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A Crisis Deeper Than Just Tuition

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From the archives of the Yeshiva University Museum:

Images of Alef-Bet Chart

Girls Class, Early State of Israel

Workers’ Class

Future Artists

At the Yeshiva

Scrap of Child Learning

This magazine contains words of Torah.

Please treat it with respect.
Editors’ Thoughts: A Transformative Time for Jewish Education

BY: Gabrielle Hiller

The face of Jewish education is constantly changing in today’s world. The style of education that yeshivah day-school students of this generation receive is markedly different from the models experienced by our parents. Teaching methods have changed, and the role of the teacher has evolved. With the introduction of Smartboards and other technologies to the classroom, new and dynamic methods of relating knowledge and instilling values are being discussed every day in online forums of Jewish educational professionals. Experiential education is on the rise, women have access to new and exciting learning opportunities, and Yeshiva University is in the process of “reimagining,” an attempt to consolidate and reform the educational framework of its undergraduate institutions.

Yet recently, Jewish education has been at the forefront of our community news for not entirely positive reasons. Due to the financial crisis and the consequent the increasing number of families who must request scholarships because they cannot afford the rapidly rising tuition, schools are struggling to stay afloat. Talk of charter schools, a more affordable option, has led to a debate over the value of the traditional day-school education.

While yeshivah day-schools do have much to offer, there has also been a number of failures and points of contention concerning these schools. Tens, even hundreds, of thousands of dollars have been spent by many Jewish families on yeshivah tuition, the results of which are often, nonetheless, a lack of fluency in Hebrew language, frustration with the system, and most disconcerting of all, apathetic Jewish teens whose teachers, intent on merely relating knowledge, fail to inspire them. We battle with many questions, most of which do not have clear answers: Is there a way to teach tefillah without alienating the many students who simply cannot connect to the words? Is co-ed or separate-sex education more conducive to maximum growth for students? With limited time, priorities of which subjects to teach and how to teach them are constantly under review.

These issues have not gone unnoticed or unaddressed. There are now many organizations working with school administrators to solve these problems. Curricula are being revamped, and the standards and expectations for teachers are being raised.

Our era is a time of introspection in the world of Jewish education, as we question what has been done in the past and what should be changed for the future. It is a subject of vital concern to many of us, as it ensures the strong continuity of our people. In this issue of Kol Hamevasser, we investigate and survey a number of issues relating to Jewish education, and we hope that you will join us in our exploration.

One aside: We, the editors of Kol Hamevasser, would be remiss if we did not acknowledge the return of Gilad Shalit to his family. In our discussion concerning the continued revitalization of our nation’s future, we felt it essential to address this event and some of our complicated emotions in its wake. Jews all over the world struggle to understand the significance of Israel’s prisoner swap with Hamas, torn between happiness for Gilad’s return and safety, the terrible price Israel may have paid for him, and pride in the astonishing value our state places on life. In these pages, various aspects of this matter – halakhic and otherwise – are addressed in an article by Wexner Kollel Elyon member Yosef Bronstein. We hope that it will shed light on this complex issue.

“A Tree Planted on Many Waters”

Something About R. Aaron Levine z”l

BY: Rabbi Shalom Carmy

When almost all of my mother’s local friends, and most of her relatives, were dead, and she could not go out on her own, and I was away much of the time, how did she continue to live much of the time, how did she continue to live? Without new friends and companions, could she not go out on her own, and I was away most of the time, how did she continue to live? Without new friends and companions, could she not go out on her own, and I was away most of the time, how did she continue to live? Without new friends and companions, could she not go out on her own, and I was away most of the time, how did she continue to live? Without new friends and companions, could she not go out on her own, and I was away most of the time, how did she continue to live?

recounted to me the extraordinary tact and sensitivity with which he had confided our need to her. For this alone I should be grateful eternally.

For many rabbanim, charity begins at home. A shul’s needs are many, as are those of other local institutions. Money is finite, even in good times. This was not R. Levine’s attitude.

He raised funds, with palpable and infectious enthusiasm, for a variety of causes that were not directly connected to the Young Israel of Avenue J or the Flatbush community. He took enormous pride in the fact that his shul was in the forefront of support for organizations like Ezras Torah and Od Yosef Chai, both of which primarily provide assistance to needy families in Israel. All of this apart from innumerable acts of individual charity that occurred “under the radar,” known only to those whose partnership he required. And don’t forget the innumerable evenings when he interrupted his return home from Yeshiva to visit the sick at Manhattan’s hospitals.

His zest for this work transformed my outlook on tsedakah; he did the same for many others.

but on his pioneering application of economic theory to Halakhah? Well, kibbud em and charity are prominent among those mitzvot whose fruits nourish us in this world while the capital sustains us in the next world. I need no excuse to dwell on my debt in these areas. The great testimony to R. Levine’s achievement as a talmid hakham and as a scholar is available to all who desire - the voluminous publications into which he poured so much of his energy. Though much of his productivity on battei din or as a local posek is not in the public domain, the published material suffices to initiate the interested. These words continue to speak to us from the grave, and will continue to inspire his successors.

I choose to set R. Levine’s intellectual life work against the backdrop of his conduct because he was one of those whose deeds were greater than his wisdom and learning, of whom the Mishnah says that their wisdom and learning will endure. Truly, he was gifted intellectually. His retention was phenomenal: Once, in the mid-1970s, when he was a young instructor and I was even younger, we discussed over the phone a halakhic issue (not connected with economics in any way). At one point I suggested that it would be more time-efficient if he simply told me the name of the book he was reading from, only to learn that there was no book - R. Aaron was quoting from memory. Such gifts, even when fully developed, make a brilliant scholar but make neither a religious leader, nor a guide and support to others, nor a saintly individual.
It is not just that he worked hard. He approached every question with painstaking meticulousness and detail, whether it was a monetary dispute in a rabbinic court, personal advice, a shul decision, or the disposition of an article for Tradition. In the last years, when he was often in great pain, I lightened his workload for the journal, and often he begged off a refereeing assignment. Yet when his participation was essential he took the lead and followed up on every detail until we reached a fair and honest result, as best as we could achieve.

R. Levine was a team-player, a diplomat and at the same time, and perhaps for that very reason, an individual ready to fight for what really mattered to him. Even if an editorial decision went against him, he accepted it and did his utmost to ensure that the outcome was successful.

For many of his admirers, R. Levine’s crowning achievement was his editing of the Oxford Handbook of Judaism and Economics. From the viewpoint of internal Orthodox self-validation, this massive work marked the arrival of “Halakhah and Economics” as a recognized scholarly discipline. R. Levine insisted that the book must not contain anything objectionable from the viewpoint of normative Jewish belief. In the modernist academic culture of theological “don’t ask, don’t tell,” it is difficult enough to maintain standards in books explicitly identified as Orthodox. In order to attain his goal, it was necessary for R. Levine to become familiar with approaches to Halakhah alien to him, that reject the divine origin of Torah she-be-al Peh. He had to understand what motivates them, and to negotiate acceptable formulations with scholars who have no commitment to Orthodox principles. Earlier in his career he had learned to participate in symposia, both face-to-face and in writing, where he debated respectfully with individuals who fell far short of his halakhic or economic knowledge. Now, often in pain, he presided over this last book. We had many conversations about these projects but I still do not fully understand how he pulled it off.

He whose actions are greater than his learning, to what does he compare?4 To answer, the Mishnah cited above quotes Jeremiah: Such a person is like a “tree planted on waters... and is not anxious in years of draught and does not cease from bearing fruit.” R. Levine was such a person. He could be hurt like anyone else when treated disrespectfully, but he got over it astonishingly fast. Throughout his life he was a prodigious writer and teacher, an indefatigable scholar and a man of normative Jewish belief. In the modernist academic culture of theological “don’t ask, don’t tell,” it is difficult enough to maintain standards in books explicitly identified as Orthodox. In order to attain his goal, it was necessary for R. Levine to become familiar with approaches to Halakhah alien to him, that reject the divine origin of Torah she-be-al Peh. He had to understand what motivates them, and to negotiate acceptable formulations with scholars who have no commitment to Orthodox principles. Earlier in his career he had learned to participate in symposia, both face-to-face and in writing, where he debated respectfully with individuals who fell far short of his halakhic or economic knowledge. Now, often in pain, he presided over this last book. We had many conversations about these projects but I still do not fully understand how he pulled it off.

When actions are greater than learning, the results are not only unshakable moral stability and relentless religious commitment, indomitable work habits and tranquility in crisis. There is also a superior truthfulness that is conferred upon the individual whose learning is rooted in his life. One conversation I had with R. Aaron may convey something of what is at stake: *The New York Times* has a weekly feature in which a journalist judges ethical dilemmas. The perspectives generally express a predictable liberal secularism. One week the following scenario was presented: On a commuter train, passengers notice that an elderly woman prefers to stand throughout the trip rather than sit next to a black person. The questioner asks whether it is proper to vacate one’s own seat, taking the one the “racist lady” has spurned in order to accommodate her peculiar preference. The answer was that one should have no mercy on the offending woman; she should be allowed to suffer for her intolerance.

To me this seemed unjustifiably harsh. By occupying the rejected seat one was surely demonstrating a lack of sympathy for the old woman’s prejudice, while treating her, who had presumably come to her attitudes long ago and was confirmed in them, with a degree of pity, sparing her aged body a long ride in a swaying train. The *Times* verdict sounded too vindictive, too reminiscent of the self-righteous liberals we meet too often in real life, so memorably depicted in works like Flannery O’Connor’s “Everything that Rises Must Converge.” Those with whom I discussed the column either agreed with me or were hesitant to disagree.

For R. Levine, by contrast, there was one overriding criterion: the strict halakhah of *ona’at devarim*, the prohibition of oppressing another person by word or gesture. The old woman was guilty of *ona’at devarim*; to accommodate her was to abet her iniquity. Of course, if there was danger of her being injured, she should be helped. Short of that, the *Times* Ethicist for once had it right. What matters in this discussion is not whether one can question R. Aaron’s reaction but how it illustrates the way a man’s mind works when he has internalized the Halakhah not only academically but existentially.

He is gone. To whom can I turn for that kind of insight?

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1 Psalms 1:3.
2 Pe’ah 3:17.
3 Avot 3:9.
4 Avot 3:17.
5 Jeremiah 17:8.

A Crisis Deeper than Just Tuition

BY: Moshe Karp

It’s hard to be a Jew. This classic refrain has spilled off the lips of Jews throughout the ages as they struggled through the worst of predicaments. Sometimes, they faced outright physical persecution and feared for their lives. Other times, Jews were pressured into giving up their religion by working on Shabbat or by otherwise assimilating into the native culture. By the standards of the past, being Jewish in twenty-first century America is not so difficult. The constitutional right to freedom of religion allows Jews to worship freely, and other laws criminalize religious discrimination in the workplace. Orthodox Jews of yesteryear would have enviously looked at the ease with which American Jews live their lives as completely religious people, never thinking that there could be a difficulty lurking behind the seemingly perfect veneer of contemporary American Orthodoxy. Yet, many of today’s Orthodox parents would likely respond emphatically by paraphrasing Jimmy McMillan: “Tuition is too damn high.”

The yeshivah day-school system, combining both *limmudei kodesh* and secular studies under a single roof, is a symbol of the reconciliation of Jewish life with American culture. The cost of providing this dual-curriculum education is formalize these two requirements, with the *limmudei kodesh* portion of the school-day corresponding to the former obligation, whereas the secular studies component corresponds to the latter two.1 However, the yeshivah also teaches children Jewish values. Sometimes this may be in a formal setting, such as learning about the *mitsvot* of the traditional seder, or for older children, Rambam’s *Hilkhot De’ot*, topics of interpersonal relationships subsumed within the halakhic system. But at other times, children learn from watching people interact with each other and with God. Rabbis and teachers are role models from whom we hope children glean some sense of what it means to be a Jew.

R. Samson Raphael Hirsch outlines an educational theory in his work, *Horeb*, which...
emphasizes two central tenets: the importance of teaching Jewish values through living those values, and the responsibility of a parent to actively contribute to all aspects of his or her children’s education. The current communal response to the tuition crisis reveals an abdication of both of these values, which may constitute a bigger problem than the crisis itself.

R. Hirsch does not promote this methodology at the expense of the traditional *talmud Torah* curriculum, but feels it necessary to highlight additional components of Jewish education. One might think that when a parent delegates responsibility for a child’s education to professionals, he or she is at least standing back and watching without taking any role in that child’s development. R. Hirsch warns against this complacency by clarifying that “even if [the] father lets the greater part of [education] be carried out by the school he should not forget that the school is only an instrument and that, even if the task is over to him, the duty still remains with him of watching over the progress of his child and assisting it where and as he can.” With this in mind, R. Hirsch gives numerous examples of ways in which a father must educate his child in the moral aspects of life; for example, “Habitate him in the ways of Torah, and when he is old he will not depart from them” (Deuteronomy 32:4). The parent must continue to play a role in his or her child’s education. Sometimes this comes through the daily grind of reviewing that day’s new material or helping with homework, both for Torah and secular studies. While these actions constitute a more formal participation in a child’s education, a parent’s behavior is just as crucial in helping the child learn what is and is not the correct way to live life. “But do you know the great instrument which you have in your hands for giving him this training? Your own example! In the life of his parents the child sees the picture of what will one day be his own life, and he copies it eagerly and quickly.” R. Hirsch draws attention to the parent’s silent role in formulating the moral backbone of his or her child’s life. What is learned in school “must be taught to each boy fitted into your house,” but is not the only and perhaps not even the most important element in a child’s Jewish education.

A parent’s attitude filters down to his or her children. R. Hirsch focuses on the positive values which a parent can bequeath to a child by acting in a certain way. I am concerned that there are negative values being drawn out by the tuition crisis which may also be passed down to children and have disastrous consequences for the Orthodox community. Certainly, as someone who is not yet paying tuition, I cannot completely sympathize with the financial difficulties of raising children in the Orthodox community. The tuition crisis is undoubtedly a very real challenge faced by Modern Orthodox Jewry, and much hard work remains before it can be resolved. Nevertheless, the way that some in our community have responded to the tuition crisis seems to contradict this basic but incredibly important lesson. When parents have set forth in order to help combat the rapid rise of tuition for Jewish day-schools reveals some of these disturbing tendencies. The most extreme plans involve leaving the *yeshivah* system behind altogether. Some parents have begun to send their children to public schools, with tutoring or a classical “Talmud Torah” providing religious instruction. A number of charter schools teaching Hebrew language, which have either opened in recent years or plan to open in the coming years, have attracted Orthodox parents opting out of the *yeshivah* system. Some critics have unfairly stigmatized all parents who make this seemingly difficult choice or classified them as not frum. There are obviously situations when the right choice is to take a child out of *yeshivah*. However, even assuming that tutoring provides public or charter school children with the same Torah background and knowledge as their *yeshivah* peers is, at best, skeptical. If the reality is that taking a child out of *yeshivah* students are spending far more time on Torah subjects. Many parents who leave the day-school system because of the tuition crisis are giving their children a message that a Torah education in a full-time Jewish environment is not as important when it becomes difficult to pay tuition and continue to live a comfortable suburban lifestyle. Children see when material values which a parent can bequeath to a child by acting in a certain way. I am concerned that this attitude is a real problem throughout the community at large. Many of those who comment on the blog are venomous towards those with whom they may disagree regarding the operation of the schools. For example, one recent commentator complained about the amount of money going towards the schools being closed on *eruv Rosh ha-Shanah*. Many comment threads include attacks on administrators and teachers whom they believe are excessively compensated and do not do enough work. Those who attempt to defend the existing schools are derided as “legacy hacks.” Some local schools have been able to reduce tuition slightly because of communal programs or government funds, which have been made available for security and energy improvements, but were criticized for not doing enough. I am not the only one to notice the strident tone of the commenters on this website; one prominent principal pointed this out in a guest post on the blog,“When children see their parent’s negative attitude, not just toward the schools but also the vicious and often ad hominem attacks on people in general, they subconsciously learn to react similarly.” Nevertheless, I am concerned that this attitude is a real problem throughout the community at large. Many of those who comment on the blog are venomous towards those with whom they may disagree regarding the operation of the schools. For example, one recent commentator complained about the amount of money going towards the schools being closed on *eruv Rosh ha-Shanah*. Many comment threads include attacks on administrators and teachers whom they believe are excessively compensated and do not do enough work. Those who attempt to defend the existing schools are derided as “legacy hacks.” Some local schools have been able to reduce tuition slightly because of communal programs or government funds, which have been made available for security and energy improvements, but were criticized for not doing enough. I am not the only one to notice the strident tone of the commenters on this website; one prominent principal pointed this out in a guest post on the blog. When children see their parent’s negative attitude, not just toward the schools but also the vicious and often ad hominem attacks on people in general, they subconsciously learn to react similarly. The questions raised by the blogging critics of the yeshivah system may be legitimate but the way that they are asked makes me worry about what will be for the future of the Jewish people. As hard as tuition may be to pay, people have no license to be nasty to anyone, let alone those who work tirelessly to educate their children.

