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“These People are distinguished by three attributes: they are merciful, they have a sense of shame, and they are given to perform good deeds.” YEVIAMOS 79a

The Trend Toward Euthanasia



The Abortion Bill in Israel



The Waning Sense of Shame

THE JEWISH OBSERVER

in this issue

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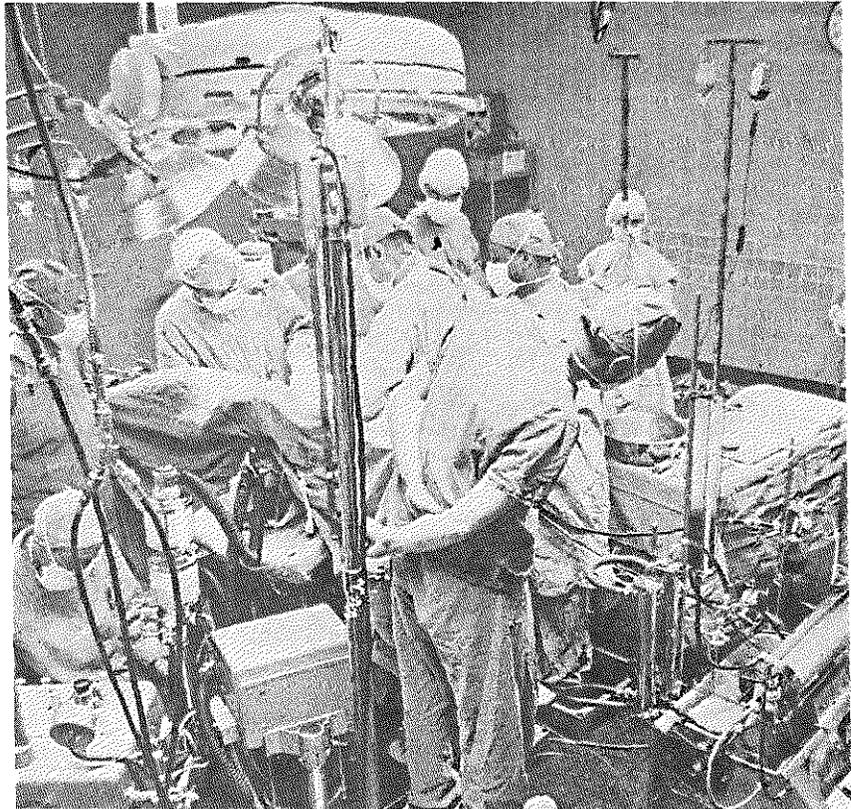
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Aaron Brafman

Euthanasia:

is there a good death — or must life be maintained under all circumstances?



The born are destined to die, the dead are destined to be brought to life, and the living to be judged . . . let not your fancy reassure you that beyond the grave is a place of refuge for you — for perforce were you created, perforce were you born, perforce do you live, perforce shall you die — and perforce are you destined to give an account and reckoning before the Supreme King of Kings. (Avos IV:29).

MERCY KILLING, or euthanasia, was once a favorite topic for debating societies. *Thanatos* is Greek for "death" and with *eu*, which means "good," the word invites one to believe that there are circumstances that would render death good.

With regularity, tragic episodes, such as the ordeal of Karen Anne Quinlan and her family, thrust the prospect of euthanasia onto the public consciousness, and the debate becomes more than academic. Our society is much closer to accepting euthanasia than one might think, and as more than simply mercy killing. This trend has overwhelming implications to the general public, with specific problems in regard to Torah Jewry, and is worthy of careful study.

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The Latest Frontiers of Mercy

IN 1971, AN INCIDENT at John Hopkins University became a subject of much debate: The parents of a defective mongoloid baby refused to grant permission for surgery to remove an intestinal obstruction from the baby. As a result, the hospital decided to let the baby starve to death, which took fifteen torturous days. All recent writing on the subject refer to this incident, each side using it to buttress its position. Professor Arthur J. Dyck of Harvard Divinity School (one of the few opponents of euthanasia) uses this to point to the excesses that will inevitably result if euthanasia is permitted by law countering those who reject the comparison of euthanasia legislation to what happened in Nazi Germany.¹ On the other hand, O. Ruth Russell (author of one of the most recent and comprehensive pro-euthanasia books) uses this case as argument for legalization. For if euthanasia were legal, the baby could have immediately been put out of misery.²

Whatever one's sympathies, what can one say about the staff and doctors who sat by and watched this happen? What happened to their compassion? This aspect of the euthanasia problem is still in its infancy. With the increase in genetic control and counseling, with the increase in the use of amniocentesis (inserting a needle into the mother's abdominal cavity to draw amniotic fluid from her womb, for detection of impending birth defects) the issue of involuntary euthanasia and abortion will rise. One can foresee the

kind of world advocated by Millards S. Everett in "Ideals in Life":

*Eventually, no child shall be admitted into the society of the living who could be certain to suffer any social handicap Life in early infancy is very close to non-existence and admitting a child into a society is almost like admitting one from potential to actual existence. And viewed in this way only normal life should be accepted.*³

British Jurist Glanville Williams, discussing involuntary euthanasia for defective infants, notes

*that the legalization of euthanasia for handicapped children would bring the law into closer relation to its practical administration, because juries do not regard parental mercy killing as murder The proposal certainly escapes the chief objection to the similar proposal for senile dementia; it does not create a sense of insecurity in society because infants cannot, like adults, feel anticipatory dread of being done to death if their condition should worsen.*⁴

At the other end of the age spectrum, the talk already concerns those not terminally ill, simply old or aged. As O. Ruth Russell says:

*Can any thoughtful person really think that it is more humane or moral to commit an elderly person to an institution for the rest of his life against his will rather than permit him merciful termination of a hopeless existence if that is what he wishes?*⁵

*If a person is in an irremediable condition and has become a grievous burden to his family and friends as well as himself, is there anything wrong with his wanting his family to be spared disastrous consequences of caring for him or financing his care over a long period of time?*⁶

One wonders how many old people tragically "burden" their families even when they are healthy and how many people in general are a "burden" to society. — Some consider every welfare case an unwanted burden.

These, then, are the extreme positions that have already gained currency in serious discussions regarding euthanasia.

The Many Ways of a "Good Death"

THERE WAS A TIME when euthanasia referred exclusively to mercy-killing — that is, killing someone suffering unending pain. No more. At present there are two major categories under discussion: active and passive euthanasia, each with a subheading of voluntary and involuntary, not necessarily related to "suffering unending pain."

Active (or positive) euthanasia means a positive act to end "futile suffering or a meaningless existence." Death is induced by direct action to terminate life, or by drugs that will hasten death. In *passive euthanasia*,

therapy is withheld so that death is hastened by omission of treatment.

Voluntary euthanasia is committed at the request of the patient. *Involuntary* takes place at the request of a patient's legal guardian or next of kin in cases when the patient is not of testamentary capacity, e.g. those in irreversible coma.

This article is not dealing with the halachic aspects of euthanasia; it is well established that euthanasia is strictly prohibited and condemned as murder* Legalization of euthanasia would not affect our attitude toward the issue in the least. As members of the general public, however, we are forced to consider the possibilities of such an eventuality and how it could affect us.

The Time Is Ripe for Killing

WHY NOW? — Euthanasia advocates have been around a long time; the Euthanasia Society of America was organized in New York on January 16, 1938. An immediate cause for the recent popularity of the idea is the increase in medical knowledge and technology. The ability to control or artificially support life beyond previous limitations is ironically creating the problems. In addition, the successful passage of abortion legislation has given a great impetus to the euthanasia advocates — note a paragraph from the bill introduced in the Hawaii Legislature (Resolution 44 1972) which reads:

"Whereas, with the liberalization of abortion laws throughout the country, the idea of euthanasia is beginning to emerge from its stigma as man assumes a much greater role in the determination over his own life or death."

If man can control life and end it at one end of the spectrum, why not at the other?

Judging by the status of abortion, then, chances of passage of euthanasia legislation are very strong. These issues are ultimately decided not by what is moral or right, but rather by what becomes popularly acceptable. The mass media focus on the sensational and tend to side with whatever seems "progressive," breaking away from the past. Thus, as with abortion, the initial debate is attended by great moralists and ethicists who discuss the grave questions involved; only to be decided by a popular mood, which does not react to philosophical issues, but to its own convenience. Initially the lofty discussions regarding abortion were also limited in focus, but once it became a law, stress is no longer on the life of the fetus, but on the "rights of the mother over her own body."

(It is worth noting that halachically the mother has no such rights. First, the fetus is an independent life, not simply an adjunct to the mother. Moreover, no

*This does not mean that heroic measures must be initiated in every case. Each particular case would require a halachic decision rendered by a qualified authority.

In the contemporary mind, law is independent of ethical imperatives, and ethics are divorced from their divine source. Without absolutes, there is no limit to what the mind can rationalize.

person is master over his or her own body. Inflicting harm on one's own body is strictly forbidden by Torah law.)

In 1973 a bill that would allow abortion *at any stage of pregnancy* was introduced in the legislature by the very lawmakers who led the successful fight for a *limited abortion statute* in 1970 — now suggesting that "our own reproduction is a personal and private matter — not a suitable subject for state legislation."

True, legislative "permission" does not really make any act less of a moral crime. Nonetheless, the vagueness of the moral and religious codes that govern the American people's conduct tends to allow legislation to determine moral right or wrong — something quite beyond its province.

The Public Mood

THE THRUST OF contemporary society, where when past thirty or no longer ready for the ski slopes, life is not worth living, compounded by the gap between generations and the increasing mobility of Americans, with the attendant disintegration of the extended family, have all contributed to the further isolation of older folks, giving them a sense of worthlessness. Add to this the growing concern for over-population and some painful economic realities — and doing away with ailing old folks is almost a social obligation.

Sure enough, the few mercy-killing cases brought to trial this past decade resulted in acquittal or token sentences. The most recent ones were:

Dr. Vincent H. Montemarano of the Nassau County Medical Center, who was indicted for murder, accused of injecting a fatal dose of potassium chloride into a 59 year old cancer patient near death. The verdict — Not Guilty.

