated into an overall moral framework, along with family, health, and well-being and all the other central components of our lives.

Jews have always prized learning and scholastic achievement, but they have also always had high regard for wealth and business acumen. Yissachar and Zevulun are both legitimate role models in the Jewish tradition, especially when they work in partnership. But there was always something else, more fundamental than either intellectual or material success. This something was so taken for granted that it actually went without saying—until it now seems that it has gone completely, without even saying goodbye.

That intangible something is morality—an amorphous catch-all encompassing values such as honesty, integrity, responsibility. In the Ashkenazi-Jewish world it was termed *mentchlichkeit* and among all Jews it was demanded of everyone, rich or poor, learned or ignorant. Before anything else and above all else, you had to be a *mentsch*.

One of the many aphorisms attributed to the Kotsker Rebbe relates to the way Megillat Esther introduces Mordechai as *ish yehudi*, "a Jewish man." The word *ish* seems superfluous—but that is not the case at all, said the Rebbe. First you have to be a *mentsch*, only then can you be a Jew.

That's what we have lost somewhere along the way—and that's what we have to get back to.