There is no question that the high cost of tuition is a major problem facing today’s Modern Orthodox community. When people are getting priced out of providing quality Jewish educations for their children, it becomes time to reassess the system. Legitimate questions can and should be asked about the way that the *yeshivah* day-school system operates. However, the response to the tuition crisis should be one rooted in what our educational system is meant to teach: Torah and *middot*. These two pillars of Judaism seem to get ignored when people react viciously with regards to the schools which they have entrusted to teach their children. The response should not be one of accusation or of abandonment; it should be one of working together to make things better. Just as Rome was not built in a day, so too tuition will not come crashing down right away. But when parents act with such unabashed negativity towards the very people and institutions to which they give the great responsibility of education, children notice and could easily begin to take on the very same harmful attitudes. If this continues as it is, the tuition crisis has the potential to balloon into a far deeper and existential one as children see their parents behave in a way that is antagonistic to the sweet ways of the Torah and inculcate those pernicious beliefs into their own characters.

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“In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake... Not to allow, in any form of... assistance granted by the public authorities... undertakes... Not to allow, in any form of... Convention, States Parties thereto... While the statement sets goals for improving academic achievement nationwide, its primary feature is an emphasis on values education, incorporating more curricular material on Zionism, Jewish history, and service in the military. Noble goals as these... have impacted the culture of expression in Israeli schools. The Association for Civil Rights in Israel concluded in October 2010 that freedom of expression in Israeli schools is now at risk, racism is rapidly spreading, and "themes relating to human rights, pluralism, and coexistence...have suddenly begun to be seen as 'dangerous' and questionable."20

In this context, the Dirasat report also criticizes the Likud government’s failure to implement the December 2009 reformulation of the government’s “National Priority” system, which specifies the regions that need special attention and resources in education and other areas.21 The original formulation had been declared discriminatory and illegal by the Israeli Supreme Court in February 2006, when FUCAE sued the government for not including any significant Arab towns in the National
Jewish Education

Glaring evidence of significant gaps in educational quality remains in the Israeli system, indicated by data in almost every relevant category.

Priority Area B zones.24 Once again, the report concludes that the sum total of aforementioned actions and inactions by the current Likud administration points to a policy of intentional discrimination against the Arab minority and its values.25 The Dirasat report's final major act is its endorsement of the Arab Pedagogic Council, formed by FUCAE in July 2010. The intention of this council is to serve as a professional body of Arab leaders that oversees "curricular policies and practices" in Israel's Arab sector, and to achieve full recognition by the government as the authority over those areas.

As an outsider, I find it useful to take the conclusions of special-interest groups like Dirasat and FUCAE with a grain of salt, as there is certainly room to question their objectivity. Most of the analyses addressed here were conducted by like-minded organizations that take significant offense at the Jewish character of the State of Israel. I embrace this character, but nonetheless feel very strongly that even supporters of the Jewish State can and should take the above data very seriously. Surely many of us object to Arab demands that Israel foster Palestinian nationalism and values in its own educational system, a notion that is both logistically threatening to Zionist values and legitimately irrelevant to the issue of low educational standards. We may also disagree with the above reports regarding the root of the problem, and the reason for Israel's failure to remedy Arab education. Still, two unsettling realities emerge from this research, realities that demand the attention of concerned Jews in Israel and abroad.

First, the basic facts that form the core of the research are demonstrably true and inherently shocking. Official Education Ministry data show that academic achievement in the Arab sector lags behind the Jewish figures to an almost absurd extent. Whether the Arab communities themselves are to share a large degree of the blame for this or not is certainly debatable, but it is still in Israel's power, and is still its moral prerogative, to try and rectify the situation. Israeli governments themselves have acknowledged these problems and their power to address them, but have simply failed to deliver. The current government continues to sit on the unfilled promises of 2007 as they gather dust. What does this say about our beloved State's commitment to equality? And perhaps even more troubling is the fact that in researching the topic of Arab education in Israel, the only thorough investigation is the work of Ze'ev Jabotinsky from the Jewish community. "Separate educational facilities and coexistence among the two populations. This set of rules can convey different philosophical from Oxford, lectured at Tel Aviv University in the 1930s, and one of the Jewish leaders who was deeply involved in the land of Israel, believes that the state of Israel must not enact racial discrimination. A rule to responsible Jewish leaders: The State of Israel must not enact racial discrimination. A rule to responsible Jewish leaders: The State of Israel must not enact racial discrimination.

The other initiative is "Hand in Hand: Center for Jewish-Arab Education," founded in 1997. The Center’s goal is to create a network of bilingual and bicultural Jewish-Arab schools, conclusions regarding Jewish responsibility toward Arab education, depending on the ethical and cultural biases of the reader. Protection of life can be seen maximally to include the human right of education, or minimally to refer only to situations of imminent death. The prohibition of financial affliction can be seen to demand equal education standards, or the bar for affliction can be set much higher. I am quite confident, however, that the nature of Israel's moral commitments in the twenty-first century, as well as the pragmatic concerns of facilitating coexistence, should make the conclusion clear to responsible Jewish leaders. The State of Israel must not enact racial discrimination. A similar notion was argued in a halakhic context by R. Yitzshak ha-Levi Herzog, who wrote extensively about Israel's obligation to uphold its commitments to the UN, which had made possible its existence.28

Ruling over other peoples does not come naturally to Jews. Even in the glow of finally realizing Jewish national sovereignty after millennia of waiting, governance proves to be a formidable challenge for us. Whether work of these "Jewish values," I will address the halakhic relevance of the ger toshav construct to Israel's Arab citizens.

8 Jack Khoury, "Israel's textbooks in Arabic are full of mistakes, study finds," Haaretz Online Edition, May 9, 2011.
9 Or Kashty, "Israel aids its needy Jewish students more than Arab counterparts," Haaretz Online Edition, August, 12, 2009.
10 The Committee remains active and outspoken in this capacity until today. See, for instance, "General Strike in Naqab after Israeli Decision to Deport Bedouins," Palestine News & Info Agency Online Edition, October, 6, 2011. Aside from headlines such as this, the Committee maintains a very scarce and unimpressive online presence. It has released a one-page document about its history and purpose is difficult to come by. Basic dates, such as those I have provided, are cited from expansive historical works by Wikipedia and other unofficial Internet information sources.

13 See, for instance, Tania Kepler, "Follow-Up Committee on Arab Education: 'Nakba Law Incites against Arab Population,'" The Alternative Information Center, March 24, 2011.
14 Human Rights Watch, Ibid.
15 Jabareen, Ibid.
16 Ibid.
17 Ibid. 9-11.
18 Tamir, who served as an officer in the 1973 Yom Kippur War, holds a PhD in Political Philosophy from Oxford, lectured at Tel Aviv University for ten years, and was a research fellow in Princeton and Harvard, is a controversial figure in Israeli politics. She co-founded Peace Now in 1978, and angered the right wing by introducing Arab textbooks that describe the 1948 war as "al Naqba," or "the catastrophe" (Or Kashti, "Likud and NRP ministers call for education minister's dismissal," Haaretz Online Edition, July 23, 2007), and by removing the work of Ze'ev Jabotinsky from the Jewish curriculum (Na’ama Sheffi, "Jabotinsky been expelled," Haaretz Online Edition, August 11, 2008).
19 Jabareen 14-17.
20 See note 1 above.
22 The Association for Civil Rights in Israel (ACRI) Shadow Report submitted to United Nations Committee on Economic, Social, and...
Bringing Gilad Home: Halakhic Perspectives

BY: Yosef Bronstein

The saga of Gilad Shalit’s capture, captivity, and release has captivated the Jewish people for over five years. In the week between the announcement of a prisoner-swap deal and Gilad’s eventual release, Israel was submerged in an intense and emotionally charged public debate about the positives and negatives of the exchange. In this essay, I would like to survey some of the particular factors and broader perspectives that posekim over the years have raised and discussed when weighing in on such issues. In a system that was publicized just two days prior to the prisoner exchange,1 R. Dov Lior, the rabbi of Kiryat Arba and Hevron, expressed his reservations with the deal. He contended that it would violate two very straightforward halakhot - one found in the laws regulating the ransoming of captives and a second concerning the preservation of life. Let us analyze each claim separately.

The first issue begins with the commandment of pidyon shevuyim (redeeming captives) and its relatively high standing in the hierarchy of the halakhic totem pole. The Gemara relates that a noblewoman once donated money to the Jewish community, but earmarked it for an "important religious precept."2 After deliberating for some time, R. Yosef decided to use the money to redeem captives. The Gemara explains that while, generally, even one who is enduring a difficult time is beset by but a single form of suffering such as hunger or sickness, the plight of the captive "includes the sufferings of all." Additional evidence for the importance of redeeming captives emerges from Tosafot, who assert that, while, it is normally prohibited for a community to sell a sefer Torah to raise money for any captive, the ransoming of captives is an exception.3 In fact, Rambam counts no fewer than seven mitzvot that are violated by not redeeming captives.4

However, the Mishnah in Giturim records that a later Rabbinic enactment prohibited the ransoming of captives “for more than their value,” in order to preserve “the good order of the world.”5 The Gemara raises two possibilities as to the nature of this communal benefit: either to not impoverish the community for the sake of an individual, or to not encourage future kidnappings. Rashi notes that a practical difference would emerge between these two suggestions in the event that the captive has a wealthy relative or friend who is willing and able to bear the financial burden.6 While the impoverishment of the community is avoided, the captors will walk away with their aims achieved and will therefore be motivated to continue their dastardly deeds. It is interesting to note that despite the Gemara’s lack of resolution, both Rambam7 and Shulhan Arukh8 quote the second reason and therefore prohibit the captives from volunteering the entire ransom fee.

In regard to the current prisoner exchange, R. Lior argued that the ratio of a single Israeli soldier to 1,027 Palestinian prisoners seems to be quite clearly “more than their value.”9 Therefore, implementing the prisoner exchange would constitute an unequivocal violation of the Mishnah.

One method, developed by R. Sha’ul Yisra’el10, a Religious Zionist halakhic government, such as a man, makes use of an exceptional circumstance already mentioned in Shulhan Arukh. While both the community and a separate individual person are prohibited from succumbing to extortion, if the captive himself has the financial means to pay his own ransom, he is allowed to redeem himself. R. Yisra’el argued that a similar scenario is applicable in regard to a country. However, as opposed to an individual person, for whom the demand of “oneself” is quite limited, the entity of the country is defined as anyone who is currently in its service.11 Therefore, anyone who is taken captive while being employed by the government, such as a soldier, is outside the purview of the rabbinic enactment against submitting to extortion.

A different approach was taken by R. Ovadia Yosef.12 He noted that, despite there being no mention of this in Shulhan Arukh, there exists a group of Rishonim and Aharonim that limit the Mishnah’s ruling to scenarios in which there is no danger to the captive’s life. They therefore conclude that when the captors raise money for a safe location.

The Gemara explains that while, generally, even one who is enduring a difficult time is beset by but a single form of suffering such as hunger or sickness, the plight of the captive “includes the sufferings of all.”

By: Yosef Bronstein

The saga of Gilad Shalit’s capture, captivity, and release has captivated the Jewish people for over five years. In the week between the announcement of a prisoner-swap deal and Gilad’s eventual release, Israel was submerged in an intense and emotionally charged public debate about the positives and negatives of the exchange. In this essay, I would like to survey some of the particular factors and broader perspectives that posekim over the years have raised and discussed when weighing in on such issues. In a system that was publicized just two days prior to the prisoner exchange, R. Dov Lior, the rabbi of Kiryat Arba and Hevron, expressed his reservations with the deal. He contended that it would violate two very straightforward halakhot - one found in the laws regulating the ransoming of captives and a second concerning the preservation of life. Let us analyze each claim separately.

The first issue begins with the commandment of pidyon shevuyim (redeeming captives) and its relatively high standing in the hierarchy of the halakhic totem pole. The Gemara relates that a noblewoman once donated money to the Jewish community, but earmarked it for an “important religious precept.” After deliberating for some time, R. Yosef decided to use the money to redeem captives. The Gemara explains that while, generally, even one who is enduring a difficult time is beset by but a single form of suffering such as hunger or sickness, the plight of the captive “includes the sufferings of all.” Additional evidence for the importance of redeeming captives emerges from Tosafot, who assert that, while, it is normally prohibited for a community to sell a sefer Torah to raise money for any captive, the ransoming of captives is an exception.

In fact, Rambam counts no fewer than seven mitzvot that are violated by not redeeming captives. However, the Mishnah in Giturim records that a later Rabbinic enactment prohibited the ransoming of captives “for more than their value,” in order to preserve “the good order of the world.” The Gemara raises two possibilities as to the nature of this communal benefit: either to not impoverish the community for the sake of an individual, or to not encourage future kidnappings. Rashi notes that a practical difference would emerge between these two suggestions in the event that the captive has a wealthy relative or friend who is willing and able to bear the financial burden. While the impoverishment of the community is avoided, the captors will walk away with their aims achieved and will therefore be motivated to continue their dastardly deeds. It is interesting to note that despite the Gemara’s lack of resolution, both Rambam and Shulhan Arukh quote the second reason and therefore prohibit the captives from volunteering the entire ransom fee.

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A different approach was taken by R. Ovadia Yosef. He noted that, despite there being no mention of this in Shulhan Arukh, there exists a group of Rishonim and Aharonim that limit the Mishnah’s ruling to scenarios in which there is no danger to the captive’s life. They therefore conclude that when the captors raise money for a safe location, even if individuals might find themselves in situations that would otherwise be prohibited.