Another involved Lester Zygmanski of New Jersey. He shot to death his 26 year old brother who had been paralyzed from the neck down from a motorcycle accident. (Franz Rosenzweig produced all of his philosophical works, paralyzed from the neck down from a World War I injury.) He was acquitted following trial. There were at least a half dozen similar verdicts in foreign countries. This trend on the part of juries and judges is having its impact on the law profession as a whole. The argument is that murder implies "malice aforethought" — not the case with mercy killing. What the general moralist cannot

comprehend is that an act could constitute murder even if it is not punishable by a court (as in the case of killing a fetus).

In August 1973, George Gallup polled the response to: *When a person has a disease that cannot be cured, doctors should be allowed by law to end the patient's life by some painless means if the patient and his family request it.* The result: an increase of 17% in approval over 1950. Interestingly, there was a direct correlation between more college education and a higher percentage of approval; also, among people under 30, 67% approved.

In a 1973 Harris Poll: 62% believed that a patient should be allowed to die rather than live his life prolonged artificially. Following the pattern of past issues, the polls will direct events.

The Direction of the Clergy's Thinking

THE ATTITUDE AMONG Christian clergy is also changing rapidly. Two leading theologians and ethicists, Rev. Joseph P. Fletcher in *Medicine & Morals* (1954) and Professor Daniel C. Maguire (Marquette University) in *Death by Choice* (1974) are both strong advocates of euthanasia. In his book, Maguire claims "that there are times when ending a life is the best that life offers," while in an article in *Commonweal* (a Catholic journal) in 1973, he calls for changing the law so that "We can proclaim moral freedom to terminate life directly."

Fletcher presents a number of disturbing arguments in his book. Basically his premise is:

- a. Useless life is of no value, therefore to prolong it is no virtue.
- b. "Thou Shalt Not Murder" implies malice. Euthanasia, even when involuntary, is an act of mercy, and not murder.
- c. If society condones war as legal, why should euthanasia be less acceptable?
- d. Existing safeguards are sufficient to protect against a patient who changes his mind or relatives who would "do in" a patient for possible inheritance.

In borderline cases, Fletcher writes:

"choice and responsibility are the very heart of ethics, and the sine qua non of man's moral status The whole history of man's moral growth has been the steady march upward in the scale of responsibility, expanding with the advances in medical science and technology."

(One could easily dispute the basic premise that man has grown in his sense of morality, and that in our day the job is to lighten the burden of an already non-existent conscience.)

In a 1960 *Harpers* article, Fletcher writes, "Death control, like birth control, is a matter of human dignity. Without it persons would become puppets."

In a more recent article (for the Hastings Center Report 197 entitled "Indications of Humanhood: A Tentative Profile") Fletcher writes "Mere biological life . . . is without personal status." He draws up a list of positive qualities that are marks of personal being: "minimum intelligence, self awareness, self-control, a sense of time, of futurity and of past, concern for others, communication, control of existence, curiosity, changeability and creativity, a balance of rationality and feeling, distinctiveness and neo-cortical functioning." With criteria of this sort a large portion of humanity could be written off.

The Jewish Crisis

TORAH JEWS LIKE TO THINK that they are immune to philosophical and sociological changes taking place in the world around us. The facts, however, do not bear this out, for they are subject to the currents of change in general society by virtue of living and working within the framework of the larger social structure. (Examples abound: the introduction of secular studies in Yeshivos, the changing family structure, the rising divorce rate, etc. — but this is not in the purview of this article.) We must provide an intellectual and emotional defense for ourselves to counter-balance the inroads of the alien ideologies. In medical problems, however, the crisis is much more severe, for we place ourselves in "their" hands and in "their" hospitals. What happens to us — our medical treatment is determined to a large extent by the secular world-view. We will discuss some practical aspects of this later. At this point, for the soundness of our own understanding of the issue, and to equip ourselves with effective counter-arguments, it is important to review the weaknesses in the pro-euthanasia stance.

How Effective Are Safeguards?

BEGINNING WITH THE LAST argument, the effectiveness of the law's safeguards against abuses, one must stress the dominance of ugly reality over the ideal. The history of mankind is one of abuse rather than of conformity to strict laws. While still in the shadows of Watergate and Vietnam, one need not belabor the point.

Should one suggest that medicine is inherently a more ethical field than politics, I refer the reader to *The Doctors*, by Martin L. Gross (and other similar books and articles), where one finds shocking documentation of the state of current medical practice: the useless surgery, assembly line treatment of patients without any

knowledge of the total human being, restriction of expert doctors to wealthy patients because of financial considerations, interest in research rather than in the day-to-day welfare of seriously ill patients. . . . Is this the time to entrust decisions of this nature to teams of doctors?

So much has been written about the neglect of patients in city hospitals and nursing homes — even in the voluntary hospitals and private nursing homes. Much of this neglect induces the patients to give up on life. . . . Should we empower those responsible for this despair to pull the plug?

A recent study by doctors at Beth Israel Hospital and Harvard Medical School points to the lack of doctor-patient relationship, which in the past was responsible for the placebo effect, so helpful in a large number of illnesses. These investigators call for a critical look at the ultimate in medical de-personalization: The use of computer consoles to take patients' histories.⁷

The recent reports and studies about abuses in mental hospitals abound. In 1975, a Senate hearing brought to light the abuse and cruel experimentation performed in VA administration mental hospitals on children of military personnel. The list could go on and on.

As for the classical degeneration from euthanasia to genocide in Nazi Germany, that is already well-documented.*

Thus while in theory one can argue about controlling abuses, in practice they cannot but take place.

The Shift Toward Loss of Hope

ANOTHER IMPORTANT POINT involves the change in attitude in both doctor and patient once the alternative of euthanasia enters the scene: How many patients are alive today after others gave up on them, only because they and their doctors fought against death? How many patients were saved by their physicians' ingenuity and creative thinking because there was no other easy alternative? How many burn and stroke victims alive today would have asked for an easy death at the height of their suffering, if such an alternative had been possible? In answer to all these questions . . . the number is countless. As Dr. Jonathan H. Pincus writes, the effect of legalizing euthanasia would have an impact of lifting

* In an article entitled "Medical Science Under Dictatorship," in the *New England Journal of Medicine* (1949), Leo Alexander writes about the Nazi experience: "The beginnings at first were merely a subtle shift in emphasis in the basic attitude of the physicians. The attitude in its early stages concerned itself merely with the severely and chronically sick. Gradually the sphere of those to be included in this category was enlarged to encompass the socially unproductive, the ideologically unwanted, the racially unwanted, and finally any non-Germans. But it is important to realize that the infinitely small wedge from which this entire trend of mind received its impetus was the attitude toward the non-rehabilitable sick."

The initial debate is attended by great moralists, who discuss the grave issues involved. But decisions are determined by popular mood, which does not react to philosophical issues, but to its own convenience.

"some of the strong internalized constraints which shape the physician's action. . . . When a physician considers various therapeutic alternatives, homicide should not be . . . an acceptable alternative."⁸

Regarding the suffering surrounding neurologically or mentally impaired patients, he writes:

*In first-rate institutions the 'anguish' of such patients is solely in the mind of observers. . . . Such patients can enjoy their lives. However, the first reaction of visitors is often one of shock and horror. They may say, "Why do you keep them alive? . . . they would be better off dead!" The patients do not seem to feel that way and this is an important distinction to bear in mind.*⁹

Regarding borderline cases:

*It is difficult to escape the conclusion that there is no way to limit use if euthanasia under any circumstances is to be openly acceptable. Inevitably, this form of "therapy" would spread to situations in which at present it would be unthinkable.*¹⁰

Thus the question of abuses or borderline cases cannot be dismissed as "another step in man's moral progress." The borderline cases are so immediate to the issue, they cannot be left out of the practical considerations.

The Moral Consideration

HOW IS THE COMMAND "Thou Shalt Not Murder" to be defined? In the contemporary mind, law is independent of ethical imperatives, and ethics are divorced from their divine source. In the Christian world (except among some devout Catholics), there is no divine guide to personal conduct. Life is without absolutes. As a result there is also no limit as to what the mind can rationalize or devise. The *Rambam* at the end of *Hilchos Temura* explains the Torah prohibition against replacing an animal designated for a *korban* with another one, even if the replacement is a better one. He writes:

*The human mind is capable of saying that evil is good: thus the Torah provides guidelines against which we can test the good or bad of whatever we contemplate doing.*¹¹

Without any form of guide or *mesorah*, ethics seem to be anyone's bailiwick. Thus the theologians of other faiths can toy with words to legalize and legitimize anything they wish.

The general euthanasia advocates are not really plagued by a moral dilemma, for anyone who does not tremble at the thought of extinguishing a human life is lacking a basic concern for the ultimate value of life. To the person without religion, man is nothing more than a bi-ped beast, not really meriting extraordinary effort when not in a conscious state. Their primary concern is to change the law for their ultimate convenience, and they will most likely be successful.

The oft-cited argument "if war is legal, euthanasia can also be exempt from the category of murder" offers no basis for discussion. Whatever the rationale for waging war, it is an abnormal state which everyone looks forward to seeing abolished — in the words of the Prophet Isaiah: "Nation shall not lift up sword against nation." By contrast, euthanasia advocates want to normalize murder. This distinction has always been self-understood.

What Is Death

ALL DISCUSSIONS and books on the subject (surprisingly, even those by Christian ethicists) impart the impression that death is final and provides the ultimate in peace. While involved in countering the pro-euthanasia arguments, we may simply side-step this aspect of their world view, forgetting the message of the *Mishna* in the introduction — that death is merely a transition followed by the time of reckoning before the King of Kings. We do not seek suffering, for we seek to relieve it through prayer and medication. Yet, it is obvious from numerous statements of *Chazal* that it does function as a purifying force preparatory to a total forgiveness. Thus the concept of suffering as useless and the goal of taking steps to "put one out of his misery" have no place in Torah ideology.

As part of the trend toward demystifying death, it has become a popular subject of discussion, billed as the final taboo for Americans to smash. By offering Thanatology courses (dealing with death) in colleges and high schools, Americans feel that the mystery and dread of death will disappear. For sure, it will become commonplace, as we become a nation with the sensitivities of seasoned morticians, losing the impetus to value every day of our lives, normally prompted by an awareness of inevitability of death, indulging instead in vain and empty pastimes without thought. As

euthanasia becomes more of a public issue, this important point must not be lost.

When the great Tanna Rabban Yochanan ben Zakai was on his deathbed, his students came to visit him and found him crying — not for what he was leaving, but because of the impending judgment, the outcome of which he was not certain.