A responsum of R. Eliezer Waldenberg illustrates this notion in a very vivid fashion: Imagine that, during a battle, an Israeli soldier is wounded on the field between the two fighting armies, while his comrades remain in a safe location. If this wounded soldier is to remain untreated, exposed and defenseless, he will almost certainly die from his wounds or enemy fire. Are the other soldiers obligated to expose themselves and put themselves at increased risk in order to save their wounded comrade? R. Waldenberg begins to address this terrible dilemma by outlining the halakhic parameters of putting oneself into a dangerous situation to save someone currently in a high level of danger. He concludes, based on these rules, that the soldiers are not obligated and might even be prohibited from risking their lives to save their comrade. However, at this point of his analysis he changes the tone of the argument. He notes that, in a wartime situation, R. Kook’s assertion that the needs of the community eclipse the needs of the individual comes to the fore, and we must therefore ask what is better for the army as a whole. If the army will be more efficient in the task of defending the people if each solder...
It is very enlightening to compare the factors raised by various poskim to those that were mentioned by government officials and in the Israeli public discussion. In Prime Minister Netanyahu’s emotional speech following his embrace with Gilad Shalit, he eloquently expressed the difficulty of his decision and the factors that led him to ultimately sign off on the deal.

It entailed a very difficult decision. I saw the need to return home someone whom the State of Israel had sent to the battlefield. As an IDF soldier and commander, I went out on dangerous missions many times. But I always knew that if I or one of my comrades fell captive, the Government of Israel would do its utmost to return us home, and as Prime Minister, I have now carried this out.23

In this remark, the factor that Netanyahu raised seems parallel that of R. Yisra’eli; namely, that the government and its soldiers are entangled into a single entity. However, as the prime minister’s speech continued, this notion of the government’s responsibility for its soldiers was expanded to a more general point. It illustrated an emotion apparently felt by the 80% of the Israeli public who supported the lopsided exchange – mutual responsibility stemming from a sense of unity and brotherhood. In a heartening and enlightening article from Ynetnews, Gili Gurel noted the difficulty that foreign media had in understanding why so many Israelis supported the deal: “As the prime minister’s speech continued, this emotion apparently felt by the 80% of the Israeli public who supported the lopsided exchange – mutual responsibility stemming from a sense of unity and brotherhood. In a heartening and enlightening article from Ynetnews, Gili Gurel noted the difficulty that foreign media had in understanding why so many Israelis supported the deal.” 24

Ethan Bronner conveyed this solidarity in The New York Times by explaining, “the notion of the stranger is remote.” 25

At the end of the day, after the halakhic evidence is scrutinized, weighed, and discussed, perhaps the most powerful and inspiring lesson is the one taught to us by the masses of Am Yisrael – that after all of the rifts and divisions of which we are all too painfully aware, in our heart of hearts we are all brothers. To conclude, I will simply quote the eloquent closing of the prime minister’s address:

Citizens of Israel, in recent days, we have all seen national unity such as we have not seen in a long time. Unity is the source of Israel’s strength, now and in the future. Today, we all rejoice in Gilad Shalit’s return home to our free country, the State of Israel. Tomorrow evening, we will celebrate Simchat Torah. This coming Sabbath, we will read in synagogues, as the weekly portion from the proverbs, the words of the prophet Isaiah (42:7): ‘To bring out the prisoners from the dungeon, and them that sit in darkness out of the prison-house.’ Today, I can say, on behalf of all Israelis, in the spirit of the eternal values of the Jewish People: “Your children shall return to their own border [Jeremiah 31:17].” Am Yisrael Chai! [The People of Israel live!]

Yosef Bronstein is a member of the Bella and Harry Wexner Kollel Elyon of RIETS, and is an alumnus of YC.

Others have argued, also on the basis of the unique perspective of the State of Israel, that succumbing to terrorists’ demands is a violation of the most central halakhic principle: kiddush ha-Shem.

It is an admittedly original idea: Just as the Gates of Heaven are open to receive repentant sinners, the gates of Hell are open to receive apostate sinners, so also the gates of Peace are open to receive repentant terrorists. But there is no wish to destroy them, but only release them so that they will repent of their evil ways and return to the Jewish fold. The government therefore undertook the responsibility to release Shalit in exchange for the hostages. And it is no accident that our government has made peace with Jordan, and is conducting peace negotiations with the Palestinians, and is seeking a peace agreement with Egypt.

In the same vein, the Chief Rabbi of Haifa who was taken captive by the Black September terrorists and held for six months, Rabbi of Haifa who was taken captive by the Black September terrorists and held for six months, Rabbi Yaakov Emden has justified his decision by asserting that each side “thought that justice was with them.” 26 R. Gershuni argued that “keeping the law is from the very essence of the existence of a country,” and that upholding the legal system can be equated with soldiers fighting for the country’s physical security. Therefore, he concluded, freeing murderous terrorists who have been sentenced by the legal system to life imprisonment is itself considered endangering the state – a force that eclipses all other opposing factors, including the life of the captive.

Others have argued, also on the basis of the unique perspective of the State of Israel, that succumbing to terrorists’ demands is a violation of the most central halakhic principle: kiddush ha-Shem. Because of Am Yisrael’s status as God’s chosen nation and its unique relationship with Him, R. Lior27 and R. Yisra’eli28 view Israel’s position vis-à-vis its enemies as a reflection of the standing of God in the world. Therefore, capitulation to the demands of terrorists, which lowers the stature of Am Yisrael, constitutes a desecration of God’s name. We are obligated to avoid such a situation at all costs.

Jewish Education

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Teaching Experience

BY: Chumie Yagod

Claim: The only way to true knowledge - that is to say, universal, necessary, and certain knowledge - is through the path of science. This viewpoint is certainly compelling; scientific experiments are reproducible, available for analysis to anyone (well, anyone who understands science), and subject to thorough criticism. How could there be any other way to gain knowledge? “Experience,” “emotion,” and “intuition” – these words dismay the scientific positivist. Experiential knowledge is personal, emotion entirely untrustworthy, and intuition an old wives’ tale. My object in writing this article is not to carry out an exposition of the philosophy of science and question the basic premises of the discipline. Suffice it to say that the foundations of scientific knowledge are subject to critique. Yet putting aside these considerations, and assuming science does deliver truth, is it the only truth in the world? Should a truly rational being eschew all other techniques for obtaining knowledge in favor of the scientific method?

My answer is no. Humans possess many faculties for gathering data and reason is but one of them. To ignore all the others, insisting that they are untrustworthy, strikes me as unwise. In the first two sections of The Halachic Mind, R. Joseph B. Soloveitchik makes a compelling case for epistemology for non-scientific cognitive acts. As R. Shalom Carmy points out, true religious Judaism cannot be a purely intellectual pursuit. Despite this fact, the experiential and emotional components of Judaism are frequently under-emphasized.

Jews are many sources that speak of the need for interaction with one’s religion. Jews need to engage their Judaism! Relate to it, argue with it, think something, anything, about it! God should take up space in a religious Jew’s mind. This point is obvious; the following point seems less so. Religious Jews should not only engage their Judaism intellectually, but emotionally and experientially as well. Indeed, at times it seems impossible to avoid emotional engagement. Tefillah serves as the primary example of a mitsvah tailored to strengthen our emotional link to God. True, according to the Rambam, tefillah only requires one to focus on the thought of standing before God. The closeness to God a mother ties on his tefillin, the awe with which a parent approaches the Yanim Nora’im (the High Holidays), the joy a parent radiates when singing Ha’alot at the sefer…

Unfortunately, reality seldom reflects the ideal. Though parents should be the foremost teachers of their children, they frequently are not. In such cases, the responsibility to transmit the intuitional and experiential meaning of Judaism falls to teachers. I have not conducted a formal study on the prevalence of the inclusion of experiential Judaism in school curricula, nor do I have specific data sets that relate to this matter. Bearing this disclaimer in mind, I believe that this lesson is frequently lost amid the focus on text and quantifiable knowledge that usually comprises formal schooling. Certainly the task of education grows exponentially harder in a classroom setting, with many children and demanding curricula to satisfy. However, nothing really worthwhile is easy. Teachers have a duty to the next generation that they simply cannot neglect: to educate not only intellectually, but experientially and emotionally as well.

Religious Jews should not only engage their Judaism intellectually, but emotionally and experientially as well.

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2 Shalom Carmy, Forgiving Us, Father-in-Law, For We Know Not What to Think: Letter to a Philosophical Dropout From Orthodoxy (Jerusalem: ATID, 2004).
3 Rambam, Mishneh Torah, Hilkhos Tefillah, 4:16.
4 Artscroll translation.
6 Ibid. p. 24.
7 All translated Tanakh quotes in this article utilize the JPS translation.
8 Shulhan Arukh, Yoreh De’ah, 249:1.
9 Rama, Ibid.
10 Shulhan Arukh, Yoreh De’ah, 249:3.
11 Ibid. 248:1.
12 Yavikra 23:42-43
13 Shemot 13:8.
14 Devarim 6:7.
15 Devarim 11:19.
16 Devarim 32:7.
17 Rambam, Mishneh Torah, Hilkhos Talmud Torah, 1:3.
Shabbat: A Time of Rest or Unrest?

BY: Gavi Brown

In 2009, when Nir Barkat, the mayor of Jerusalem, opened a parking garage on Shabbat, thousands of Ultra-Orthodox Jews took to the streets in violent protests. A counter-protest was organized by secular Jews who held placards that read “No Religious Coercion” and “Jerusalem is for Everyone.” As the Jerusalem garage protests demonstrate, Shabbat observance has become a contentious political and religious issue and has lead to a bifurcation within the Jewish State between the secular and the religious. To the most secular Tel Aviv resident, Shabbat as a “day off” is viewed as a major contribution to civilization, if the government deemed them essential to the security or economy of the state. The law also forbade an employer to force a Jew to work on Shabbat, but left the decision to allow businesses to be opened on Shabbat to the will of various municipalities. For example, in Jerusalem, buses do not run, and shops and restaurants are closed. The legislation set down in the early days of the state was accepted as policy and was observed as the status quo. Religious and secular parties agreed not to alter legislation, and any proposed changes usually met with fierce opposition and were subsequently abandoned.

In 2008, a bill allowing buses to operate throughout the country on the Sabbath, albeit avoiding religious populations, was shut down in the Knesset. The status quo ruling has Prevented a Kulturkampf between the secular and religious by preventing sweeping legislation concerning Shabbat. Nevertheless, small changes in municipal laws have circumvented national laws and eroded the traditional Sabbath.

The Erosion of Shabbat

From the establishment of the State until the mid-1980s, public Shabbat observance was determined by the status quo in each locality. According to a poll conducted by Fletcher, the subsequent establishment of chain stores and large malls in Israel, along with a rise in automobile ownership, began to chip away at Israel’s traditional Shabbat. Cinemas, theaters, and restaurants began defying national laws while municipalities either turned a blind eye or allowed the trend. In 1988, clubs opened up in Tel Aviv and even in Jerusalem, where Friday night dances attracted thousands. Since the government does not operate on Shabbat, many semi-public companies and airlines circumvented local and national laws. For instance, El-Al, Israel’s flag-carrier airline, purchased flight codes from Sun D’Or Airlines in order to operate on Shabbat. By the 1990s, automobile ownership soared, and rural Israeli kibbutz collectives began to take advantage of a 1950s loophole in the law banning Sabbath day commerce in cities, by opening warehouse outlets and malls on kibbutz-controlled property.

In 2002, journalist Hillel Halkin observed that the consumerism taking over Israel was manifest by a change in attitudes towards Saturday. While most Israelis enjoy a two-day weekend on Friday and Saturday, Halkin writes, “massive Sabbath shopping, once unimaginable in Israel, is today an entrenched fact of life... the shopping mall has already become Israel’s favorite Saturday excursion site.” Indeed, more than 45 malls are open on Shabbat, which is creating an irreversible trend toward the commercialization of Shabbat. A quarter of commercial areas are open for business, and 600,000 Israelis leave their homes to shop. In addition to legally operated stores, there are dozens of commercial centers operating illegally on the Sabbath. A limited workforce is required to sustain this newfound consumerism on Shabbat. Data collected by the Planning, Research and Economics Administration on the Industry, Trade, and Employment Ministry show that 345,000 people, 19% of the working population, particularly those who work in food services and malls, work at least one Shabbat a month. They have not pursued higher education. They work, on average, 240 hours per month, compared to 175 for salaried workers, and earn particularly low wages. Some are not even given extra pay for working on Shabbat. Most work seven days a week, and work 11 hours more per week than Israelis who refrain from work on Shabbat. The poorest Israelis are forced to work on the day of rest. The Biblical injunction to have even the most destitute represented in the celebration of Shabbat has fallen on deaf ears.

Secular and Religious Attitudes

The growing opposition of secular Israelis to Sabbath laws relates to their broader attitudes towards religious coercion and the modernization of society generally. A study conducted by the Avi Chai Foundation in 2000 revealed that secular Israelis wish to preserve freedom of choice. Indeed, while only 17% of those responded to the study actually shopped on Shabbat, over 60% favored having the option. A poll conducted by the Israel Democracy Institute in 2007 found that only 27% of the population define themselves as Sabbath-observant, while 36% shopped on the Sabbath.

Uzi Even, a member of the Knesset representing Meretz, defended this position by saying, “A modern society operates seven days a week.” Eliezer Zandberg, a Knesset representative of the Shinui party, said, “Observing the Sabbath for secular Israelis means filling it with content that is suitable for the 21st century, and that is not necessarily prayer... right now, every store that opens is part of the secular struggle for freedom from religious coercion.” The most secularized Israelis wish to see Shabbat as any other day, devoid of overt religiosity and open to all activities. Capitalism, it seems, is welcome if it can lend a hand in weakening Jewish tradition.

However, Ultra-Orthodox Jews believe seemingly coercive and strict Sabbath laws must be in place to both uphold human rights and preserve Jewish identity. The Avi Chai study found that less than ten percent of Ultra-Orthodox Jews in Israeli support opening malls on Shabbat. Moshe Gafni of the Ultra-Orthodox United Torah Judaism party said, “A man isn’t a beast. And it shouldn’t be that only the wealthy can be entitled to take off on the weekends, while everyone else works seven days a week, 365 days a year... If people don’t have a single, fixed day off, then everyone will be working in shifts, and no family will ever be able to spend time all together.” Gafni’s petition to secularize society lacks any appeal to traditional, halakhic observance of Shabbat. However, his colleague Meir Porush of United Torah Judaism said, “Shabbat is a holy day with obligations and commandments... not just a day with cultural, socioeconomic and national-historical meaning.” For Porush, Shabbat is a day steeped in Jewish religious traditions, which justifies protection using coercive laws in a Jewish state.

Shabbat in Court

The only governmental power that can bypass legislative stagnation caused by the status quo law is the judicial system. In 2005, when the Welfare Ministry fined the Design 22 furniture company 5,000 shekels for hiring workers to work on Shabbat, the company filed a suit in the Israeli Supreme Court. The company took the position that employees should be able to choose their own day of rest. The court, however, ruled that national and local laws banning work on the Sabbath were legal and compatible with the country’s values.

Supreme Court President Aharon Barak defended the position: “Shabbat is a central value of Judaism - the soul and the essence of its character. It is our national asset. Shabbat safeguards the humanity of the worker, his quality of life, honor, and relationship with family.” He said the law intended to guard the rights of employees and employers, and to ensure equality among both religious and secular workers. The justices rejected the claim that enforcing Sabbath laws was a form of religious coercion or a Blue Law. They asserted the rules were in accord with international conventions, as well as laws and court rulings in other Western countries.

With this ruling, the Israeli Supreme Court did not clarify or change Sabbath laws to fit with the changing political and economic realities; rather, it preserved the forty-year-old status quo. Yedidia Stern, a professor at Bar-Ilan University, commented, “Regrettably, the High Court of Justice is wary of commenting on the yaining and incomprehensible gap that exists between binding law and the realities of the working Shabbat. Rule of law cannot exist without enforcement.” The court’s ability to circumvent the Knesset’s red tape and entrenched politics gave temporary hope to some that Sabbath laws could change. However,
the court’s ruling was a disappointment.

With the court’s neutrality and the police’s fines small, laws alone clearly cannot act as a deterrent. Perhaps the only way to bypass the stagnant law system is to change individual attitudes towards Shabbat observance. In reality, court rulings do not bring about substantial change. Instead of pursuing legal arguments, the polarized discussion of Shabbat in Israel must pursue agreements, compromise, and, most importantly, common ground.

A Shabbat Renaissance

According to Pinchas Peli of Ben-Gurion University, “there is much probing and ongoing [sic] search among many sensitive Israelis to rediscover the eternal light of the Shabbat, not only as a nostalgic relic of the past, but as a fresh source of spiritual nourishment in the present and the future.”

There is a yearning for Jewish tradition not bound by religious laws. Judith Shulevitz, author of The Sabbath World: Glimpses of a Different Order of Time, wrote in Slate Magazine of secular Israeli “Sabbatarians” who “want to save Sabbath from consumerism.” She wrote of her surprise to learn that other secular Israelis have begun to treat the Sabbath as a national treasure in need of preservation.

Ruth Gavison, a secular professor of Law and a fellow at the Israel Democracy Institute, believes that the sanctity of the Sabbath goes straight to the heart of the Jewish society. “If the masses of secular people think that existence mandates some kind of cultural depth, they will respect the need of a shared day of rest.”

She told Shulevitz in an interview that the Sabbath is intrinsically tied to the legitimacy of Israel, since “a Jewish state must have an authentically Jewish public culture.” Israel cannot claim to be a Jewish state without respect for its roots, and chief among these is the Shabbat.

A New Shabbat Covenant

In 2000, Professor Ruth Gavison and R. Ya’akov Medan (rosh yeshivah at Yeshivat Har Etzion) initiated a series of discussions attempting to resolve the status quo arrangement.

Three years later, Medan and Gavison published the Gavison-Medan Covenant, with the support of the Democracy Institute and the Achi Chai Foundation. The covenant is not the first of its kind, but it is undoubtedly the most comprehensive. The covenant covers many issues related to state and religion such as Kashrut, marriage and divorce, and Shabbat.

The emphasis in the covenant’s discussion of the Sabbath is that “The Sabbath is the official day of rest of the state of Israel.” Thus, the government would be closed, and the prohibitions laid out in the covenant would apply to kibbutzim and rural areas just as they would in cities. The covenant makes a distinction between cultural and entertainment activities on the one hand and manufacturing and commerce on the other, the former being permissible and the latter prohibited. Employees have the right not to work on their religious day of rest and are not to be discriminated against based on their preference. Restaurants and places of entertainment would not be forbidden to operate on the Sabbath, and some gas stations and pharmacies would remain open. Large shopping malls and department stores would be closed.

The covenant and personal statements of R. Medan and Professor Gavison gave hope to many that the widening ideological chasm between the secular and the religious could be crossed.

R. Medan and Professor Gavison believed strongly that their proposals would benefit secular society. The first and most obvious benefit would be the existence of a national leisure day. The second would be the re-centering of Sabbath as a “central mode of expression of an overall Jewish – not necessarily religious – identity.”

The third benefit would be that the mutual concessions on the issues of Shabbat would provide an opening for unity in a bifurcated society. Legal benefits for the non-observant public would include an explicit recognition of all commercial activity as legal.

A covenant between people based on shared values and reverence for tradition cannot possibly be successfully legislated. It must be formed slowly... by building grassroots participatory Shabbat communities, rooted in spiritual seeking, hospitality, learning, caring and celebrating.

A New Grassroots Approach

In 2007, after unsuccessfully protesting the opening of stores and restaurants on Shabbat, observant Jews in Petah Tikvah switched tactics. They canvassed neighborhoods and stood in front of theaters inviting non-observant Jews to their houses for Friday night meals. Instead of using violent protest as they had in the past, they worked to establish common ground.

Rather than trying to push legislation forcing Shabbat observance, they illustrated the beauty of a Friday night meal. The observant Jews who participated in this campaign knew that a covenant between people based on shared values and reverence for tradition cannot possibly be successfully legislated. It must be formed slowly by convincing the public of the worthiness of traditional practice by building grassroots participatory Shabbat communities, rooted in spiritual seeking, hospitality, learning, caring, and celebrating. There is no lawmaking shortcut.

A campaign to legitimize Sabbath observance holds real potential for realizing the aspirations of the contributors to the Gavison-Medan Covenant. A campaign to achieve the goal of moving the legal discussion outside the court system and the Knesset. This campaign may well lead to the materialization of the covenant’s goals of renewing a healing process in Israeli society, not through political concessions, but through relationship-building between Jews of varying stripes of Jewish identity.

The rebirth of the Shabbat experience will create a more expansive and inclusive Jewish character of the State while remaining a committed democracy. How the modern Jewish state will observe Shabbat gets to the heart of the Jewish identity of Israel itself. Shabbat can be either a godsend or an embarrassment, either a shortcut or just an ordinary day, and thanks to the “Shabbat renaissance” in secular communities, perhaps the former is possible. As the history of Sabbath observance has shown, however, temporary solutions that involve coercion are both spiritually damaging and potentially undemocratic.

The approach to bridging the distance and creating lasting harmony between polarized communities of haredim, datiqim, hilonim, and Sabbaritians in Israel can only be achieved outside of the follies and foibles of politics. The rebirth of the Shabbat experience across Israel will create a more expansive and inclusive platform on which to experiment with the changing nature of Jewish identity in the Jewish state.

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3 Contrary to popular belief, judicially there is no established religion in Israel. Judaism has no preference over other beliefs. According to Amnon Rubinstein, an Israeli law scholar and former member of the Knesset, Muslim courts have far wider jurisdiction than Druze, Christian, and Jewish courts. Further, no discrimination on grounds of religion is tolerated in Israeli law, with the exception of the Law of Return.

Furthermore, according to Rubinstein, Sabbath and holiday laws do not infringe on separation between religion and state, because those laws were selected by a secular legislative body, similar to holiday laws set up in America (Amnon Rubinstein, “State and Religion in Israel,” Journal of Contemporary History 2:4 (October 1967), 107-121 at p. 117).

4 Ben-Gurion. In addition to laws concerning the observance of the Sabbath, Ben-Gurion also guaranteed Agudath Israel that dietary laws would be observed in state-owned establishments and that separate religious schools would be established. In addition he promised to preserve the personal status laws in conversion and marriage to prevent divisions between the religious and the secular.

(Rubinstein, 113).


9 Fletcher p. 2.

10 ibid.


15 Matthew Wagner, “A Legislative Initiative Presented to the Knesset Wednesday to Protect the Shabbat as a National Day of Rest,” Meinad Party Website, April 6, 2006.

Teaching Prayer: Obstacles, Goals, and Strategies

BY: Hannah Dreyfus

Titters and giggles are clearly audible from the back row. The teacher prods alertly up and down the aisles of the small synagogue, rushing over angrily to squash the small rebellions that sporadically break out as the minutes of obligatory silence creep by. Creaks in the siddur expertly shield cell phones from view. Some students settle for a more passive approach, staring sleepily into space, siddurim opened laxly to any arbitrary page. Some mutter the words, eyes focused absent, uncomprehendingly. The lone, pious few close their eyes tightly, swaying back and forth, trying to concentrate, battling an overwhelming tide of disregard, apathy, and open resentment. The all-too-familiar picture of a tefillah classroom.

Teaching the next generation of Jewish thinkers, leaders, and community members about prayer is an undertaking of irrefutable magnitude. Questions, complexities, disagreements, and failures are an inevitable part of the delicate, intricate process. There is no doubt that the system of tefillah education hailing from our classrooms today is deeply flawed. Steps towards positive reformation demand the crystallization of terms and goals. What is the goal of tefillah? What is the message that administrators and teachers are trying to impart to students through an organized ‘tefillah’ education? Are the strategies being employed to achieve those goals effective? If not, how can they be improved? Examining the methodology and intended goals fueling prayer education in Jewish schools today is a critical step towards fixing a system calling out desperately for repair.

What are the problems that so deeply underlie and complicate the process of teaching prayer? According to longtime teacher and researcher in the field Dr. Devra Lehmann, the inefficacy of teaching prayer is rooted in a fundamental disconnect between students and teachers. In her detailed article on the topic, Student and Teacher Responses to Prayer at a Modern Orthodox Jewish High School, Dr. Lehmann explains, “Conflicts around prayer in a traditional Jewish school can be understood as a concrete illustration of a challenge confronting not only Jewish education, but contemporary Religious Education more broadly: the need to bridge the gap between authoritative doctrine and personal autonomy.” As our generation increasingly stresses individual voice and personal preference, most outstandingly noticeable through the rapidly multiplying venues of social media, the emergence of a tension between inflexible dogma and complete self-determination is understandable, even expected. Prayer, a subject so innately personal, strikes at the core of the conflict.

Pooling her data from a long career of investigating the inner workings of Modern Orthodox institutions, Lehmann found that even those students most intent on receiving a tefillah education felt that the methods of implementation were threatening to their sense of selfhood and assumed personal liberties. For example, upon being asked to elucidate what it was about the tefillah-teaching process that aroused such antipathy among the student body, one student interviewed by Lehmann responded, “We should not be pressured to talk – we should not be pressured to say words. That is no one else’s business.” Another student replied, “They force us into mincha [afternoon services]... Personally, I’m going to resist it if you force me to do something.” On the most elementary level, prayer has become so intricately intertwined with assertion of authority that students have started to mistake one for the other, lines tra DIAGRAM 3 logically blurring where no overlap was intended. Interestingly, Lehmann goes on to note that “not a single student with whom I spoke explicitly mentioned the traditional Jewish obligation to pray.” For students, the issue of prayer had become one of asserting or submitting personal autonomy, rather than a matter of halakhic obligation. Teachers approached prayer as a matter of religious obligation, using this view as their primary justification for the strict, unyielding rules with which the students had such negative associations. In contrast to the teachers, the students felt the school’s responsibility went no further than helping them to develop a desire to pray, force Orthodox community.3

The topic of tefillah was not spared from the difficult and often paradoxical balance between ‘modern’ and ‘orthodox.’ The messages so often professed as rudimentary elements of a secular education can exacerbate the challenge of teaching prayer. “We did Thoreau’s Civil Disobedience,” relayed a student interviewed by Lehmann. “One of his points was that people who think the way of the majority aren’t really thinking for themselves. So if everyone’s thinking, ‘Go to davening “cause you should,”’ you don’t necessarily want to go to davening. You don’t necessarily believe whatever you’re doing, and—and what you’re reading in the siddur [prayer book].”

The concept of “religious imperative,” introduced by well-known sociologist Peter Berger, asserts that the plethora of choices available to the modern, secular mind makes what used to be the default religious decisions much more rigorous resolutions. The word “hesen.” Berger points out, is derived from the Greek word hairesis, meaning “to choose.” Although the heretical imperative may seem an obstacle, especially to the age-old, taken-for-granted practice of prayer, Berger suggests that the imperative to choose prayer ultimately makes the experience that much more rewarding.

So why choose prayer? What is the rudimentary goal of tefillah education? The answer, to no one’s surprise, is a matter of significant debate. In a recent article published in The Journal of Jewish Education,8 Nicole Grenninger divides the varying objectives of prayer education into three delineated objectives: believing, behaving, and belonging. She backs up each objective with an accompanying case study of a community synagogue in tandem with the community school.

For students, the issue of prayer had become one of asserting or submitting personal autonomy, rather than a matter of halakhic obligation.

Temple Sinai, a large urban Reform synagogue in the Western United States with more than 2,000 families, professes a pronounced focus on believing—on ensuring students a spiritually and emotionally satisfying prayer experience, whether or not they understand the words. To this end, classes and services stress personal participation, musical accompaniment, and individual interpretation of prayers. “I feel very strongly that being able to pick up a siddur and read any prayer in Hebrew is not the skill I want my students to get out of the program,” explains Tirza Friedland, director of Youth and Family Education at Temple Sinai. “[Of course,] I want them to be able to recognize and identify and read key prayers, but more importantly, I want them to have an idea of what these prayers are about, where they come from, why Jews pray in community, what it’s all about, and ultimately what does it mean to me as a 12-year-old, 13-year-old, or 11-year-old growing up in the 21st century?” Understanding trust fluency; connectivity overrides familiarity.

Traversing to the other side of the spectrum, at Kehillat Beth Israel, a suburban Conservative synagogue in the Eastern United States with a membership of approximately 900 households, there is a strong focus on knowing how to behave as a community member. Learning correct behavior requires exact and expansive knowledge of the prayers themselves—learning how to pray and how to lead traditional services. Beth Israel’s spiritual leader, Rabbi Goldberg, describes the community’s educational goals for tefillah as a matter of mastering the language and developing a comfort with the text. Emotional fulfillment is not on the agenda. For many, the process and intent of a tefillah education goes no further than teaching the children the prayers in order to develop a fluency that will serve them in good stead throughout their observant lives.

The third and final prayer education objective outlined by Grenninger focuses on belonging, tefillah serving as a critical venue to achieving social solidarity. Echoing Mordecai Kaplan’s coinage of the term Jewish “folkways,”9 this third and final view of the pedagogical goals of prayer frames tefillah first and foremost as a social adherent. The Bay Reconstructionist Synagogue, burrowed on the East Coast, adheres dogmatically to this viewpoint. As relayed in their school handbook, the community seeks to create a cohesive, caring community, accomplished by mandating tefillah attendance.

Naturally, the goal of tefillah to which an institution subscribes dictates the tactics used by the institution to accomplish that objective. With so much hanging on the projected goal, the question begs to be asked: from a halakhic standpoint, what is the purpose of tefillah? The Shulhan Arukh states,

The pray-er must direct his heart to the meaning of the words which he pronounces with his lips and imagine that the Divine Presence [Shekhinah] is before him; and he should remove all extraneous thoughts which preoccupy him until his thoughts and intention [kavvanah] remain devoted purely to his prayer. And he should imagine that if he were standing before a king of flesh and blood he would set out his words and say them with painstaking application so as not to stumble; all the more so [when standing] before the King of Kings, the Holy One Blessed be He, Who investigates every thought.10

Both the fastidious formulation and presentation of language, as well as an...
appreciation and understanding of the gravity of one’s actions are highlighted. Precise pronunciation substantiates comprehension and focus. A comprehensive knowledge of the prayers facilitates the mind-blowing realization of what prayer truly is: The unique opportunity to stand before the Creator of the Universe Himself. An ideal tefillah education would therefore synthesize these two goals – a fluency in the texts that weave together to form a dialogue, the fabric of man’s most essential relationship.