The euthanasia advocates dismiss the argument that death is in G-d's hands as being analogous with arguing that all of medicine should be forbidden. As Maguire words it, it is like arguing "if G-d wanted you to fly, He would have given you wings." This rebuff misses the whole point. Rabbinic literature is replete with discussions and incidents (as those between Rabbi Akiva and Turnusropus) that illustrate man as an active partner in the creation of the world — a fundamental idea expressed in the *Bris Milah*. Similarly, man was granted permission to heal, as *Chazal* explain the phrase "*V'rapo yerapai*" (and he shall heal . . .) putting medicine within our province. Ending an innocent life, however, was never put into any man's province, not even those with expertise in medicine.

The Pragmatic Crises in Hospital Care

TWO POINTS of immediate concern present themselves: (One already has relevance to the field of obstetrics since the advent of legalized abortion.) If euthanasia is to be legalized, then a doctor practicing it would be considered according to *halacha* a *rotze'ach* — a murderer. May we entrust our lives to such an individual? What is to be the lot of thousands of Jewish elderly? Can we entrust them for treatment to murderers?

The other crisis, loosely related to the euthanasia trend, will result from the new definition of death. The medical community and the legislatures of the country are seeking to redefine death as taking place before the cessation of the heartbeat or breathing. Rather, that death be determined by Electro-encephelogram, which measures the brain waves. This criterion has significance for organ transplants, for it is essential that the organs be removed while the body is still receiving oxygen.

According to *halacha*, death is determined by cessation of breathing and of heartbeat. Thus any removal of life-support even following a cessation of brain function would constitute an act of murder. When the new criteria for death will have been met in dying patients,

hospitals may well insist on withdrawing all support by *halachic* standards killing the patient. Thus the problems are very real and acute.

At least three states (Kansas, Maryland, and Virginia) have enacted laws providing new criteria for determining death, based on brain death, and nine* states, including New York, are now contemplating similar legislation.¹⁶

Solutions?

WHILE UNTIL NOW the availability of doctors of Torah commitment was a luxury, it is now akin to a necessity, particularly for dealing with older patients. This will not solve the problem, but will mitigate it. . . . Perhaps the time has arrived for the largest Orthodox community outside of Israel to establish at least one hospital run in accordance with Torah principles. We certainly do not lack top-notch Orthodox doctors to staff it, nor the necessary administration and personnel. Why must we be beholden to Federation hospitals, most of which lack the sensitivity to even have kosher kitchens?

It would appear then, that the thrust of most "thinking" today, coupled with the popularization of the approach by pop-ideologists (such as TV personality Marya Mannes, whose book *Last Rights: A Case For The Good Death* is written for the general reader), euthanasia will become law and the Living Will** will become a more common practice. We must strive to present our position clearly and forcefully, initiate practical suggestions, and pray to the Healer of all mankind for the ultimate salvation through the coming of the day when "all the world will be filled with the knowledge of G-d and the Waters cover the Oceans."



*Alaska, California, Georgia, Illinois, Michigan, New Mexico, Oregon, and Tennessee. Bills have been introduced in the legislatures of Calif., Dela., Fla., Ida., Mary., Mass., Mont., Wash., and Wis., calling for the right of patients or next of kin to ask for termination of life deemed unlivable; and that doctors be exempt from criminal prosecution for carrying out the request.

Agudath Israel of America is in the forefront of a battle to maintain the Jewish patient's right to have his life-status reviewed by *halachic* criteria — rather than brain wave evidence.

**The Living Will, as yet not legal, is a document requesting that one's life not be kept up by heroic means, should he ever become incapable of expressing that decision; and that drugs "be mercifully administered to me for terminal suffering even if they hasten the moment of death."

1. "An Alternative to the Ethic of Euthanasia," in *To Live or To Die*, ed. by Robert H. Williams.
2. *Freedom to Die* by O. Ruth Russell pg. 46-47
3. Quoted in *Death by Choice*, Daniel C. Maguire pg. 7.
4. Granville Williams, *The Sanctity of Life and Criminal Law* 1970 pg. 349.
5. O. Ruth Russell op. cit. pg. 249.
6. *ibid* pg. 228.

7. *N.Y. Times* July 13, 1975.
8. *N.Y. Times* Jan. 24, 1973.
9. *ibid*.
10. *ibid*.
11. *Hilchos Temurah: IV, 13*.
12. *ibid*.
13. *ibid*.
14. *ibid*.

The Abortion Bill in Israel

ABORTION ON DEMAND has become the law in most of America's fifty states, making it a regular feature of the American landscape. A "Right to Life" lobby has taken shape, with very strong Catholic backing, aiming at passage of a constitutional amendment to render all abortions illegal. Much to the shame of the Jewish community, the liberals that are challenging the Right-to-Lifers include such conspicuously Jewish groups as the American Jewish Congress and the Bnai Brith's ADL. The amendment bid is a complicated issue, and not the immediate topic of this discussion. There are some very real limitations regarding the imposition of Torah values on others, even in a democracy, so even though the situation is appalling there may be limitations to the shape of our objections.

Israel, as a state of Jewish people (even if not "the Jewish State") is certainly a different story, and Jews the world over are deeply involved in events there. A bill has been brought up in the Knesset that would grant women the right to abortion on demand. Despite cries of protest from both physicians' organizations and religious circles, the bill seems to have every chance of passing.

The sense of outrage has spread to these shores, as well. And it is indeed outrageous that the very People who, in effect, introduced the Torah's humanitarian imperatives to a dark world should now pioneer in legalizing pre-natal bloodshed in the Near East, where no other country permits abortions. More, it seems self-defeating for a nation that is so actively seeking immigrants to increase its population, to propose legalizing a means of population reduction — by whatever means — rather than search for ways to absorb "unwanted" children into society. And it is ironic that, in demanding immigration rights for Soviet Jewry, so many activists draw parallels between Kremlin policy makers and the Biblical Pharaoh, down to the "Let My People Go" rally cry; while the land of their would-be destination is ready to legitimize a practice so similar to Pharaoh's tactic of slaughtering Jewish infants.

At a recent meeting called by Agudath Harabbonim of America, a number of noted Torah leaders voiced strong condemnation of this pending law in Israel. Excerpts from their addresses are presented below to convey to readers the gravity of the situation.

A Jewish National Treasure

Based on remarks by RABBI YAAKOV KAMENETSKY שליט"א, member of the Moetzes Gedolei HaTorah (Council of Torah Sages) of Agudath Israel of America.

IN YANISHOFF, LITHUANIA, a veterinarian was found drowned in a well near the Jewish slaughterhouse. The veterinarian's brother, a physician, accused the butchers of committing the murder. A trial ensued, in which the attorney for the defense, Yaakov Robbins, challenged the prosecuting attorney, as to whether Lithuanian history ever recorded a case of a Jewish murderer.

No, there never was such an incident, he admitted. But butchers are different, he argued. They bathe in blood.

You're mistaken, the defense argued. Butchers deal with meat after the animal is dead. Killing the animal is taken care of by the shochet — the ritual slaughterer. . . Tell me, do you suspect Mendel der Shochet of killing the veterinarian?

Of course not. Mendel surely did not do it . . .

The most telling argument, however, was the total absence of an incident of a Jewish murderer in Lithuania. For "there are three signs in this People: they are merciful, modest, and are given to act with kindness." Can a merciful individual commit a murder?

↑ This has always been our pride — that as children of Avraham who was the very pillar of *chessed*, there can be no murderers among us. Would it not follow that the prototype merciful people should have mercy on a helpless, innocent creature? And what can better symbolize the helpless and innocent than the unborn child?

Our detractors have not denied our capacity for mercy, only our reasons for possessing it. They claim that we behave with consideration for others because

we are like sheep — lacking horns or hooves to attack. And so, dependent upon the mercy of others for our very existence, we have no choice but to pretend that mercy is a virtue. We know otherwise, and take pride in our capacity for mercy as our mark of heredity from Avraham. But regardless of its source, no one challenges the existence of mercy as a Jewish character trait.

CONTEMPORARY SOCIETY actually bathes in brutality. In such a time, it is incumbent upon us to reassert our linkage with Avraham Avinu by emulating his traits.

The prime source of our mercy is the Divine attribute of mercy, and we must reinforce our awareness of this by referring to Him as "the Merciful One." Just as the Yiddish reference to the Deity "*der Aibershter*" (the One Above) is used to underscore His transcendency, so should we use the Aramaic expression "*Rachmana*"

in our conversations, to spur us to emulate this Divine attribute.

THE PROPOSED ABORTION LAW in Israel is especially reprehensible for legitimizing an appalling condition. It brings to mind the *Baal Akeidah's* comment comparing the Sodomites (who were destroyed by Divine wrath for killing foreigners) with the people of Givat Binyomin (who violated and killed the concubine of a traveler spending the night in their town). Sodom earned heavenly retribution, but Givat Binyomin did not, because mistreatment of strangers was official policy in one but occurred only as an impulsive outbreak of violence in the other.

Abortion is murder of unborn children. When murder becomes the law of the land, we are indeed in need of Heavenly mercy.

Making One's Own Rules

Excerpts from remarks by RABBI MOSHE FEINSTEIN שליט"א, member of the Moetzes Gedolei HaTorah of Agudath Israel of America.

THE MIDRASH recounts G-d's offer of the Torah to other nations before giving it to Israel. The People of Eisav refused the Torah because among its laws it commands: "Thou shalt not murder!" and they did not want to accept such limitations on themselves.

This is strange, for does not every nation outlaw murder? This should not have been cause for Eisav to reject the Torah.

Yet it was: Eisav had its own definition of life and its inviolability, and it wanted to maintain control over this definition without subjecting itself to Divine rule in the matter — committing murder when it thought justified. And now, we are experiencing a regression to the pre-Sinaitic savagery of "let us live by our own rules . . . and let us kill accordingly."

We must reinforce our sensitivity to the Divine definition of life by reviewing the *halachos* (Torah

laws) that govern preservation of life and prohibit taking of lives. Specifically, as the *Rambam* declares: *abortion is a type of murder and can never be permitted except when the fetus presents a danger to the mother's life.*

The proposed law in Israel is not only legalized bloodshed. More than that, it is also a terrible desecration of G-d's name. Even a lowly robber who murders for some personal gain does not stoop to taking a life for "personal convenience," or to insure freedom from responsibility. Yet the abortionists do.