Tefillah is a halakhic obligation, and must be presented and represented as such to students within the Jewish educational system. Perhaps, in accordance with Dr. Lehman’s article, there has been a failure to do so efficiently; however, students should never make the tragic error of concluding that tefillah goes no further than the halakhic realm. On the contrary, the essence of prayer arguably lies far beyond its halakhic outline. To conclude with a passage from R. Soloveitchik’s The Lonely Man of Faith:

"The Halakah has never looked upon prayer as a separate magical gesture in which man may engage without integrating it into the total pattern of his life...This is the reason why prayer per se does not occupy as prominent a place in the Halakah community as it does in other faith communities and why prayer is not the great religious activity claiming, if not exclusiveness, at least centrality. Prayer must always be related to a prayerful life which is consecrated to the realization of the divine imperative and, as such, it is not separate entity but the sublime prologue to Halakah action."

In Jewish tradition and thought, most saliently reflected in halakhic practice, God was never meant to be left in the synagogue. Prayer must be integrated into the fabric of daily existence. Prayer does not merely embellish a spiritual existence. It establishes a spiritual existence. As the Rav so eloquently expresses, prayer is not an end unto itself, but rather a means through which to achieve a “prayerful life.” Tefillah restricted to the realm of halakhic obligation has been robbed of its most transcendent quality. As Chaim Zvi Enoch (1904–1977), one of the founders of the religious Zionist education, maintained, a teacher’s role is to help a student find his or her own voice within tefillah. Success has been achieved when an educator is able to successfully communicate to the next generation of Jewish parents and leaders that tefillah is no burden, no hindrance, but a world of opportunity; the bedrock to a life of spiritual connection.

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2 Ibid. p. 306.
3 Ibid. p. 305.
4 Ibid. p.306.
9 Ibid. p. 384-385.
10 Ibid. p. 395.
12 Shulhan Arukh, Orah Hayyim 98:1.

An Interview with Rabbi Yosef Adler

BY: Ariel Caplan

AC: You function both as an educator/administrator in a flourishing yeshiva high school, the Torah Academy of Bergen County (TABC), and as the rabbis of the relatively large Congregation Rinat Yisrael. Both of these sound like daunting roles in your life? How do you resolve potential conflicts? Do the roles inform or influence each other in any way?

RYA: There’s no doubt that had I applied today for either position, I would never consider them both. No one would be able to handle both. I started at the shul when it was in its infant stage, literally fifteen families, and was not paying a living wage, so I had to have another job. At the time, I was teaching in Frisch, then I went to Hillel in Deal, and I went to Ramaz for a year. I knew I had to get a little closer because the shul was getting a little bigger. I started at the shul in 1979, and this was already 1991. The shul was growing, and I experienced conflicts. A woman’s mother passed away and, at that time, I was not the officiating rabbi at the funeral, since they lived somewhere else. All I would have done is gone to the funeral, said hello to the person, “I’m sorry,” and so on and so forth. I was in Deal at the time, and I would have to give up almost a whole day of teaching just to go to that funeral at 11:00. And I had to make an evaluation: What’s more important? To go to the funeral, to say hello for two minutes, or to teach a whole day? In my mind, teaching a whole day was more important. But that woman never forgave me. Never. And I came to realize that I can give the greatest shi’urim in the world, give good derashot (sermons), but the most important thing for members of the shul is what I do for them in their time of need.

So, I made a decision: I have to get closer. I can’t be 62 miles away everyday. I moved to Ramaz for a year; I was a little closer. Then this job opened up, a school with 66 kids in it - very small. I figured I could handle both. Had my children been younger at the time, very young, it would have been doing them a disservice. They were getting a little older already, and now as the shul and the school have really blossomed, my kids are all married already, so I work full-time, both jobs, whatever that means. I don’t have a day off a week. Weekends are a very busy time for the social calendar in the shul. It’s incredible how many bar and bat mitzvahs I have to go to. Last year, I counted 114 bar or bat mitzvahs, weddings, or I’charmim. That’s not even counting levayahs (funerals) and things like that. That’s also considering that there are several weeks a year during which you can’t have any bar or bat mitzvahs, during the three weeks and during the omer, and so on. But if there is a conflict, I give first priority to the health and I can do it, and I can help my kids out financially as a result, I’m continuing to do it.

AC: Tefillah education is a major struggle for yeshivot, particularly at the high school level. How can schools better teach students the methods and goals of prayer?

RYA: Davening is one of the great challenges of American Jewry, not just high school kids. Tefillah emerges from a recognition of need and dependence upon ha-Kadosh Barukh Hu. If you have everything, it’s difficult to engage in meaningful prayer. It’s very difficult. If you wake up in the morning and you don’t have to worry about where your next meal is coming from, you don’t have to worry about about is, “Am I driving a Lexus or a Honda? Do I have a Blackberry or an iPad?” Those are the major decisions that you have to make, so it’s difficult for American Jewry to engage in serious prayer, and it has nothing to do with high school - high school kids are just a reflection of that. And it’s a real challenge.

When you can win them over as a ben Torah, then the davening is part of the package. It’s not that difficult. If somebody wants to be a ben Torah, he understands that just as you want to observe Shabbat, you want to observe Kashrut, you want to learn Torah, you want to daven properly as well. For those that are not yet in the benei Torah community (and there are some in the school, many of them, certainly not a majority, but many of them), we try things. Three times a week we don’t daven
as a shul. Three times a week we daven as a shul, everyone in his own classroom. Five, six, eight, all day long. We have a davening and tefillah (juxtaposition of redemption blessings and le-shannah) that I think is a very special thing in this shul. We have davening and tefillah, and we have a culture of shulefich, where we daven and we learn and we grow together.

### RYA: The idea of tuition crisis has been bantered about so frequently, and yet PEJE, the Partnership for Excellence in Jewish Education, recognizes that the challenge is an opportunity for schools to transform and innovate. What do you think are the primary deficiencies in coeducation that the Partnership aims to address?

**AC:** There are several programs that we think are very important. One is the R.Y.A. (Righteous Young at Heart) program, which is a network of high schools that have committed to reduce tuition by 15% over the next five years. We think this is a very important step in addressing the tuition crisis.

**RYA:** From a principal’s perspective, tuition is still high - even after the reduction. What is your school doing to address the tuition crisis?

**AC:** Our school is committed to reducing tuition by 15% over the next five years. We are also exploring alternative financing models, such as partnerships with other schools and community groups. We believe that these initiatives will help us to keep our tuition costs within reach for families.

### AC: Do you think that in today’s economic climate, with increasing financial pressures on families, there is a “tuition crisis”? If so, what can be done about it? Are you, in your position as Rosh HaYeshiva of TABC, pursuing any solutions to tuition (or at least not to increase tuition) for your students?

**RYA:** Our school is committed to ensuring that education is accessible to all students, regardless of financial means. We are exploring a range of options, such as increasing our scholarship fund and developing partnerships with community organizations, to make our tuition more affordable.

**AC:** How should yeshivot deal with students who display problematic behaviors, including drug abuse, drinking, smoking, and abuse of peers? At what point is it appropriate to consider dismissing such students from the framework of a yeshivah day school or high school?

**RYA:** Yeshivot are in the business of education. We need to give everybody an opportunity. On the other hand, there are guidelines that have to exist in order to create an atmosphere conducive to producing benei Torah. So there are guidelines that every yeshivah high school has to have. We, and many other high schools, have signed up with an OU policy in terms of drug use and alcohol use: the first time you are caught, the school will have a conversation with you, but you will not be expelled. If you take that to a parent-body vote, they will vote it down in a second, and I think they’re right.

### AC: Is this all for behaviors that are expressed within the context of school, on school grounds, or are there ever occasions where what they do outside of school can carry in-school consequences?

**RYA:** You have a right to go to public school, by virtue of the fact that you pay taxes. But coming to a yeshivah high school is a privilege, not a right. And if you forfeit that privilege, you forfeit it. Students know the rules and regulations; they are clearly indicated in the handbook. We have a very strict bullying policy. It is a serious issue; we do not take it lightly. I am not going to throw out a kid the first time that he does it, but if it happens, there are serious disciplinary consequences. If he does it again, he is prone to being asked to leave. If he gets into another yeshivah high school, that’s fine. But I do not think that I have the responsibility to carry this boy, because he has a Jewish soul, at the expense of him oppressing another kid who is smaller or weaker, more prone to being taunted. I have a responsibility to protect the people who are here who want to be here, who want to cooperate. If you are not interested in doing that, then I do not feel any responsibility to you.

**AC:** Have you been involved with teaching and administration in several schools, including both co-ed and single-sex environments. In your experience, what are the deficiencies inherent in each model?

**RYA:** The primary deficiency in coeducation is coeducation. For young men with hormones and young women with hormones, social interaction becomes a primary concern under these circumstances. I believe that coeducation is not as effective for that very reason. I don’t think it is a problem halakhically, and I don’t think there is a problem with young women studying together with, and being able to compete with, young men. When I taught in Frisch, some of my best students were girls, with co-ed classes all the way. There was one girl my second year in Frisch whom I used to call Berel – that was the Rav’s nickname – because she was so good. However, I think that the social interaction is such an all-encompassing issue in a co-ed school, and that does not exist in single-sex schools. There have been studies done by Princeton University that showed that girls’ SAT II scores are considerably higher in the sciences in separate educational environments. They concluded that girls are ashamed to ask questions in the presence of boys, because they don’t want to look like fools. I see this in my shul also. I have a mixed Gemara shiur on Monday night – a handful of women come, but it is mostly men. The women are generally very quiet. I have a Wednesday night Mishnah shiur, only women, and they question non-stop. Several men have asked me if they can...
come to the Mishnah shiur, but I said no – not because I am against a mixed shiur, but because I want to give the women the opportunity to feel comfortable. When the men are sitting there, the women think, “I’m going to look like a novice, asking a question in front of this guy; he’s been learning for twenty years already!” So I think there are educational advantages to separate education.

On the other hand, I think that boys behave better in the presence of girls. Immature, stupid behavior is an issue far more compelling in a separate boys school as opposed to a co-ed environment. There they are much, much better behaved in that regard. The boys don’t want to make fools out of themselves in the presence of girls. But educationally, I think separate education is better.

AC: Education in matters of faith and belief has classically been marginalized in favor of the study of Gemara be-iyun, Halakhah, and Tanakh. Is this justified, especially for a generation in which fealty to tradition is simply insufficient to retain believing Jews?

RYA: That is a very good question, and we have come a long way in recognizing the need to enable students to explore emunot ve-de’ot (beliefs and outlooks) issues. Now, besides Gemara, Humash, and Navi, there is one Judaic Studies elective where they can choose between emunah u-bittahon, understanding the masorah, more practical Halakhah options, introduction to Hassidut, and Jewish philosophy. We recognize that students like to pursue such issues. But for the students who have struggled with these issues, I have found that when they go to Israel, they have twelve hours a day to explore those issues.

In Israel, there are no other pressures and no requirements, and I think that that is a much better environment to pursue those issues, where there can be a lot of one-on-one. In a class environment, a guy is going to start talking, “I don’t believe in God.” It is difficult to launch such a discussion in a public forum. When you are dealing one-on-one with a rebbe, you can talk to him any time you want, and the discussion can go on for hours, as it typically does, where they have the time for it.

We have recognized the fact that there is a need for it, and privately, the guidance counselors, many of whom are frum, deal with that. There is one guidance counselor, Rabbi Friedman – that is all he does, guidance with religious issues, and not so much classic academic guidance. It is very successful, but it is hard to do that across the board. There has to be ample time given for it, dedicated to it. Years ago we didn’t have anything, maybe just a question-and-answer session. But now it is given much more thought, rigorous study, and a little more proactive pursuit.

AC: What is the “Year in Israel” for everyone? From the perspective of a high school educator, what challenges do you see in the established system?

RYA: Overall, obviously with some exceptions, the year in Israel has been a very positive experience for the overwhelming majority of our graduates. Not only those who are already in the beinenu Torah camp, but even those who are not in the beinenu Torah camp. Many have experienced tremendous growth going for the year, and it has made an enormous impact on their lives. I am not saying it is for everybody. Obviously, Israel schools have to be careful and should be monitoring students a little more effectively than they do. They should set up the same guidelines that high schools do. You don’t want to join the program? Goodbye, Charlie! This is an option year, and there is no obligation that you have to be here. If you want to go drinking at Ben Yehuda, then this is not the place for you. They should let students know this right from the beginning. However, overall, our experiences with the year in Israel have been very positive.

AC: You are a noted advocate of the use of derekh Brisk (the Brisker method of Talmud study) in high school education. How do you respond to the concerns of educators who feel that high school is a time to focus on reading skills and general familiarity with the spectrum of Torah?

RYA: My number one objective in yeshivah high school education is to turn people on to learning, I try to show them that learning can be taken seriously and is enjoyable, and I hope to pique their curiosity to learn. I love to have guys who are budding talmidei hakhamim, but I want most of them to be baalebatim (laymen) who respect learning and I want them to get turned on to learning. My goal is not that every kid should know how to “make a leining” (read a passage of Talmud). I do not think that in the time that is allocated in yeshivah high schools of our orbit – an hour and a half or two hours a day – is sufficient to communicate that. It is, if it is your only objective. If your only objective is skills, then perhaps you could have kids read, and reread, and reread. But I think you will turn off eighty percent of them, because it is a little boring. I am willing to forfeit that for the experience of getting them challenged and letting their minds explore what is happening, let them get involved in the learning process and hopefully turn them on to make Torah learning an incredibly important value in their life. I think that intellectual stimulation and Torah learning are values that are incredibly important for our society.

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2 Editor’s Note: According to the report, schools labeled “Centrist Orthodox” grew somewhat during this period, but schools described as “Modern Orthodox” decreased their enrollment. Jewish community day schools and Reform day schools (of the RA’SAK and PARDeS networks, respectively) also experienced decreased enrollment.


Nakh: The Neglected Nineteen

BY: Gilad Barach

Why learn Nakh? It is a foolish question, really. Virtually all Torah Jews agree that learning Nakh constitutes talmud Torah, and it should therefore follow that a Jew’s familiarity with all twenty-four books of Tanakh is not only proper and appropriate, but mandated and expected. Nonetheless, the unfortunate neglect of Nakh that too many members of our community exhibit necessitates a quick review of some of the self-evident reasons, as well as more recent perspectives, why every Jew should seriously learn Nakh.

Nakh in the Traditional Sources

It is quite difficult to coax a Bible commentator to explain his rationale for spending years of his life on his area of study. He does not volunteer explanations, because the alternative never occurred to him. Nobody ever asked Rashi why he commented on the Torah, just as nobody asked him why he did so for the Talmud. The Rishonim did not find it necessary to justify their occupation with the most basic texts of Judaism: Tanakh, Mishnah, Talmud, Halakham, etc. Rashi would probably be dumbfounded were one to ask him why he seriously learned the Humsash. Is it not devar Hashem? the purest form of divine revelation – Rishonim or Aharonim – to better understand the basic text as well as its deeper meanings?

Nakh does not have a Shenayim Mikra ve-Ehad Targum obligation, but this does not reflect a sense of disregard by Hazal; on the contrary, many statements in the Talmud reflect the importance of Nakh from various perspectives, even if not at the same level as Humsash. The Navi'im, or Prophets, are, obviously, a series of divinely transmitted revelations. The Ketuvim, or Writings, were written with Ruhi ha-Kodesh,4 The Talmud says that all of Tanakh, and more, was given to Moshe on Mount Sinai.