How can leaders of a government that intend to render bloodshed permissible by renouncing the G-d-given definition of life in favor of that of Eisav's — how can they pretend to be leaders of *Klal Yisrael*? If this law is passed, there can be no justification to be a member in this government!

Bloodshed and Outrage

Based on remarks by RABBI PINCHAS TEITZ שליט"א, of Elizabeth, New Jersey.

SHEDDING OF INNOCENT BLOOD in Jewish life is so reprehensible that at times even those not responsible for the act of murder who hear of such an incident must dissociate themselves from it. This is expressed by the

recitation of the elders of the city in whose proximity a dead man is found. In the *eglo arufo* ceremony that the Torah mandates, they must wash their hands, saying: "Our hands did not shed this blood," even though

there is no reason to assume that they were directly involved in the death.

How, then, are we to respond with less than shock to the killing of 100,000 fetuses through abortion in Israel, year after year? This is certainly a sin against Torah . . . It is a crime against Jewry, against mankind, and even against the Land itself — for the Torah clearly warns that the Land, in its sensitivity to corruption, can tolerate no bloodshed.

THE MIDRASH RELATES that in ancient Egypt, a tiny

Jewish child, born prematurely, tumbled into the mortar from which the bricks were made. The Angel Gavriel scooped up the brick encasing the infant's form and presented it before the Almighty as an accusation against the cruelty of Pharaoh's slave-labor. This evoked the Almighty's mercy and the Jews were redeemed.

For the sake of the security of our people in *Eretz Yisroel*, we cannot permit the sanction of a practice that mirrors the brutality of ancient Egypt. □

Bernard Weinberger

Wanted: A Sense of Shame

Shameful Shamelessness

EVERY MONTH, the Jew prays "Grant us a life free from shame and reproach" (*Birchas Hachodesh*). If we would interpret this literally, we could believe that our prayers are well on their way to fulfillment, for there is little shame left in the general society that surrounds us.

Under the modern creed of giving expression to everything, life has become so vulgarized as to leave no experience, however intimate, worthy of privacy or secrecy. Particularly now that this mood is enhanced by the Watergate-inspired demand for candor and openness, honesty has become equated with the absence of any sense of shame. Candor and openness are rivaling apple pie and baseball as the hallmark of the true-blooded Yankee American: The First Lady receives high political marks for her performance at an interview in which she speaks freely of her willingness to accept the possibilities of her daughter's promiscuity or her children's experimentation with drugs

Ironically, only underworld figures still cover their faces from the television cameras at their arraignment The smut and obscene literature that flood the newsstands, the movies, and the television interviews (after the 9 P.M. cutoff time for family programming) on the most sensitive and intimate issues are all part of the neurotic obsession with openness that has overwhelmed modern society. And, indeed, this attitude has trickled down to the average American, affecting many Jews as well.

The Un-Blushed Cheek

ONCE UPON A TIME, parents of children on drugs or otherwise freaked out would hide their faces in shame.

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Today, it is sufficient to shrug one's shoulders and parrot the clichés of "you know how kids are today." Some will even boast of running an open and democratic household where children are given the option to experiment with their lives and learn from trial and error Marriage outside the faith was once a tragic source of shame. Today, that sad experience is exalted by the participation of clergymen from different faiths in "an ecumenical service" If divorce ever caused couples any shame because of the implied failure of relationships between two erstwhile lovers, it is today welcomed as a willingness to let one's spouse fulfill himself or herself rather than suffer in quiet agony

In so many areas, Orthodox Jews have not succeeded in escaping the influence of the outer society — even in respect to a sense of shame. Happily, we still retain some sensitivity to shame — an attribute that our *Chazal* (Sages, of blessed memory) have designated as one of the three fundamental traits of the Jews. And as for the monthly prayer — its real meaning, of course, is that one may enjoy a life free from that which might cause us shame and reproach.

The Senselessness of Candor

SO WHILE WE ORTHODOX JEWS may be smug with our inherent sense of shame, there are some assumptions made by the new morality, pushed to an even further extreme by the Watergate scandals, that should be challenged on fundamental grounds before they seep into our lives, altering them irreparably. Underlying the trend is the supposition that "if you are honest and decent you have nothing to hide and no reason to refuse full disclosure." Such naive wisdom in its ultimate form leads to the denial of fundamental rights of privacy and secrecy. Pages upon pages in the Talmud deal with the concept of *hezek reiah* — damage of eye-encroachment

where nothing more is at stake than the human right of avoiding neighbors' inquisitive stares in one's home. Our conduct may be perfectly legal, correct, and decent, and yet, we definitely want to retain the privacy of that behavior. Is possession of secrets a sin or something one must excuse to others?

Taking this philosophy to an extreme leads to the no-holds-barred approach, holding up even the most intimate aspects of life for public discussion. This is the antithesis of human dignity, an absurd reduction of the human to the beastly. Two words, representing towering Judaic concepts, have fallen into self-conscious disuse and need active reviving: *tzenius* (personal modesty) and *kedusha* (sanctity). The current trend to candor runs quite in the opposite direction.

Another assumption of the advocates of outspokenness is that silence is gutless and cowardly. Only to speak one's mind openly and freely is considered courageous. The modern heroes of the media are the ones who challenge someone to answer the most personal and penetrating questions, and who accuse the "interviewee" of hiding something sinister if he refuses to make a public display of his life. Thus, an American Secretary of State must be concerned that some sharp reporter does not sift through his garbage in search of a stray note the Secretary scribbled to his wife before leaving in the morning, or some other personal doodling. And a President of the United States must anticipate that his private conduct may some day become juicy morsels for gossiping millions. The clamor for disclosure is slowly destroying a basic sense of freedom that this country has personified for two hundred years. We must heighten our sensitivities against this damaging trend, also.

How Exceptional the Jew

IN A SHAMELESS SOCIETY, it is a distinctive badge of honor to feel reproach when someone dear to us is involved in any kind of unsavory behavior for the capacity for shame is so indicative of our proud heritage.

But, even if we have retained this capacity, we have been pushed to the point where we feel we must publicly apologize for that which brings us shame, and that in and of itself is dangerous. That so many in the Jewish community feel obliged to be the first to condemn a fellow Jew accused of alleged unethical practices, would indicate a need to demonstrate our sense of integrity, not daring to suffer our shame and humiliation in silence. It would seem as though silence were in itself a sin, only to be atoned for by public repudiation of the sinner. Thus, paradoxically, the Jewish sense of shame is being perverted into an unprecedentedly shameless exercise in public breast-beating.

Why must Jews show the world that we do not condone chicanery in our community? Our record should speak for itself. And, if weaknesses are indeed develop-

ing in these areas, it is for us to exercise internal corrective mechanisms. To wax sanctimonious over fellow Jews can only cause ruptures we can ill afford.

The Silence of Responsibility

THE JEWISH COMMUNITY has also been plagued with forums for muckracking and the slandering of any Jew with whom a writer may fail to agree. This kind of alleged courage has nurtured militant groups within our own Jewish community who have replaced the conciliatory outstretched open hand with the clenched fist, punctuating the air with shouts of "Right-on," in challenge to anyone and everyone in sight. In the universe of such misguided heroism, there is no room for time-proven *shtadlonus* and diplomacy, only for direct confrontations — even with superpowers such as the mighty U.S.S.R.

Many well-meaning Jewish leaders would have us believe that we are losing our youth because the respected Orthodox Jewish leadership remains silent on some of the issues of the day. Completely lost in this zeal for speaking out is the realization that real heroism often lies in restraint even when we have strong opinions, because outspokenness can bring dangers or injury to some segment of Jewry.

Public outcry is not necessarily the more difficult or the more courageous move, nor is it generally the better side of wisdom. Very often it requires a heightened sensitivity and a more developed sense of communal responsibility to remain silent. Jews simply have to recognize that they are circumscribed in their exercise of free speech particularly when it may damage another Jew anywhere. Surely our voices will sometimes be muzzled by the awareness that every Jew shares a collective responsibility for other Jews. Our freedom of speech is indeed guaranteed, but it is also quarantined by the Jewish national constitution, the Torah. Our papers cannot air every issue, our magazines cannot discuss all problems, and our leaders cannot voice their opinions on all subjects simply, yet undeniably, because we are Jews.

The Beauty of Candor

TRUTHFULLY, THERE IS a terrible beauty in frankness and openness. It is the beauty of innocence and ingenuousness. It is pure, honest, and real. It is, in fact, the atmosphere that prevailed in the Garden of Eden prior to Adam's eating of the forbidden fruit. But once we have experienced sin, we can no longer achieve the innocence that allows us to walk about unclothed, without shame. From that moment, G-d Himself clothed mankind to hide his nakedness. Only those few who can transcend the falling of Adam can speak as Jacob did, demanding bluntly: "Give me my wife . . . for my days are fulfilled" (*Bereishis* 29:21). For the rest of us, clothing is indispensable — not only for our bodies, but for our speech, our demeanor, and our entire existence. 

Torah: A Legacy of Love

I Torah — A Love Bond

On Shavuos Rav Yoseif would say, "Prepare for me a choice calf (for) if not for this day, how many Yoseifs are there in the market place?" (Pesachim 68b). Rashi explains that were it not for Shavuos, when the Torah was given to the Jewish people, Rav Yoseif never would have learned Torah and risen to his exalted state; and then what difference would there be between him and all the other Yoseif's in the market place?

There are many "Joe's" in the marketplace today. Take measure of the Joe's and the marketplaces they inhabit, and realize that if not for Torah, differences between us and them would not exist. How great our joy should be on the day of receiving the Torah!

Between G-d and His People . . .

SHAVUOS JOY IS ENHANCED with the knowledge that Torah is the ultimate expression of G-d's love for His People, as well as Klal Yisroel's love for Hashem Yisborach. This is implicit throughout the *bracha* "Ahava Rabba (A Great Love)" that immediately precedes the *Sh'ma*. We declare: "You have loved us with a strong love, O L-rd . . . with compassion." And then we request: "For the sake of our fathers who trusted in You and whom You taught the statutes of life, favor us similarly and teach us . . . put into our hearts the ability to understand, to listen, to learn and to teach, to observe, to do and to fulfill all the words of learning of Your Torah with love." That "all-consuming love" that the Creator has for His chosen people is expressed through teaching them the laws of life embodied in Torah.

While reciting this *bracha*, a longing surges within the Jew to attain a love for G-d in its supreme form, and thus he continues in his prayer: "Enlighten our eyes in Your Torah; let our hearts cleave to Your *mitzvos*, and unite our hearts to love and to stand in awe of Your Name."

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Reciting this *bracha* can substitute for the required *bracha* over the study of Torah (Orah Chaim:47,7). Yet the main content of a *bracha* must be summarized in its closing and here Torah is not mentioned in the concluding phrase. It ends: "Blessed are You . . . who has chosen His people Yisroel with love." Nonetheless, this requirement is met, for the love that flows between G-d and Israel is synonymous with Torah.

. . . And Between Israel and G-d

OUR SAGES TEACH US the form of Israel's love for G-d;

We are commanded (in the *Sh'ma*): "You shall love the L-rd your G-d with all your heart!" How can one achieve this love? The Torah follows with: "These words that I command you today shall be on your heart," as a result you will recognize the Holy One, Blessed be He, and cling to His ways. (Sifri, Va'eschanan).

All too often, the most sublime of the Torah's concepts escape us because they seem nebulous, without concrete meaning. How many have ever asked themselves when reciting *Sh'ma* twice daily, *What is the meaning of: "You shall love the L-rd your G-d"? How does one love the Master of all the worlds? As the Sages clearly defined the requirements of all the other mitzvos, so too have they delineated practical means of fulfilling this mitzva of love of G-d — through the study of Torah.*

The Rambam spells this out more fully:

"The love for G-d can not be imbedded in a man's heart until he constantly is preoccupied with it to the exclusion of all else. As the command says: ". . . with all your heart and all your soul." Man cannot love G-d except through his knowledge of Him" (Hilchos Teshuva:X,6).* (footnote on p. 14)

And that love and knowledge are synonymous is evident in the Torah's description of the union of Adam and Chavah, "And Adam knew Chavah his wife" (B'reishis:IV,1).

One can only attain knowledge and love of the Creator through the study of Torah. Knowing the will of G-d as revealed in the Torah is knowing כביכול His essence, in so far as man can know Him, for He and His

Will are one (See *Rambam Hilchos Yesodei HaTorah* II:10). There is no other way to cleave to Him.

"And to cleave to Him." How is it possible to cleave to the A-lmighty? "Associate with the wise men and their disciples and I will consider it as if you have ascended on high . . ." (Sifri, Eikev).

The Metaphors of Divine Love

AT THE VERY OUTSET of *Shir HaShirim* — King Solomon's metaphor for the quintessential love between the Jewish people and the A-lmighty — *Klal Yisroel* expresses its yearning for the Creator: "Let Him kiss me with the kisses of His mouth for Thy love is better than wine." Rashi explains that the *Ribono Shel Olam's* supreme expression of love for Israel was through presenting His Torah to them, and speaking with them "face to face." No other pleasure can rival its sweetness. And He has promised at some future time that He will again appear to Israel to explain the inner-

most secrets of the Torah, and they beseech Him to fulfill this promise. This is the essence of the yearning: "Let Him kiss me with the kisses of His mouth."

The *Gemora* (*Sota* 21) tells us that a transgression can nullify the reward for any *mitzvah*, but never the reward for learning Torah — deriving this from the *pasuk* "Mighty waters cannot extinguish love" (*Shir HaShirim* V, 7). Rashi explains: *Love is Torah, as is stated "He brought me to the wine hall, and his banner over me was love" (ibid cit II, 4). The banquet hall was Mount Sinai, and G-d's love, raised over us as a banner, was the Torah He unfurled before us*

In the morning before we recite the *Sh'ma* and accept the "Yoke of the Kingdom of Heaven" we recite the bracha of "*Ahava Rabba* — A Great Love," and in the evening before the *Sh'ma* we say "*Ahavas Olam* — An Eternal Love": "You have loved Your people Israel with an everlasting love." What is that love? — "Torah and *mitzvos*, statutes and judgments have You taught us."

II The Vast Legacy of Moshe

SHAVUOS IS A TIME for renewal of our love for the Almighty through a rededication to the learning of His Torah. Toward this end let us examine the essence of this bond of love between Israel and the Almighty. Our Sages tell us: "When a child knows how to speak his father must teach him Torah . . ." What is Torah? Rav Chanina said, It is the *pasuk* *תורה צוה לנו משה מורשה* "The Torah Moshe commanded to us is the heritage of the Congregation of Yaakov" (*Succah* 42a). Each nation has its specific treasure — that national asset which it prizes above all else as its unique possession. It is its source of pride and it guards it with all of its energies. Other nations have their crown jewels, their art treasures, national shrines. But the treasure unique to the Jewish People is Torah, "The precious vessel of G-d with which the world was created" (*Avos* III, 18).

Thus the King of Israel is enjoined to write two *Sifrei Torah*, one to accompany him wherever he goes, and one to be kept in his treasure house (*Rashi, D'varim* 17, 18; quoting *Sanhedrin* 21b). That *Sefer Torah* hidden in his treasury serves to remind the king that the treasure of the Jewish people does not consist of precious stones or jewels, but is the Torah. Torah is the unique and priceless heritage of *Klal Yisroel* . . .

This is the simple meaning of the verse every Jewish child learns when he begins to talk.

Yet, curiously, *Targum Onkelos* renders the meaning differently in his translation: *משה ירה לנו אוריינתא, מסרה ירותא לכנסת יעקב*. "*Moshe gave us the Torah; he bequeathed it as inheritance to the Congregation of Yaakov.*" How are we to understand Moshe as the giver of Torah — as if it were his to give?

* The *Rambam* (in *Hilchos Yesodei HaTorah* II, 2) seems to say one comes to love of G-d through contemplating His creatures — that is nature. At the end of this *halacha*, however, the *Rambam* states: "This is just as the Sages had said in regard to *Ahava* (love), that this serves as a means to recognize the Creator."

The *Rambam's* reference is to the *Sifri* — either, the one quoted above from *Va'eschanan*, or one that the *Ragotchover* in *עפנת פענח* cites *מדרש עקב*. (See also *ספר קריה* on above *Rambam*.) The *Sifri* in *Eikev* (the beginning of which is quoted in the following pages), reads as follows: "If it is your desire to know the Creator, study the *Aggada*." In either case, the formula given by Chazal for achieving Love of G-d is Torah study.

A more mature study of the *Rambam*, however, would lead us to the conclusion that the *Rambam* does not refer to the study of natural science, but to *מעשה מרכבה* and *מעשה בראשית*, which are also part of Torah. See *פי דת ייג' פי ב' ה' יא'יב'י*. It would be worthwhile to

quote the last *halacha* in full: "The matters discussed in these four chapters . . . are those which the early Sages called '*Pardes*', as they said: 'Four entered *Pardes*', and although they were great Sages, not all of them had the ability to know and understand all of these things clearly . . . It is not proper to walk in the *Pardes* unless one has eaten his full of bread and meat. 'Bread and meat' refer to knowledge of *היתור* and *איסור*; similarly, knowledge of all other *mitzvos*. Even though these are described by the Sages as 'a small thing': For the Sages, 'a great thing', is *מעשה מרכבה*; a small thing, these are the talmudic discussions of *Abaye* and *Rava* — nevertheless they are deserving of precedence. For they are the fundamental knowledge of a person. Moreover, they are the great good which the Holy One, blessed be He, has granted us, to establish a peaceful existence in this world, in order to inherit the World-to-Come. And it is possible for all to know them, young and old, men and women, he who has breadth heart and he who is narrow of heart."



Three Innovations

LET US EXAMINE A *Gemora* (*Shabbos* 87a) that may shed some light on the problem:

We learned in a B'raisa: Moshe did three things on his own and the Holy One, blessed be He, agreed with him. He added one day to the days of preparation before receiving the Torah on Sinai, he separated from his wife, and he broke the Luchos (the two tablets of the law). The Gemora asks – Mai Dorish? – What did Moshe expound? What was his reasoning in each of these incidents? He added the day because he interpreted G-d's command, "You shall ready yourselves today and tomorrow" as implying that just as "tomorrow" will be a full night and day, so should "today." As G-d had spoken to him by day, the previous night could not be reckoned as one of the two days. He therefore added another full day. [Tosefos explains that this was not a true d'rasha, because had G-d's intention been that there be three days of preparation, how can we say that Moshe added the day "on his own"?)

He separated from his wife using a Kal Vachomer (a fortiori) . . . [Again Tosefos explains that this was not a true Kal Vachomer.]

Moshe shattered the Luchos, reasoning that the Korban Pesach, which is only one mitzva, cannot be performed by a mumar (one who has estranged himself from the A-lmighty.) Therefore, how can I give the Jewish people the entire Torah when they had gone astray after the Golden Calf? [Tosefos again explains that this was not an in-

controvertible line of reasoning. Moshe might possibly have given them the Torah and thus brought them back in teshuva to the A-lmighty.]

The *Gemora's* entire discussion seems to defy comprehension. It would seem that the *Gemora* strives to determine Moshe's rationale in each of the three actions, finding some basis in the Torah itself for his apparent departure from Divine command. But if Moshe did indeed understand G-d's words in such a manner, why does the *Gemora* say that Moshe acted "on his own"? This is obviously why *Tosefos* must find ways of explaining the words of G-d as implying otherwise. What, then, is the true meaning of "Moshe acting on his own"? How literally is his rationale to be understood?

The Unspoken Directive

IT WOULD SEEM that our sages here reveal to us that there are times when the true will of the Creator is not openly expressed to man. There are situations in which He deems it wiser not to reveal His will directly or even in the conventional Torah form of an incontrovertible *d'rosho* or a *sevora*. In such cases, the A-lmighty merely alludes to His intent in a form only to be grasped by an extraordinarily inspired individual. Although an ordinary person will completely fail to grasp the intention of the Creator, this individual will rise to the occasion, and act accordingly.

Thus we find this same discussion in Tractate *Yevamos* (62a) with a slight variation. There the *Gemora* does not say "Moshe did three things and the Holy One agreed with him," but "His reason coincided with that of the Ribono Shel Olam." Actually the two

versions are one. When in the Tractate *Shabbos* the narrative states that the *Ribono Shel Olam* agreed with Moshe, this does not mean that His original intention was different and that He subsequently agreed to Moshe's innovation. Rather, Moshe arrived at that true inner will of the A-lmighty, which His infinite wisdom decreed was not to be openly revealed. This is implicit in the *Gemora's* question — *Mai Dorish?* What did Moshe expound? — Moshe most certainly had a sound basis for his conduct that only *seemed* to contradict the

Two days . . . or three? It was His true will that the Jewish People sanctify themselves with an extra day of preparation for receiving the Torah, but it could not be commanded. Love cannot be legislated.

expressed will of G-d. However, the *drasha* that Moshe used was not a *drasha* that others would have arrived at. It could only emerge from the great mind and noble heart of Moshe *Rabeinu*.