Furthermore, Halakham firmly backs the study of Nakh. The Talmud requires every Jew to split his learning into three equal parts: Mikra, Mishnah, and Talmud. Tur and Shulhan Arukh interpret Mikra as encompassing all of Tanakh.

By understanding and relating to the great personalities who appear throughout Tanakh, one can learn spiritual lessons and strengthen personal commitment to God.

Rabbeinu Tam offers a “way out” of this apparent obligation, quoted in three Tosafot comments in Shas.5 An aggadic exposition in Sanhedrin explains the origin of the Gemara’s proper name, Talmud “Bavli”, as “beloah” – a mixture of Mikra, Mishnah, and Talmud. Rabbeinu Tam extracts from here a leniency for people who learn Talmud Bavli, as he thinks that they fulfill their obligation to divide their learning in thirds with this alone. Indeed, Rema quotes Rabbeinu Tam as Halakham. However, there are several important details that demand attention, and can potentially cast doubt on Rabbeinu Tam’s leniency in a new light.

The phrasing employed by Rabbeinu Tam does not exactly exude excitement. His wording (which varies from source to source) reflects, to a certain extent, a be-d’avid (less than ideal) approach. Tosafot in Avothah Zarah quote Rabbeinu Tam as saying, “Dayeinu, it is sufficient for us”; in Kiddushin, “Samekhin,” “We rely”; and in Sanhedrin, “Poterin atzeinu,” “We exempt ourselves,” to refer to the fulfillment of the obligation with Talmud Bavli study alone. The three terms all indicate resignation, and suggest that Rabbeinu Tam himself makes Rabbeinu Tam uncomfortable with his own heter (permission).

The Ba’alei ha-Tosafot themselves seem uneasy about Rabbeinu Tam’s leniency. In all three places in which his opinion is cited, Tosafot also quote the practice of R. Amram Ga’on. In response to the Gemara’s requirement to learn Mikra, Mishnah, and Talmud, he introduced elements of each “third” of the Torah into the daily prayers: the Parashat ha-Tammim,11 the Mishnayot of Eizehu Mekomam,12 and the Beraita of R. Yishma’el.13 Now that a minimal degree of Mikra, Mishnah, and Talmud appears in the framework of Shabbat, all Jews fulfill, to some extent, the requirement of the Gemara. The Ba’alei ha-Tosafot, by quoting R. Amram Ga’on who upholds, rather than undermines, the Gemara, further seem to undercut the scope of Rabbeinu Tam’s heter.

Moreover, when the Arukh ha-Shulhan discusses the sugya,14 he agrees that the custom is to study Talmud Bavli alone, in accordance with Rabbeinu Tam, but adds that everyone must surely still know Mikra and Mishnah.

The apparent uneasiness of Rabbeinu Tam and the Ba’alei ha-Tosafot, and Arukh ha-Shulhan in their footsteps, seemingly indicates that Rabbeinu Tam does not simply mean that a Jew need not learn Mikra. Instead, he means to provide a limmud zehut (post-facto defense) for people in their community who do not occupy themselves with Mikra at all. With his leniency, a Jew who merely learns Talmud Bavli will not be in violation of the Gemara’s dictum.15

And it was not only Rabbeinu Tam who found the prevalent practice of his time at odds with the Gemara. At first glance, Rambam simply quotes the Gemara’s requirement, but he adds one qualification: Once a person is already familiar with Tanakh and Mishnah, he should devote almost all of his time to Talmud, pausing only to review Tanakh and Mishnah to maintain his knowledge. Lehem Mishne17 comments that this is also intended as a limmud zehut for people in Rambam’s generation, who did not spend a full third of their studying hours occupied with Tanakh.

Apparently, the troublesome trend continued for centuries. Shulhan Arukh ha-Rav (R. Shneur Zalman of Liadi),18 over seven hundred years later, tries to justify the prevailing custom that a person who fulfills his obligation to learn Nakh; the burden will be able to learn Nakh by himself when he gets older, so priority is instead given to other areas of Torah which require an instructor.

Based on these sources, it is well established that one is obligated to study Nakh; the burden has fallen on authorities throughout the ages to rationalize the common tendency to marginalize this study. In more recent times, some Orthodox Jewish thinkers have also expressed their frustration with the prevailing disregard for Nakh and proposed other motivations for studying it, beyond the most obvious one – that it is devar Hashem – which the Rishonim, through silence, provided.

Nakh in the Modern Era

R. Samson Raphael Hirsch, champion of the “Torah Im Derekh Eretz” philosophy (advocating the importance of secular studies in addition to Torah), articulated many fundamental Jewish philosophies in his book, Horah.19 His ideal educational system is based on the famous Mishnah in Avot that mandates the introduction of a young boy to Mikra, Mishnah, and then Gemara. R. Hirsch explains that the early exposure to Tanakh serves both to familiarize the child to its language and, ultimately, to instill in him its content. Echoing Rambam, Rabbeinu Tam, and Shulhan Arukh ha-Rav, he bemoans, “Why has this system been abandoned? Why has it been perverted?”20

R. Hirsch also provides a more complete picture of what a Jew gains when he or she studies Tanakh:

Learn from the Torah the origin and mission of your people, and the utterances of God which reveal to you how to fulfill this mission. Learn from the Prophets to know your people as the bearers of this law, in the fight against the delilation of wealth and enjoyment and the evil example of the nations; learn to know your own destiny as the outcome of this struggle, and let your own spirit take fire from the spirit of the Prophets. Learn to contemplate, to understand, and to love the lofty mission of your people and its age-long record of scorn and sorrow; learn to recognize its grandeur in its degradation. And in order to support yourself spiritually and to guide your life through life, attune yourself to the sweet harp notes and the words of wisdom of the noble writers in the Ketuvim, drawn from the fountain of their own life-experience.21

R. Hirsch specifically addresses the relevance of Tanakh for children:

And when Torah and Navi'im have opened their mind and heart and given them a clear and vivid idea of their duty as Jews, then to aid them in the struggle to fulfill that duty and to combat the storms that will befal their inner and outer life, place before them the book of the Ketuvim, in order that they may be inspired by the strains which have sprung from similar storms and conflicts, that they may be enlightened by the Proverbs, that ripe fruit of calm contemplation, and the Book may continually serve them as staff and a light in their wanderings.22

R. Hirsch’s approach to the significance of Nakh lies in its ability to develop one’s worldview and personal character. His central motive in learning Nakh is its spiritual relevance rather than halakhamic obligation.

The recent resurgence23 of Nakh study, especially in Israel’s Dati Le’umi (Religious Zionist) community, has been matched by increased discussion about Nakh’s importance
Still, some yeshivot choose to teach their students yyun (in-depth) topics in Tanakh, hoping that they will later gather the broader bekio’t independently on their own time. Unfortunately, that time never comes, and what begins as an educational problem continues as a societal one.

by prominent leaders of Orthodox Jewry. Many of the arguments to reinstitute serious Nakh study are similar to those made by R. Hirsch.

R. Aharon Lichtenstein, rosh yeshivah of Yeshivat Har Etzion, believes Nakh is relevant to modern Jews for its humanistic side. By understanding and relating to the great personalities who appear throughout Tanakh, one can learn spiritual lessons and strengthen personal commitment to God. Of course, he concedes, the main text of the covenant between God and Jews is the Torah she-Be’al Peh. However, Tanakh speaks to the soul in a different way from the way other core texts do. Ultimately, Torah she-Bikkhur and Torah she-Be’al Peh stand together as the “Yakhin and Bo’az” at the center of our world.

In his own words:

When we speak of Talmud Torah generally... the sense of being in live contact with the heftzah of Torah is overpowering and awe-inspiring, and, spiritually speaking, energizing. But, there are areas of Torah, inspiring personalities that we encounter in Tanakh, all of these things are of course crucial to our worldview. 

Nakh in the Here and Now

So why does no one care? The predominant yeshivah-education system in our community does not prioritize – indeed, it scarcely addresses – basic knowledge of even the most foundational portions of Nakh. In addition to my personal educational experience, years of conversations with my Modern Orthodox peers from across the country reveal that schools everywhere are missing the mark. Most of our grade schools gloss over Tanakh, giving it minimal attention and sandwiching it between classes in Mishnah and Talmud, areas which are supposed to be founded on a sound grounding in Tanakh. Our high schools do not fare much better. Israel programs vary; some offer students virtually no Nakh, others only superficial Nakh, and some, perhaps, advanced Nakh. Clearly, this is a losing battle.

Still, some yeshivot choose to teach their students yyun (in-depth) topics in Tanakh, hoping that they will later gather the broader bekio’t independently on their own time. Unfortunately, that time never comes, and what begins as an educational problem continues as a societal one.

R. Aharon Lichtenstein, who is rosh yeshivah of arguably the central institution of Tanakh study in the Modern Orthodox world, admits that there is a crisis that cannot be fixed with a year or two at his yeshivah. In the time and place ripe for serious, in-depth study of Tanakh, most of our teenagers know next to nothing of the foundational portions of Nakh. In addition, any significance that is herein attributed to the study of Nakh is not meant to take away from other areas of Jewish study, including the prominence of Talmud or Halakhah in our community.

R. Aharon Lichtenstein, in the first chapter of his book, analyzes two distinct meanings of the question, “Why?” It can mean either to challenge an argument or to innocently inquire as to its reason. This article discusses the latter “why,” though it may well counter the attackers of the former.

1 Levush to Shulhan Arukh, Orach Hayyim 285.
2 Rambam, Moreh Nevukhim 2:45.
3 Berakhot 5a.
4 Kiddushin 30a and Aravot Zarah 19b.
5 Yoreh De’ah 246d.
7 Sanhedrin 24a.
8 Mapah to Shulhan Arukh, Yoreh De’ah 246d4.
9 Beni’ubab 281-8.
10 Zevahim 5.
11 Sifra, Introduction.
12 Arukh ha-Shulhan, Yoreh De’ah 246d14.
13 As it happens, regularly learning Talmud Bavli (in a Da’at Yomi type of setting) is a decent substitute for maintaining one’s knowledge of Halakhah. Even after he may stop dedicating more of his time for talmud Torah. As one comes across key ideas and central themes of Torah, he will be more likely to upkeep (if not significantly increase) his knowledge of Torah. Perhaps it is this type of “retired lamdan” which Rabbeinu Tam seeks to protect with his ruling. (I thank Rabbi Shalom Carmy for this perspective.)
15 Lehem Mishneh to Mishneh Torah, Hilkhhot Talmud Torah 1:3.
16 Shulhan Arukh ha-Rav, Hilkhot Talmud Torah 1:6.
19 p. 410.
20 p. 371.
21 p. 414-415.
22 p. 414-415.
23 The term “resurgence” is intended only in relation to the more complete abandonment of Nakh by prior generations. Only a small number of Orthodox Jews are seriously engaged in studying this critical corpus of Judaism, far fewer than the number learning Talmud or Halakhah.

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Single-Sex Education: Still Le-ka-tehillah

BY: Rachel Weber

This summer, while explaining my choice to study at Stern College to someone who had never heard of Yeshiva University, I was challenged by one question more than any other. This question was not about the double curriculum, nor about the relatively homogenous student body, but was rather the incredulous, “Are you really going to a college with only girls?” Although I answered quickly, explaining that Stern is part of a larger co-ed university and therefore has many of the benefits of other co-ed schools, this question caused me to think more about my past educational environments, which have also been single-sex. While most of the college-age readers of Kol Hamevaser are not currently deliberating between single-sex and co-ed schools, either for themselves or for their future children, this debate carries with it great societal import, and is worthy of serious discussion.

I am in no way prepared to discuss all aspects of this question, and so I beg the pardon of those who feel that their position is not fully represented. Rather, I will attempt to give a cursory halakhic overview of the issue and relate to some of the scholarly research done on this topic outside of a religious context. However, my main argument is a social and educational one, based on my own personal experiences and interactions. For this reason, I can only claim to represent the female perspective, although I will attempt to relate to the other fifty percent of the population as well, in explaining why I believe that single-sex education is the best model for a Jewish high school.

Unsurprisingly, classical halakhic sources that deal with coeducation are few and far between. Some more recent prominent halakhic decisors who do address the issue reject it soundly.3 In the past century the idea of a co-ed Jewish school gained a modicum of support from Orthodox rabbis, albeit only a distinct minority. This, however, has not hindered the rise of co-ed institutions in many Modern Orthodox communities, and therefore it is important to analyze the halakhic sources to understand the basis for this practice before discussing the topic further.4

There are numerous sources from the Gemara, Rambam, and Shulhan Arukh that go into great detail as to the extent of separation required between men and women in society at large. Specifically, Shulhan Arukh writes that men should distance themselves “very, very much” from women.4 To explain why this is not the norm in our community is an entirely separate issue, so I will attempt to focus my discussion on the question of mixing the sexes in school, even if they will definitely be mixed in other contexts.

There is only one source in the Rishonim that specifically discusses coeducation, for the obvious reason that women were not formally educated during that period.5 The Mishnah in Kiddushin 4:14 says that a father may not teach his son “omnunut...hein la-nashim - a job... amongst the women.”6 Most Rishonim interpret this to mean that the son’s job should not be one that requires constant interaction with women.7 Metzit, however, explains that the prohibition is for a father to educate his son in a school with girls, which could lead to sin.8

There are those who suggest that exposure to a sexualized modern culture may have minimized the extent to which male students are negatively distracted by their female counterparts, a development that would afford greater leniency in the area of coeducation. If men encounter women in all aspects of their lives, Halakhah may have less reason to worry about men having inappropriate thoughts or sinning every time they come into contact with a woman. The minimization of inappropriate behavior due to familiarity between the sexes has halakhic implications in other instances as well. Rav Shmuel ben Nachman similarly writes that even though a married woman’s uncovered hair is traditionally considered eruvah, a man may recite berakhat in front of a married woman’s bare head because married women frequently did not cover their hair and would thus not constitute a distraction.10 Although these two sources seem to imply that increased exposure lessens the severity of sexual temptation, Rav Ovadia Yosef argues that the opposite is true.11 He claims, based on numerous sources in the Gemara, that in less modest times, people are actually more likely to succumb to inappropriate inclinations.

While in the more “right-wing” Orthodox world coeducation is widely condemned, Modern Orthodoxy has accepted coeducation as an option, largely based on the example of Rav Soloveitchik and the Maimonides School.12 Students of Rav Soloveitchik disagree as to whether he believed that coeducation is le-ka-tehillah and that boys and girls should be in class together, or whether he felt that it is be-di-avad, and himself chose to open a co-ed school due to mitigating factors. Benny Brama, a former teacher at Maimonides, suggests that Rav Soloveitchik truly valued coeducation, and it was for this reason that the Rav fully integrated his school. If this is true, the practice of coeducation could be justified by bringing to bear the view of the Rav. On the other hand, Rabbi Hershel Schachter, a leading student of Rav Soloveitchik, claims that the Maimonides School was modeled to fit specific circumstances, namely, to accommodate the fact that the school not been co-ed, girls would have received an inferior Jewish education, or none at all. Thus, according to this latter perspective, the co-ed aspect of Maimonides' school is an entirely new model, in less modest times, people are actually more likely to succumb to inappropriate inclinations.