Not by Command

SIGNIFICANTLY, ALL THREE ACTIONS that Moshe understood "on his own" were connected with the receiving and transmission of the Torah. The *Ribono Shel Olam* in His wisdom did not choose to command the Jewish People to sanctify themselves in preparation for *Kabolas HaTorah* for more than two days. His true will was that they attain an even greater level of *kedusha* by longer separation. But this was not to be attained in response to a Divine command — love cannot be legislated. Only one among them who determines on his own the potential for greater sanctification could inspire them to strive for greater heights. Thus, the Sages said Moshe added one day on his own. His understanding coincided with the will of G-d: that His children should, by their own initiative through Moshe's direction, aspire to greater heights in anticipation of that ultimate manifestation of His love for them — giving them the revelation of Torah.

Personal Strivings

SIMILARLY, MOSHE'S DECISION to completely separate from his wife also anticipated the *Ribono Shel Olam's* will. In His wisdom, He knew it self-defeating to command Moshe to completely abandon marital life. For the nature of man is such that were this imposed upon him from without, he would sense himself incomplete, impaired in his ability to serve as a vessel for the acceptance of Torah. However, when Moshe came to the

realization that such was the true will of G-d and voluntarily assumed this course, rather than impair his completeness of soul, it endowed him with an additional dimension — his attainment of the level of the *Adon Hanevi'im*, the Master of all Prophets, who at all times was prepared for a Divine revelation.

The Gift of Depth

THE BREAKING OF THE LUCHOS is a greater enigma. But here, too, G-d's true will was that *Klal Yisroel* not receive the Torah as then inscribed on the Tablets. The sin of the Golden Calf rendered them unworthy of this supreme expression of His love. However, there was a specific gain to be realized should Moshe himself grasp the true purpose of the breaking of *Luchos*.

Even after Moshe descended the mountain and found Jews worshipping the Calf, he could well have presented them with the *Luchos*. But the Torah it conveyed would have been of a different format. It would have consisted of simple statements of laws and commandments — nothing more. And its primary function would have been to return *Klal Yisroel* in *teshuva*. The awesome profundity, the sacred mysteries of Torah, would have escaped them. The sublimity, the *piipul*, and the intellectual *sevara* of the Torah would not have been theirs.

Moshe was distressed over the breaking of the Luchos. The Holy One Blessed-Be-He said to him, do not be pained over the first Luchos, for they were only the Aseres Hadibros — the Ten Commandments. But in the second Luchos I will give you halachos, Midrashos and Aggados (Midrash Rabba-Ki Sisa).

So the shattering of the *Luchos* was consistent with the Divine will. Nonetheless, G-d did not command that they be broken. It was for Moshe to arrive at this understanding on his own — that these *Luchos* were not to be given to the Jewish People. These were to be broken, allowing them to embark on a new beginning. The Jewish People must be aroused to *teshuva* on their own — by one of their own — and then express their overpowering desire to attain the highest possible level of Torah. Thus, the closing phrase of the entire Torah refers to the breaking of the *Luchos*, measuring the greatness of Moshe in terms of his ability to take that drastic action.

"There did not arise another prophet in Yisroel like Moshe, whom the A-lmighty knew face to face, in all the signs and wonders for which he was sent by the L-rd to do . . . in all the strong hand and the great terror that Moshe did before the eyes of all of Yisroel." (D'varim 34, 10-12) Rashi explains: "the strong hand" — he received the Torah on the two tablets with his hands . . . "before the eyes of all of Yisroel," (the last words of the Torah) that his heart lifted him to break the Luchos before their eyes and that the Holy One

Blessed Be He agreed with him: the Ribono Shel Olam said to Moshe, Yasher Koach for having broken them."

In recounting the greatness of Moshe, the Torah equates the breaking of the *Luchos* with the receiving of the *Luchos*. He had arms "strong enough" to accept the *Luchos*, and heart great enough to break the *Luchos* . . . making possible a *Kabolas HaTorah* in the dimensions which were the fullest and most sublime expression of the Divine Love.

The Torah of Moshe

The Gemora (Nedorim 38a) tells us: "Rabbi Yosi b'Rabbi Chanina said that the Torah was only given to Moshe and his descendants . . . but Moshe in his generosity gave it to Yisroel." Rav Chisda asked, "Does it not say 'G-d commanded me at that time to teach you?'" But (the Gemora says) the pilpul of Torah, the full understanding and the keen reasoning of Torah were given to Moshe and should have been his exclusive possession. But Moshe in his generosity gave them to all of Klal Yisroel.

Indeed, were it not for the generosity of Moshe, the first *Luchos* would have been given to the Jewish people in a simple form of statutes and judgments. But the depth of understanding — the *sevoros*, the *kushios* and *terutzim* which are to be found in the words of the *Tanaim* and *Amaraim*, the *Rishonim* and *Acharonim* — all of this would have been the exclusive possession of Moshe. However, in breaking the *Luchos*, Moshe determined that *Klal Yisroel* would ultimately receive the Torah in its entirety, in all its awesome grandeur.

Thus the *Targum Unkelos* says: "Moshe gave us the Torah and he bequeathed it as an inheritance to the Congregation of Yaakov." This Torah that we have, in all its breadth and depth, was the Torah of Moshe.

This the last of the prophets, Malachi, expresses in his final words. "Remember the Torah of my servant Moshe." Speaking in the name of the A-lmighty, the prophet bids us to remember *Moshe's* Torah. It is *that* Torah (in the words of Rashi in *Chumash*) that we proclaim "We have grasped on to it and we will not forsake it."*

*This is the Rambam's intention in saying (*Hilchos Talmud Torah* III, 1): "The Jewish people have three crowns: The Crown of Torah, the Crown of the Priesthood and the Crown of Royalty. The Crown of Priesthood has been acquired by Aharon, the Crown of Royalty by Dovid, but the Crown of Torah is open and available to all of Yisroel as it is written: *תורה צוה לנו משה מורשה קהלת יעקב*

Who ever wishes it let him come and take it."

When our Sages speak of the "Crown of Torah" they do not refer to the perfunctory memorization of Torah Law. They mean the great glory that is the *pilpul HaTorah*, which was Moshe's and which Moshe passed on to us. Thus the Rambam quotes this *pasuk*: "Moshe commanded us the Torah . . ."

A New Receiving of the Torah

OUR AGE HAS WITNESSED an awesome, tragic shattering of the tablets — in the form of the destruction of the great yeshivos and Torah centers of Europe. We have also witnessed a miraculous rebirth of Torah in *Eretz Yisroel* and in America. Our generation has been given a Divine opportunity to receive new *Luchos* from the hand of Providence. In response, a new generation is arising in this country and in *Eretz Yisroel* — a generation of young scholars who are willing to dedicate themselves not to a mere perfunctory study of Torah, but to *lomdus* the likes of which flourished in the great European *yeshivos* that were destroyed.

Even more wondrous — a generation of young women willingly forgo personal comfort and financial security so their husbands may pursue the study of Torah. And hosts of *ba'alei batim* (laymen) are emerging, who set aside regular periods for *limud haTorah*, and who appreciate the crucial role of Torah to the survival of the Jewish people.

Of course, there is much more to be accomplished. To be sure, many shadows darken the Jewish horizon. But for all that has been achieved, and for the promise that the future offers, we must rejoice with our Torah on the *Yom Tov* of *Mattan Torah*. ✠

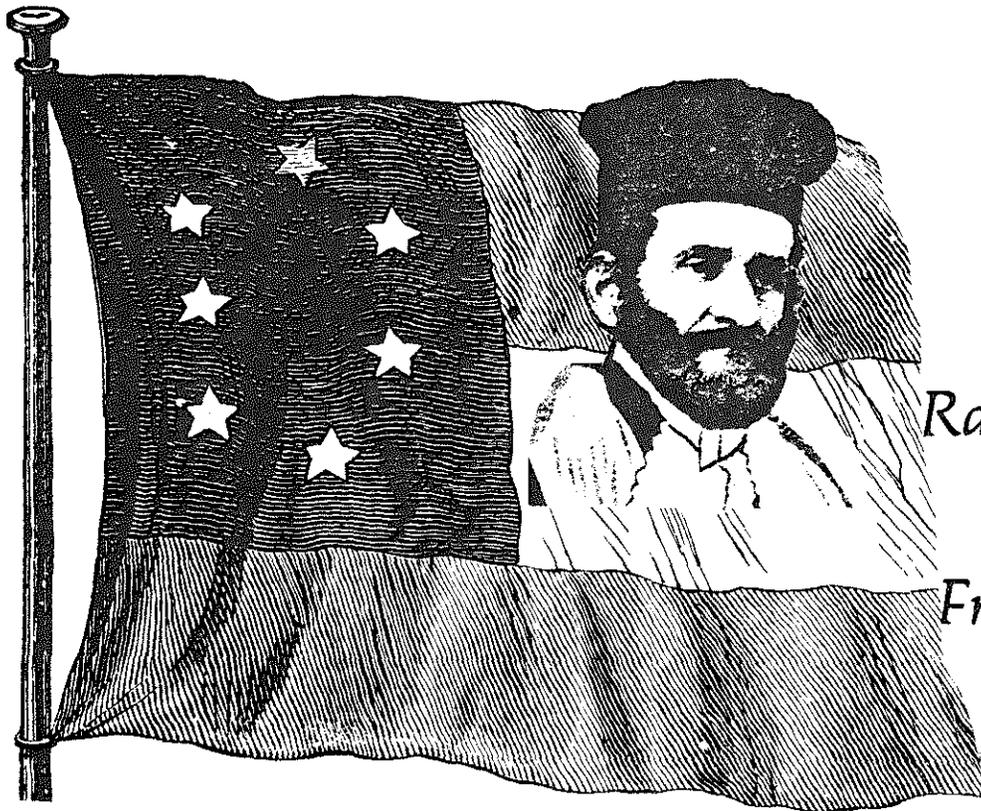


Autumn Flame Spring Green Baila Susholtz

Autumn,
aflame, with her struggling
red and gold leaves,
sparks of fire
blown from her being;
May they light my insight,
to see —

That passionate power,
seen in flaming leaves of Autumn,
is beneath the peace
of green Spring,
That passionate power
of flames of faith
is beneath a peaceful soul . . .