When it comes to education, we do not look just for high scores and academic success, but also aim to create environments that will help students grow to be committed Jews, ovedei Hashem ve-lomedei Torato.

In addition to halakhic considerations, there are many other variables that contribute to the educational decision regarding co-ed versus single-sex education.20 To further understand the complexity of this issue, we must analyze it from a secular educational perspective as well.

While for years single-sex education was marginalized in favor of a coeducational model, in recent years, single-sex education has come into vogue, in part due to a wave of studies attempting to show its benefits. Although single-sex public education is still rare in the United States, it is fairly common in many other countries, thereby providing wider bases for academic studies. In 2002, the National Foundation for Educational Research in England released a study on school size and co-ed vs. single-sex schooling, which studied 2,954 high schools.17 The study concluded that both boys and girls benefited from separate classrooms. Test scores improved almost completely across the board, and girls in single-sex schools were found to be taking more traditionally male courses, like the sciences. In his 1998 study “Single-Sex and Coeducational Schooling: Relationships to Socioemotional and Academic Development,” Dr. Fred Mael argues that allowing development in single-sex environments helps adolescents mature into more socially adept adults.18 This applies to men and women equally.

While these studies and others strongly support the hypothesis that single-sex schools are more beneficial for both boys and girls, other studies have shown no discernible difference between the two models of education. In 2005, the United States Department of Education commissioned a report to review all previous studies in this field. The reports concluded was definitely ambiguous, noting that many studies indicated higher standardized test scores for students in single-sex schools, but could not show any long-lasting gains, whether academic or social.20 Therefore, given the available scientific evidence, coming to a definitive conclusion in regard to which model is scientifically most beneficial does not seem to be possible.

However, we should not be discouraged from analyzing the issue from a communal, values-based perspective, rather than a scientific one, as the Modern Orthodox community has many educational goals that these studies do not fulfill. When analyzing the issue, we do not look just for high scores and academic success, but also aim to create environments that will help students grow to be committed Jews, ovedei Hashem ve-lomedei Torato.

Even when coming from the perspective of Jewish values, the sample of Modern Orthodox high schools is too small and too diverse to make any broad judgments. What I can do, though, is share some specific educational issues relevant to our community with the goal of showing that single-sex education is a better choice than co-education, specifically for girls. An all-girl high school is an environment in which teenage girls can grow to their fullest potential, without distractions from the opposite gender. From personal experience in numerous co-ed settings, I can confidently say that daily interaction with boys influences girls to focus more attention on their looks. When educators struggle to convey the values of benet to their students, both male and female, a co-ed school environment is likely to inhibit the achievement of this goal. Strong anecdotal evidence also suggests that the presence of boys in a classroom leads some girls to feel away from participating in heated classroom debates and impairs their ability to exercise their full academic capacities. Do these problems prove that single-sex schools are ideally better? Could these issues be solved with effective educational tactics? It is hard to say for sure, but it is critical to acknowledge that the mixing of the sexes in a school setting is often detrimental to the female students, and many high schools may not be equipped with the educational tools to forestall these negative effects.

In addition to potentially negative aspects of co-ed schools, there are numerous benefits to single-sex schools. The Jewish world has been decades behind in proving to its daughters that they need not be held back educationally because of their sex. We recognize differences between men and women, and a school would be remiss to claim that those differences are insignificant. Nonetheless, the best way to demonstrate the opportunities available to women is by providing them with those opportunities. In an all-girls school, student

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positions such as GO President and captain of the Debate Club will always be held by girls. Every student in AP Calculus and Advanced Talmud will be female as well.²² The effect that this has on students cannot be overstated. In an all-girls school, a student’s sex plays no role in determining which classes she takes or how she views herself in relation to other students and will not be intimidated by the presence of boys. No one talks about the smartest boy in the class and then the smartest girl. For adolescent girls who are struggling with peer pressure and are attempting to develop an identity, an all-female environment allows them to express their individuality more easily and develop the confidence to express their true selves to the outside world.²³

An all-girls school also affords the best role models for female students. To begin, the administration of an all-girls school is often female, providing students with a variety of women to respect and admire. While there is nothing wrong with having rabbis as principals, students in co-ed schools who consistently see men in administrative positions are often denied exposure to females in leadership roles that are already accepted in the Modern Orthodox community.²⁴ The importance of role models is relevant to individual classroom setting as well, and applies in both boys’ and girls’ schools. Students are able to develop close, meaningful relationships with their teachers when the relationship relates not only to material learnt in the classroom, but extends to the personal realm as well. I believe that such personal connections are often easier to forge in single-sex classrooms. For example, girls often feel more comfortable talking to teachers about specifically female issues in single-sex settings. On the other hand, many boys may develop close relationships with male teachers while playing basketball, an activity that would be skipped in a co-ed class. Teachers in single-sex schools have more opportunities to become close with their students and influence them in a positive way.

Another benefit of single-sex schools is the administration’s ability to tailor the curriculum to meet the needs of the students.²⁵ Issues of women in Judaism, for example, are extremely important to teach, but co-ed schools may have a difficult time dedicating a year of their curriculum to an issue that does not resonate with fifty percent of their population. SAR Academy, a co-ed school in Riverdale, for example, has offered a senior elective that deals with women in Judaism. In contrast, Yeshiva University High School for Girls is well known for its mandatory WJIL (Women in Jewish Law) course. Similarly, Ma’ayanot Yeshiva High School for Girls in Teaneck, NJ guarantees that every senior spends her year learning about issues relating to Jewish women. Even if a co-ed school chose to allot the time for such a course, students will feel most comfortable in an all-female environment, asking questions that are often personal and fraught with emotion.

Many still argue that coeducation is better for all students: It gives a wider variety of opportunities and interactions and prepares students for the “real world,” where the sexes mix freely. Some worry that single-sex environments hinder girls’ development, both academically and socially. On an academic front, since boys add diversity to the classroom discussion, bringing new perspectives and experiences, a co-ed environment may be more conducive to a broad and rich learning experience. However, Rivka Kahan, principal of Ma’ayanot, argues, “Differences between individuals dwarf the differences between boys and girls.”²⁶ Thus, if the students in a single-sex school have diverse backgrounds, the diminished diversity due to the lack of boys will be insignificant.

On the social level, some claim that the lack of interaction between the sexes stunts students socially and impairs their ability to interact normally with the opposite sex. This detriment may continue into their adult life and may even affect their marriages. This objection is unfounded for two reasons: First, we have already established that many believe that interaction between boys and girls is halakhically permissible. Therefore, even if the classroom is separate for the aforementioned reasons, there are many other venues for co-ed activities, such as youth group activities and summer camp.

Finally, some claim that girls receive a better Jewish education, particularly in the area of Gemara, in co-ed schools. This argument reflects the real correlation between all-girls schools and schools that do not teach or do not emphasize Gemara learning. However, this does not mean that a single-sex school cannot be the setting for a girl who wishes to learn Gemara at the highest possible level. I have heard first-hand from a teacher in a single-sex school that there was no difference between the level of the twelfth grade advanced Talmud class that she was teaching and the twelfth grade advanced Talmud class that her husband was teaching in a co-ed school. In areas where the learning gap between a co-ed and single-sex school is a small one, it is also important to consider the added value of girls learning Torah in an environment where its import is discussed openly. With the background of “Kol ha-melamed et bitten Torah ke-ihu lomdah tiflut, - Whoever teaches his daughter Torah teaches her obscenity,”²⁷ girls in single-sex schools often connect more deeply to learning Gemara, especially because all-girls schools are often classified based on whether or not they teach Gemara, a distinction not found in co-ed day schools. Those people who believe that an all-girls school will, by definition, have a lower level of talmud Torah should at least consider this additional factor. It is difficult to write an article about an issue that is particularly close to my heart. I openly acknowledge that my high school experience was an extremely positive one that has influenced my beliefs on this issue. However, as a halakhic Jew, I believe that the first place we look for guidance in life is not personal opinion but rather Halakah. Finding that Halakah strongly encourages single-sex education was a push for me to continue developing my own thoughts on this issue. There are still, and will continue to be, disagreements within Modern Orthodoxy as to the best educational model, and every school makes a decision based on its own circumstances. I would like then, to echo the words of Rav Aharon Lichtenstein on this issue: “You ask another question and it is not a question just of issurim: assur mutar, mutar assur... in education you run a wide gamut from relatively minimal situations to maximalist situations.”²⁷ The challenge for us is to think critically about this question and to view it through a variety of lenses, including halakhic, scientific and educational ones. Serious debate and discussion can only enrich the educational opportunities available to students, and even those who disagree with each other can certainly agree on a shared goal of improving the experience available to every Jewish student.

Rachel Weber is a junior at SCW majoring in Jewish Studies, and is a Staff Writer for Kol Hamevasser.

1 This debate also exists with respect to elementary schools; however, the halakhic debate about when to begin separating the sexes is complex, and the social issues involving elementary school students are also very different from those of high school students. For these reasons I have limited my argument to high schools, an environment with which I am also more familiar.

2 See, for example, Iggerot Moshe, Yoreh Deah 1:137 and Responsa Yabia Omer IV 10:23.

3 For a more comprehensive view of the halachic issues at hand, please see Rabbi Aryeh Lebowitz, “Co-education – Is it Ever Acceptable?,” The Journal of Halachah and Contemporary Society LV (Spring 2008), from which much of this research was taken.

4 Shulhan Arukh, Even ha-Ezer 21:1 (translation mine).

5 Rabbi Seth Farber, An American Orthodox Dreamer: Rabbi Joseph B. Soloveitchik and the Maimonides School (Hanover, NH: Brandeis University Press in Association with The Rabbi Joseph B. Soloveitchik Institute, 2004), 79.

6 Translation mine.

7 See Kehati to Mishnah Kiddushin 4:14.

8 Beit ha-Behirah to Kiddushin 80b, s.v. ve-lo yeledam adam umutav le-beno bein ha-nashim.

9 Koren Siddur translation.
Strictly Kosher: How Haredi Literature Reflects and Influences Haredi Culture

BY: Davida Kollmar


Even at Yeshiva University, a Modern Orthodox institution, students are familiar with the haredi, or Yeshivish, community. This community is often defined by its adherence to a more maharir (stringent) interpretation of Halakham, dedication to learning indefinitely in kollelim, and vehement opposition to and separation from secular culture. Most, if not all, students are also familiar with haredi publishing companies; many have prayed from an Artscroll siddur, or looked up a halakham in Feldheim’s Shemirat Shabbat ke-Hilkhatah. However, these publishing companies release more than just “sefarim”; they print novels, magazines, and books on topics that extend beyond Torah proper, such as cooking, history, and parenting. In his new book, Strictly Kosher Reading: Popular Literature and the Condition of Contemporary Orthodoxy, Yoel Finkelman examines the impact of these books, which he calls “Popular Literature,” on American haredi Judaism. Finkelman contends that haredim use this literature as a tool for self-definition and for demonstrating how their values are different from and superior to those of the American public.

Finkelman effectively portrays the attitude of the haredim in the preface to the book. There he describes a popular children’s book on middot, in which haredim are depicted as having idyllic, meaningful lives while the non-haredim have low moral standards and live in slum-like conditions. The outside world is an evil place with no redeeming value, while the inner haredi world of Torah is perfectly pure and all its inhabitants achieve happiness. There exists no possibility of a middle ground, where those who do not believe in haredi values do achieve lives of happiness and fulfillment or where haredim face many struggles. Despite the haredi idealization of a separatist Torah culture which is entirely at odds with American secular society, Finkelman notes throughout the book that haredi literature indicates a significant degree of acculturation, largely mirroring the acculturation found in the Evangelical Christian community.

Finkelman discusses three different aspects of this acculturation: “coalescence,” whereby secular values are portrayed as Jewish ones; “filtering,” where books include secular values only selectively; and “monopolizing,” by which books attempt to influence readers to read haredi works only. Much of the haredi literature on marriage demonstrates these various aspects of acculturation. In these books’ descriptions of the Jewish view on marriage, the Jewish and secular views coalesce into one. These books emphasize the need for partner cooperation and effective communication, and portray the home as a refuge from the dangers of secular surroundings; however, these views drastically differ from traditional Ashkenazi Jewish marriages. Historical marriages were primarily economic arrangements, whereby a father aimed to find a husband who could financially support his daughter. Furthermore, the home was primarily the workplace because goods to be sold were produced there. The current haredi view of marriage, which is focused on developing a supportive, emotional connection between spouses, is much closer to the contemporary, secular one. Publications on marriage also exhibit filtering, most obviously by ignoring sex beyond the treatment that is minimally necessary for a discussion of taharat ha-nishpashah. While sex is a significant component of much of secular culture and is relevant to marriage as well, haredi publishers opt to avoid the topic to limit communal exposure to such matters. As for monopolization, haredim publish a wide range of literature so that their haredi consumers will not feel the need to read secular works, since similar haredi-versions of the works are available. Since haredi readers will not hear opposing voices, they will be more likely to accept the haredi agenda. While haredim are not forced to read the haredi books, their existence makes reading secular ones less desirable.

Other than the first and last chapters, which serve as an introduction and conclusion, respectively, each chapter, as delineated in the book’s preface, focuses on a different type of haredi literature and analyzes what it shows about haredi Jews and their worldview. Chapter two examines how haredi self-help books show varying degrees of acculturation, while chapter three analyzes the ways in which haredi authors of both self-help and fiction books either deny this acculturation or explicitly justify the presence of any secular content. In chapter four, Finkelman demonstrates how haredim utilize biographical and historical works to stake their community’s claim as the authentic heir of the European Jewish world, inaccurately depicted as always wholesome and saintly. Chapter five deals with the different presentations of Judaism to haredim and to non-haredi Jews in haredi works of theology, and the messages about haredi separatism that the differing presentations send. Chapter six examines haredi self-criticism in periodicals and how haredim attempt to condemn parts of their system without undermining it.

Finkelman maps out his arguments very clearly, and continuously summarizes previous points and presents outlines for upcoming claims. Each chapter begins with a recapitulation of the previous chapters followed by a breakdown of the main points in that chapter, and ends with a summary of the chapter’s main points and a preview to the next chapter. While all of this explaining enables the reader to easily follow Finkelman’s argument, it also feels repetitive at times. The repetition is likely a result of the fact that Finkelman had previously published parts of the work in various journals, so much of the explanation is a way of stringing the different pieces together.

Finkelman’s endnotes list citations of the various books he references in the main text. Upon examination of these citations, it is interesting to note that most of the works fall into two main categories: haredi literature and scholarly works which analyze the potential to understand a culture from its literature. What seems to be mostly absent is literature from other Jewish communities, such as the

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Despite the haredi idealization of a separatist Torah culture which is entirely at odds with American secular society, Finkelman notes throughout the book that haredi literature indicates a significant degree of acculturation. Modern Orthodox community. Finkelman rarely addresses how the purpose and style of haredi literature differs from that of Modern Orthodox literature. Although he does affirm that Modern Orthodox works display a higher level of acculturation than do haredi works, he rarely illustrates the truth of this claim with examples. While it may be that such an analysis is beyond the scope of Finkelman’s work, a comparison of haredi and Modern Orthodox literature could provide insight into how haredi literature’s attempt to influence its community is unique. Among the few works authored by Modern Orthodox writers cited by Finkelman, most were articles published in scholarly journals, not books published by Modern Orthodox publishers. While both haredi and Modern Orthodox publishers likely censor the books which they print, since Finkelman does not quote many books published by the Modern Orthodox, it remains unclear how censorship differs in the two communities. Another fact rarely mentioned is that haredi literature is also often read by the Modern Orthodox. Finkelman extensively portrays how haredi literature attempts to influence haredi culture, but with the exception of chapter five, he does not address how or if that literature attempts to influence non-haredi readers. Finkelman’s broad definition of haredi literature includes anything published by a haredi publishing house. However, not all of the authors who have published with haredi publishing houses are haredi. For example, Finkelman cites an article published in The Jewish Observer, Agudath Israel’s magazine, which was written by Dr. David Pelcovitz, who is not haredi. While Dr. Pelcovitz’s non-haredi association may have been irrelevant for Finkelman’s specific point about the article, it is unclear if the line between haredi and non-haredi authorship was blurred elsewhere in a more significant way. Finkelman justifies his broad definition by stating that the haredi publishers have such a high level of censorship that all published works meet haredi standards. Therefore, any work published by a haredi publishing house can reasonably be classified as haredi, and be viewed the same way as literature actually written by haredim. A possible flaw in this argument is that if certain information is absent in an article written by a Modern Orthodox Jew, it is difficult to ascertain if this absence is due to the publisher’s censorship or to the author’s personal decision (made for whatever reason). Therefore, theorizing about the uniquely haredi messages of such a work based on absent information would not be

**Alef-Bet Chart, Germany or Italy, ca. 18th century**

Collection of Yeshiva University Museum. The Jean Sorkin Moldovan Collection Gift of the Jesselson Family. The woodcut in the center of this chart shows students on their first day of studies being rewarded with honey dropped from heaven by an angel, while a more senior, and apparently less eager, student is flogged by a disciplinarian teacher. This chart is modeled after an example published in Ferrara in 1590, where this woodcut scene is reversed.
possible.

While Finkelman may be wide-ranging in his consideration of haredi literature, he is very clear about which community he is talking about when he uses the term haredi, explicitly differentiating between the haredi community and the hassidic one. He emphasizes that unlike hassidic Jews, who are more insular and less acculturated, the haredi community has undergone significant acculturation, which manifests itself in haredi writing.24

Similarly, he distinguishes between the haredi communities in America and those in Israel. According to Finkelman, Israeli haredim tend to be more extreme and separatist than their American counterparts, so their literature is less influenced by secular culture. Although some Israeli haredi authors are quoted, they are generally Americans who had made aliya, so their works exhibit the acculturation more typical of the American community.25

Finkelman is quite open about the fact that he is not part of the haredi community which he is examining, and is in fact Modern Orthodox. As a result, he “[makes] no claim to strict objectivity” and admits that he is conducting this research “to understand what [he is] not.”26 While he does make judgment calls about haredi literature, Finkelman speaks primarily from an analytical viewpoint.

Although he concedes that he shares the opinions of many Modern Orthodox authors who write polemics against haredi literature, Finkelman states that he attempts to avoid being overly polemical so as not to detract from the understanding of haredi works and their effects.27 In this regard, he is successful; while there are many critiques of haredi literature in the book, the tone remains respectful.

My greatest praise for Finkelman’s work is that after reading the book, I was more aware of the underlying sociology when reading haredi literature on my own. While reading the volume on Sefer Devarim from The Midrash Says, a popular series which explains each parashah in the Torah based on midrash, I noticed that a significant percentage of the foreword and footnotes comment on the haredi worldview, both as how it sees itself and how it sees the secular world.28 The foreword warns against Jews reading “literature that is not Torah-true,”29 immediately thought of Finkelman’s analysis of the haredi monopolization. A footnote laments that today’s generation “[does] not achieve the level of Torah knowledge and greatness that was standard in Europe,”30 and I am reminded of Finkelman’s description of idyllic Europe as portrayed by the haredim which is not an accurate description of the historical reality. Several footnotes compare haredi values to secular ones, and as Finkelman predicts, they all emphasize haredi distinctiveness.31

Finkelman’s book is enlightening and offers a coherent and accurate description of haredi literature. His analytical, respectful attitude throughout the book enables him to be critical of the literature without sounding polemical. While several important issues were not completely addressed, the reader comes away with an enhanced understanding of how haredi literature is written in such a way as to influence haredi culture.

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2 ibid. 19.
3 ibid. 11-14.
4 ibid. 15, 31-33. Evangelical Christianity focuses on outreach and missionizing. Evangelicals are generally conservative both politically and theologically. Like haredim, they have their own literature and media. See ibid. 31-33.

The Untraveled Road from Ma’aleh Adumim to Alon Shevut

BY: Talya Laufer


This past Rosh Hodesh Elul, for the first time in recent Israeli publishing history, a non-fiction book was sold out before its release date.3 Mivvakshi Panekha (the Hebrew title) has created a stir in educated Israeli society that is unprecedented for a book authored by figures representing a group such as the elite intellectual stratum of the hesder yeshivah community. The book is the product of a series of twenty interviews conducted by R. Haim Sabato, written in transcript form and organized into seventeen topics. The interviews include treatment of several issues at the forefront of conversation in the National Religious community in Israel today, such as feminism and the status of secular Jews in Israeli society, as well as topics of broader relevance, such as religious humanism and the State of Israel. Many of the topics covered in the book are ones that R. Lichtenstein has himself written about in the past, whether in English, Hebrew, or both, as evidenced by the relevant excerpts from his writings included at the end of each chapter. Thus, for readers familiar with R. Lichtenstein’s weltanschauung, which serves as the philosophical foundation of Yeshivat Har Etzion (the hesder yeshivah headed by R. Lichtenstein) and, to a large extent, Yeshiva University, much of the book will feel very familiar. That being said, Lichtenstein’s thoughts and writings was to make them accessible in print to his students and to the extended Yeshivat Har Etzion and YU community, who were already familiar with the overarching concepts that define R. Lichtenstein’s hashkafah. This book, however, seems to have been written in order to deliberately engage people who might not otherwise know anything about its contents. For Yedioi, perhaps, this means revenue. For R. Lichtenstein, this means disseminating his ideas and views to an audience much larger and more diverse than those who already consider themselves his followers.

As part of the far-reaching advertising campaign that preceded the book’s publication, a blurb was written by Yedioit Sefarim, singing the praises of the two rabbinic figures involved and romanticizing the beauty and brilliance that was supposedly brought forth through their collaboration. The blurb placed a great deal of emphasis on the remarkable nature of the meeting of two giants from such different backgrounds: a scion of the Lithuanian Brisker dynasty and the Cairo-born heir to a distinguished Akeppan rabbinic family. Yet with the exception of the chapter named for the Brisker method, the presumed vast cultural chasms in the upbringings of R. Lichtenstein and R. Sabato did not profoundly affect the book. More significantly, however, the blurb seemed, to this writer, to dilute the complexity and nuance of R. Lichtenstein’s personality in order to “speak to” and “inspire” readers by giving them a glimpse of this previously hidden remarkable human being.

The decided majority of Dati Le’umi (Religious Zionist) youths in Israel do not subscribe to the ideals of the Brisker tradition upon which, to a large extent, Yeshivat Har Etzion was founded (with the exception of Brisk’s anti-Zionism, which Yeshivat Har Etzion rejects). This is evidenced by the fact that Yeshivat Har Etzion is one of the very few yeshivot hesder with a program of study that does not place a heavy emphasis on the teachings of Rabbi Abraham Isaac Kook. With Yeshivat Merkaz Harav as the original institution devoted to carrying on the torch of R. Kook’s philosophy, the vast majority of yeshivot have been modeled after its basic curriculum, with a few exceptions including Yeshivat Har Etzion, Yeshivat Birkaat Moshe in Ma’aleh Adumim (heated by R. Sabato), and Yeshivat Ma’aleh Gilboa of the Kibbutz Hadati movement. R. Kook’s philosophy draws
These divergent responses to the book are reminiscent of the varying and occasionally contradictory ways that different communities understood R. Joseph B. Soloveitchik’s works.

Israeli rabbis who came out with a statement halakhically prohibiting the sale or rental of real estate in Israel to non-Jews. Only two months ago, he co-signed a letter condemning the “price tag” activities of extreme right-wing activists in the West Bank. It seems clear, then, that *Mevakshei Panekha* was written with particular intent to speak to the broader *Dati Le’umi* society.

Given the limited appeal of R. Lichtenstein’s worldview and the attempt to attract a broader audience, one may wonder whether the hashkafic integrity and nuance of the book were compromised in an effort to deal with these realities. However, though the book does not mirror the rigorous academic style typical of R. Lichtenstein’s writings, his views are fairly and accurately represented.

Though the public response to *Mevakshei Panekha* was, on the whole, overwhelmingly positive, the reasons for its enthusiastic reception varied from one community to the next. The book was hailed in the secular Israeli media as a triumph of humanism and as evidence that, at its heart, the National Religious enterprise is in line with the values of social justice lauded by the Israeli left. “A reading of the book… illustrates R. Lichtenstein’s character as a brilliant intellectual in the realm of Halakha, a very open-minded man of the humanities, and, primarily, as a great religious humanist.” In being questioned in the Israeli media and blogosphere.

Throughout the book, R. Lichtenstein makes use of many aggadic anecdotes and Talmudic metaphors to illustrate his thoughts. The book is full of references to *sgagot* (topics) in the Gemara and to rabbinic figures throughout the ages. As a result, the reading experience can vary greatly depending on the knowledge base of the reader. However, understanding these concepts is not crucial to following the gist of the material; a grasp of the referenced information will only serve to enhance the reading experience.

The questions R. Sabato poses to R. Lichtenstein in the interviews, while sometimes preceded by brief explanations, make up a very small percentage of the book. This makes it difficult to discern whether R. Sabato’s role as interviewer is particularly significant. In this writer’s view, his value as interviewer lies in his extensive and in-depth knowledge of both Jewish tradition and Israeli history and society. The questions were productively framed, and R. Sabato was often persistent in pushing R. Lichtenstein to get to the heart of a matter he had not adequately covered or had theorized into abstract oblivion. Furthermore, R. Sabato’s style is poetic and flows beautifully to ears attuned to literary Hebrew. However, this will be lost on readers not proficient in Hebrew, and may actually prove to be an annoyance to foreign readers.

With the decided majority of the text of the book being R. Lichtenstein’s verbose and multi-step answers to R. Sabato’s questions, the reader gets the feeling that R. Lichtenstein is speaking through the pages. While this writer would not characterize *Mevakshei Panekha* as a “light read,” particularly for readers whose Hebrew reading comprehension is limited, it reads far more easily than R. Lichtenstein’s own writing, which is peppered with Latin phrases and esoteric references. *Mevakshei Panekha* retains a casual, albeit lofty, tone, such that the reader need not consult a Latin-English dictionary to stay afloat amongst R. Lichtenstein’s thoughts. It should be noted, however, that, though the references in the book are most frequently Talmudic in nature, R. Lichtenstein’s anecdotes and references do span a broad cultural range, from Lithuanian rabbinic lore to American Modern Orthodox culture to Israeli *Dati Le’umi* society to early American and British literature.

Though I found Yediot’s blurb about *Mevakshei Panekha* alarming because of its inaccurate description of R. Lichtenstein and his hashkafah, the content of the book itself did not reflect these errors. The book is written in a refreshing format and does not compromise the values underlying the corpus of R. Lichtenstein’s writings. While I would not recommend it to a reader seeking a comprehensive and nuanced understanding of R. Lichtenstein’s *weltanschauung*, it is certainly a worthy read for someone looking for an overarching account of R. Lichtenstein’s take on many issues relevant to today’s *Dati Le’umi* and Modern Orthodox communities.

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2 Available at: http://tinyurl.com/yediotsefarim-mevaksheipanecha.
3 Pollack.
Workers’ evening class in Jerusalem

Glass lantern slide
Brooklyn, New York, ca. 1940
Collection of Yeshiva University Museum (2009.437)
Gift of Av Rivel

This is one of a group of slides used at Cejwin Camps in Port Jervis, New York, to teach campers about life in Israel. These slides emphasize the strides made in education, technology, industry and agriculture.

Girls Class, Early State of Israel

Collection of Yeshiva University Museum (2009.555), Gift of Av Rivel.

Girls learning in a classroom, early State of Israel.
Albert Dov Sigal was an expert enamellist who transformed the ancient media into an art form and contributed to a renaissance in enamels in Europe and the United States. He was one of the first artists to arrive in Israel from Kolozsvár, Transylvania in 1948.

Samuel Rothbort came to America in 1904. He never received formal art training and is therefore characterized as a naive painter or folk artist. His work is executed in a personal, impressionistic manner which did not follow the formal art movements of his time. Rothbort was an associate of teacher and publicist Easter Field (1873-1922), who was associated with the development of interest in American folk art. Field wrote complementary articles about Rothbort’s work, and included pieces by Rothbart in exhibitions at his Ardsley Gallery. In the 1930s, Rothbort began to paint subjects based on memories of his early years in Wolkovisk, Russia. This scene shows a distraught teacher discovering his students drawing his portrait.
Scrap of Child Learning

Scraps are the Victorian equivalent of today’s stickers. A product of the Industrial Revolution, scraps became popular when inexpensive color printing became a reality around 1820. Some were used to decorate albums and journals, boxes, and furniture (especially fire screens); others were used in series to illustrate stories from the Bible, to tell tales of foreign lands, while still others were cut and assembled to make a theatre or greeting card. Greeting cards in the form we know them today first became popular during the 1880s. Scraps were produced by chromolithography using steam-powered presses which printed a sheet of scraps at a time. The technique was developed in 1837. It involved surface printing using several steel plates etched with nitric acid. Each color was printed separately; the number of plates required could exceed twenty. The image was lacquered with gelatine and gum, and dried. The reverse was then embossed (pressed) to create a sculptural raised image, and a form used to cut away excess paper, leaving each relief attached to the others on the sheet by thin tabs. Most of the actual printing was done in Germany.

The earliest extant Jewish scraps date to ca. 1903-1912. They were published by Hebrew Publishing Co. of New York, founded by Joseph L. Werbelowsky in 1883. Most of the images were painted by J. Keller and Louis Terr. Jewish scraps represent holidays, biblical or family themes, though several portray American or Zionist themes. Biblical themes helped children visualize the stories at a time when there were few children’s books, and those that did exist rarely had color illustrations. This was the period of the early Zionist congresses, and many people still mourned the recent death of Theodore Herzl. Among the Zionist themes is a three-dimensional card depicting a woman holding a Zionist banner; behind her is a panorama of Tel Aviv including the Herzl Gymnasium.

This panorama is dated ca. 1906-1912, and was produced for Hebrew Publishing Company, although it was printed in Germany. A man holding similar Zionist banners was painted by L. Terr around 1906. Scraps with figures enacting aspects of the observance of various Jewish holidays and lifecycle events were placed within elaborate frames, against backdrops representing domestic or religious structures or outdoor vistas. The scrap representing a family at their holiday table was used for a sukkot scene on one Rosh Hashanah card, and set onboard a ship for another. Wedding and other themes were depicted on Rosh Hashanah cards. Scraps decreased in popularity with the increasing number of alternative forms of entertainment offered in the twentieth century, including the advent of radio.

(Yeshiva University Museum)