Shmuel Singer



Rabbi of the Rebels:

Rabbi Yissachar
Dov Illowy

From Pressburg
to
New Orleans

OUR APPRECIATION of American Jewish history is directed towards personalities who founded institutions where previously none existed. However, others, no less deserving of admiration are the Torah pioneers who were not so successful. Many of these individuals came to America to face a sweeping spirit of materialism and abandonment of "Old World" values, much to the detriment of the general commitment to Torah Judaism. They fought uphill battles with unusual valor and even though the apparent results were often dismal, their spirit and ingenuity succeeded in serving as sources of inspiration to their contemporaries as well as to us today. Outstanding among these intrepid Torah pioneers was Rabbi Yissachar Dov (Bernard) Illowy, whose struggles form a fascinating chapter in nineteenth century American Jewish history.

A Talmid in Pressburg, a Student in Budapest

YISSACHAR DOV ILLOWY was born in Kolin, Bohemia, in 1814. Kolin had been a leading *kehilla* of Central Europe for many centuries, boasting great scholars as its *rabbonim*, such as Rabbi Elazar Kalir, author of *Or Chadash* on the Talmud, and Rabbi Elazar Fleckles, author of *Teshuva Me'ahava*. Rabbi Illowy, himself,

SHMUEL SINGER a musmach of Beth Medrash Yeshurun of the Yeshiva Rabbi S.R. Hirsch. He is a frequent contributor to these pages.

came from a family of distinguished rabbis. His first *rebbe* was his father, a businessman who regularly taught a group of young Torah scholars. After a number of years, Yissachar Illowy enrolled in the world-famous yeshiva in nearby Pressburg, Hungary, where he developed a close relationship with the Chasam Sofer, Rabbi Moshe Sofer, eventually receiving *semicha* (rabbinical ordination) from him. He later enrolled in the University in Budapest where he earned a doctorate.

For a while he earned his livelihood tutoring secular subjects to wealthy men's children in Znaim, Moravia, later becoming a professor in a *gymnasium* in that city. Before long, however, he changed his life's course. He was unusually well-equipped to lead the battle against the tide of Reform and assimilation that was sweeping Western and Central Europe, and he applied for a number of rabbinical positions in these areas.

He probably would have been successful in his quest had he not been suspected by the Hapsburg regime in Vienna of having been in sympathy with the local revolutionary elements during the upheavals of 1848. Thus the Austrian government forbade any Jewish community in the Empire to accept him as their *rav*. Rabbi Illowy then applied for positions in Germany, where the *kehilla* of Cassel wanted to accept him as their *rav* and as Chief Rabbi of Hessen as well, but the local government here also vetoed the appointment for

similar reasons. Rabbi Illowy then turned to the United States where it was not a liability to favor revolutionary activity. Two rabbinical leaders who had strongly recommended him for the Cassel position were Chief Rabbi Nathan M. Adler of Great Britain and Rabbi Samson R. Hirsch of Frankfurt. Rabbi Illowy was to remain in close personal contact with them throughout the rest of his career.

U.S.A., 1853: Orthodoxy on the Decline

RABBI ILOWY ARRIVED in America in 1853, when the state of Judaism was markedly on the decline in this country. In 1824, when Isaac Leeser had come here, and even in 1840, when Abraham Joseph Rice had arrived on these shores (see *JO*, Jan. '75), Reform Judaism had achieved no wide-spread acceptance in this country. True, non-observance of *mitzvos* had grown and commitment to Torah had weakened, but almost all official expressions of Judaism in the United States were still Orthodox. In the 1840's, however, leading exponents of German Reform had begun to immigrate to the United States, and active opponents of Torah Judaism such as Isaac Mayer Wise and Max Lilienthal emerged as important factors on the American Jewish scene. These "rabbis," many of whom had never seen the inside of a yeshiva, organized Reform congregations all over the country. Ignorant German immigrants of the period — many of weak commitment — followed the lead of these clever imposters. While increasingly more congregations throughout America turned Reform, Orthodox Judaism lacked spokesmen and able writers to combat the sweeping Reform tide.

Thus Rabbi Illowy had an ample field for work before him when he arrived in New York. As a true *talmid chacham* and an educated university graduate — both in short supply here at the time — he was especially qualified to debunk Reform mythologies, both in their own terms and by Torah criteria. He was soon engaged as *rav* by Congregation Shaarei Zedek in New York, then a leading Orthodox synagogue.

Rabbi Illowy weathered a stormy career in the rabbinate. He rarely remained long in one congregation. His unyielding Orthodoxy, expressed in zealous speeches and writings against Reform, was not calculated to win the approval of the members of even the Orthodox synagogues of mid-nineteenth century America. The Orthodoxy of many of these individuals was itself quite weak. In less than twenty years, Rabbi Illowy served in seven congregations. Indeed his travels trace a sad portrait of the state of religion in the United States of his time.

After a short tenure in New York, Rabbi Illowy moved on to Philadelphia where he was *rav* for a brief period in Congregation Rodef Sholom, followed by service in St. Louis, Syracuse, and Baltimore. His longest stay was in New Orleans, where he served as *rav* from 1860 until 1865, during the Civil War. His last *rab-*

banus was in Cincinnati: from 1865 until the end of his career.

Articulate Opponent of Reform

RABBI ILOWY WAS GREATLY INVOLVED in polemics with the leading Reform figures of the period, primarily through articles in Leeser's Orthodox magazine, *The Occident*. He was gifted with a sharp satirical pen and a keen sense of language, which he used in literary pieces in Hebrew, English, and German, the contemporary Jewish language in America. In all three languages, his style was fluid and elegant and his writings are still a pleasure to read.

Aside from Rabbi Rice, Rabbi Illowy was the only *talmid chacham* in the country capable of answering the clever and misleading publications of the Reform movement. As a new immigrant, he first agreed to attend Isaac Wise's Reform conference in Cincinnati in 1855, but when he became aware of the nature of the gathering, he quickly removed his name from the list of participants, and he publicized this move in *The Occident*. From that time on, he was a sharp opponent of Wise: in 1856, we find him penning a scholarly letter protesting Wise's attempt to permit a *yebama* to remarry without *chalitza*, which is forbidden by Torah law. When a reader of *The Occident* questioned statements from the Talmud that seemed to contradict modern scientific findings, it was Rabbi Illowy who replied, effectively dealing with the alleged difficulties.

Nor did Rabbi Illowy flinch from writing personal reproaches to the major Reform leaders. Upon publication of Wise's *History of the Jews* in 1853, which denies the historical truth of the Bible, Rabbi Illowy responded with a long Hebrew letter in *The Occident* addressed to Wise: "How could your heart entice you thus to outstep all bonds to distort the truth and to shelter under the wings of falsehood, in order to make yourself a name? . . . What will you do on that coming day when your Master shall question you, 'I set thee to guard the vineyard but my vineyard thou has not kept!'"

Similarly, in another long Hebrew letter he reproached Lilienthal, formerly and Orthodox rabbi, for his Reform activities in Cincinnati — specifically attacking the Reformers' contention that by reducing the "yoke of *mitzvos*," they were bringing about a renewal of commitment to Judaism: "With all the orations that you have given every Sabbath in an elegant and cultured style what have you accomplished? . . . what have you done to strengthen our faith? Where, then, are the *ba'alei teshuva* who returned from their evil ways through accepting a new Torah you have given them? Where are those who have stopped their hands from working on the Sabbath day?" This letter closed with a quote from the Rambam's ninth Principle of Faith: "I believe with perfect faith that this Torah will not be changed and that there will never be any other Torah from the Creator."

The Chasam Sofer (Rabbi Moshe Schreiber) conferred semicha on Rabbi Illowy.



For halachic guidance he corresponded with:

Rabbi Nathan Adler, Chief Rabbi of London,



Rabbi Marcus Lehmann, of Mainz,

and



Rabbi Samson Raphael Hirsch, of Frankfurt-am-Main.



A Siddur — Unfit for Israelites

IN 1856, WHEN THE NEW Temple Emanuel Reform prayer book was published, Rabbi Illowy wrote a brilliant English language attack on it in *The Occident*. In a masterful, scathing analysis of the changes introduced into the *tefilla* by this work, Rabbi Illowy marshals, point by point, evidence of the *halachic* ignorance displayed by its authors: "Several members of my congregation . . . found themselves induced partly perhaps by the beauty of the binding and fineness of the paper of a prayer book recently published, and partly perhaps by the brevity of its contents, to endeavor to procure its adoption in their respective synagogues" he writes.

When asked his *halachic* opinion of this, he answered, "It might be good enough for those Israelites who have no other use for their prayer books than to keep them as an ornament for their parlor tables but no true Israelite could use it as a prayer book proper." Indeed he writes that he publicly announced in his congregation that any Jew using this book is excluded from the loyal Jewish people, commenting further, "For the omission [from the prayer book] of the verse: אשרי איש שישמע למצוותיך ותורתך ודברך ישים על לבו (Fortunate is the man who harkens to Your commands, and takes Your Torah and Your words to heart) the compiler has his good reasons."

Rabbi Illowy was also an active contributor to the German-Jewish press in Europe. While yet in Europe, Rabbi Illowy had become friendly with Rabbi S.R. Hirsch of Frankfurt. In America he became the local correspondent for Rabbi Hirsch's German magazine *Jeschurun*, often reporting on the American Jewish scene and bemoaning its low religious state. He frequently translated his English language articles against the American Reformers for publication in *Jeschurun*. In one article he describes America as "an unclean land . . . many ignorant, yet all are wise and intelligent in their own eyes though they know not the Law." In another communication, he warns European Jews "not to permit themselves to be lured hither by the desire to increase their fortunes . . . if they still have a heart for the religion of their fathers." In later years he wrote for *Der Israelit*, the journal founded by the noted Orthodox writer and editor Rabbi Dr. Marcus Lehmann, of Mainz.

A School in Every City, a Succa for Every Home

IN ADDITION TO HIS POLEMIC WRITINGS, Rabbi Illowy was very much the traditional, learned *rav*. In every city that he served he would compel the local *shochtim* to report to him for testing. They also were required to assure him with *tekias kaf* (a binding handshake) that they would not slaughter on Friday afternoons, which Rabbi Illowy feared could lead to selling kosher meat on the *Shabbos*. In addition, he either founded a Jewish school or strengthened the existing one in every city where he was rabbi.

Rabbi Illowy attempted to influence his congregants to greater observance of Torah and *mitzvos*, invariably achieving some measure of success. When he arrived in New Orleans in 1860, only four or five members of his *shul* were strictly kosher, and there was only one *succa* in the entire city. The following year, there were forty *succos*, and almost every home was kosher. He attempted to establish personal links with his congregants by visiting them in their homes, without compromising his role as the traditional *rav* . . . A contemporary account describes his study: the small pocket book size *Yore De'ah* always on the desk, next to his chair, for easy reference.

Halachic Guidelines . . . From New Orleans

MANY HALACHIC QUESTIONS were sent to him from all over America: regarding acceptable conversion of gentiles . . . the *kashrus* of various *sifrei Torah* . . . the use of a gas light for the *mitzva* of Chanuka (Rabbi Illowy forbade it).

While in New Orleans during the Civil War, his congregation was faced with another problem. The Union naval blockade had cut off the South from any source of imported *esrogim* for Succos. While the four species were available, Rabbi Illowy declared the locally grown *esrogim* to be *posul* (unfit). Hence throughout the war, the *arba minim* were taken in New Orleans without a blessing.

When he anticipated resistance from his congregants regarding certain difficult *halachic* questions, Rabbi Illowy frequently turned to European authorities for support. He carried on an extensive *halachic* correspondence with Chief Rabbi Adler of London and his *Beis Din* (rabbinical court). Rabbi Adler was accepted in the Western world as a great *halachic* authority. To a lesser degree Rabbi Illowy also maintained *halachic* contact with Rabbi S.R. Hirsch and other German rabbis.

Among the questions this correspondence dealt with was whether the children of Jewish fathers and gentile mothers may be circumcised. Rabbi Illowy forbade this, since the circumcision was not followed with immersion in the *mikva*, leaving the children gentiles. In addition, he maintained that these children would, in any case, never observe *mitzvos*, hence why circumcize them? His decision, which was subsequently published in *Der Israelit*, was supported by leading German authorities including Rabbi Marcus Lehmann and Rabbi Ezriel Hildesheimer.

Another topic of correspondence was the *kashrus* of the Muscovy duck, which Jews of New Orleans were eating when Rabbi Illowy had arrived there. Rabbi Illowy found it lacking the halachically required tradition of acceptability, and hence declared it a *treifa* fowl. When the local *shochet* refused to accept his decision, Rabbi Illowy wrote to European scholars for support noting that no American tradition of acceptability of this fowl was halachically valid, since there had never been a Torah scholar resident in New Orleans. Both Rabbi Adler and Rabbi Hirsch concurred with this opinion.

Rabbi Illowy actively promoted Orthodoxy in deed as well as in word. While in Baltimore, in 1859, he was invited to address the Hebrew Benevolent Society dinner. When he was casually informed by one of the organizers that no arrangement had been made for ritual washing of hands before the meal, he refused to attend. This omission had been arranged through the influence of the radical Reform preacher Dr. David Einhorn, then in Baltimore. Rabbi Illowy then delivered

a sermon denouncing the dinner as having an "intolerant and sinful character" and urged his members to boycott it. Needless to say, the dinner arrangements were changed to conform with *halacha*.

Farewell to the South

THE NATURE OF HIS TROUBLED CAREER is exemplified by the circumstances under which he left New Orleans. At the conclusion of the Civil War in 1865, Jews from other areas of the South flocked to that city. These newcomers joined Rabbi Illowy's congregation expressing a desire for Reform. Their first demand was for a mixed choir for the High Holy Days. When the trustees refused, an election was held and they were replaced. The new president was a man who publicly stated: "The *sefer Torah* has no more worth for me than another book written in ancient times" (as quoted in a letter from Rabbi Illowy to Rabbi Hirsch). These new officers soon accepted the Reform demand. Rabbi Illowy immediately resigned and left the city. In a bitter article in *Der Israelit* he describes the events: "The enemies of goodness and religion destroyed all, . . . my delicate garden devastated."

Fortunately, Rabbi Illowy was then invited to serve as *rav* of a newly established Orthodox congregation in Cincinnati. We can sense his joy in his description of the synagogue in a letter to a friend, as strictly Orthodox, having prayers three times a day in accordance with Jewish tradition.

Unfortunately, he was not to serve in this position for long. His years of struggle had worn him out and, ill with chronic dyspepsia, he was forced to retire, after a short time, to a farm outside of Cincinnati. However, he remained active in Jewish affairs until the last. During these years, he published an article attacking the recently arrived Marcus Jastrow as being a hypocrite. Jastrow was an advocate of the Historical Judaism school of Frankel, which was the forerunner of Conservatism in this country. Rabbi Illowy sensed the danger in this approach and asked Jastrow in his article to openly declare whether or not he accepted the doctrine of the Divine revelation of the entire Torah. This was a commitment carefully avoided by most members of this group, for their basic approach was one of blurring the boundaries between Orthodoxy and Reform.

Rabbi Illowy did not remain in retirement for long. Worn out by his increasingly painful illness, he died on his farm in June, 1871. He left behind him the record of a lifetime spent in the struggle for Torah Judaism in this country. Viewed from the standpoint of tangible achievements, the story of his life may seem a total failure. However, the courage and determination exhibited by Rabbi Illowy in his lonely battle for Torah supremacy in this country over a century ago surely inspired many of his contemporaries, and should equally serve as an inspiration to us all.

*From the bottom of dusty book heaps . . .
glued on to time-decayed book covers, the
author discovers timeless*

TREASURES

SINCE MY FIRST GROPINGS through musty basements, I have found that there are many people who share my interest in the fascinating world of antique *seforim*, and that many extraordinary private collections exist. Just two blocks from my house, I found an individual who has an extensive collection of *seforim* printed over three hundred years ago. Equally fascinating are the *seforim* stores of Manhattan's Lower East Side, but with limited funds, serious buying is out of the question.

Nonetheless one can find much of interest — even with very limited resources — if one's eyes are open. On a "field trip" not too long ago, my nine year old daughter, Avigail, found a *Choshen Mishpat* printed in Amsterdam in Elul 5458 (1698) — just two weeks before the Baal Shem Tov was born. Even my six year old son, Michah, found a first edition of the *Tiferes Yisroel* on the *Mishna*, perfectly intact, printed in Hannover in 1830. Very proud of their "finds," the children have a greater interest in the contents of these *seforim*.

There is a very wide range in people's knowledge of antique *seforim*. Experts can, with a single glance, tell where and when a *sefer* was printed. By contrast, the vast majority of the public has close to no knowledge whatsoever of the rich history of our *seforim*.

Undoubtedly, this is because almost everything that the average person needs is currently in print, whereas in the not-too-distant past, many important *seforim* could be found only in ancient editions. Nonetheless, an older *sefer* can provide insights not available in newer editions.

An Uncensored Gemora

A GOOD EXAMPLE OF THIS: I recently dug up (quite literally) an old *Gemora Nedarim* from a bin of old *seforim* consigned for burial. The first forty pages were

ARYEH KAPLAN is a writer and lecturer on numerous Judaic topics. A number of his books have been published including Rabbi Nochman's Wisdom, a translation of Sichos HaRan. Many of his articles have appeared in JO.

missing, but the type style and the printer's marks indicate that it was probably printed in Amsterdam in 5404 (1644). Since so many editions of the Talmud were printed, it will take more research to verify this date, although it seems likely for a number of reasons.

Most interestingly, this old *Gemora* was not censored. Shortly after the first printing of the Talmud, Christian scholars began to study it for passages they deemed objectionable. They censored these from subsequent editions, often deleting entire paragraphs — both from the Talmud itself, and from its commentaries. In addition, before any *sefer* could be published, it was submitted to a censor for approval. Thus, for a long time, the entire tractate of *Avoda Zara*, which appears to criticize other religions, could not be printed at all.

Most of these deletions were published in a small pamphlet, known as *Chasronos HaShas*. Although the wording of the deletions is provided, they are often difficult to place in proper context. An important example of this is the entire discussion of the Talmudic doctrine that "The law of the government is the law" (*dina demalchusa dina*). In his commentary on *Nedarim* (3:11), the *Rosh* (Rabbi Asher ben Yechiel) cites the opinion of earlier authorities who sharply limit the scope of this rule. This discussion is very important to a Torah understanding of how to interact with a duly-constituted non-Jewish government, but it is deleted from most editions of the Talmud. Thus, it is not to be found in the Vilna *Shas*, which is the edition now most commonly used and reprinted. But in this ancient fragment of a *Gemora*, the discussion can be found in its entirety.

Four Pages from 1575

FOR A LONG TIME, I would delight in the mere discovery of a *sefer* from the 1600's. Anything earlier seemed to be in the province of libraries, museums, or advanced collectors with unlimited funds. My lucky finds did include items three hundred years old, but this seemed to be the outer limit.

page had been filled in by hand. Overcoming the natural trepidation spawned by limited funds, I asked the owner to price these two books. He had to consult his partner and suggested that I call in a few days. When I did, I was pleased to discover that both books would only cost a few dollars. I brought my latest finds home where I could examine them at my leisure.

First, I noticed that the *Tanach* was printed on crisp, firm paper, like that of a dollar bill — the fine linen paper that was used for many early *seforim*. Next, that the pages were not numbered. — very significant, since page numbers were introduced to *seforim* in the mid 1500's. Until that time, only signature numbers had been used.

The *Tanach* already appeared to be an interesting and exciting find. To better identify it, I checked the commentaries. The books of Isaiah and the Twelve Minor Prophets contained the commentaries of *Rashi* and *Ibn Ezra*, while Jeremiah and Ezekiel had *Rashi* and the *Radak*. I consulted the standard indices to see when books were printed with these commentaries.

Sure enough, it was the second *Mikra'os Gedolos* ever printed, dating back to 5283 (1523) — the first one had been published five years earlier. But more important, it was the first edition of the *Ibn Ezra* on the Prophets ever printed!

Type and Justification

TO VERIFY MY FINDINGS, I showed the *sefer* to Mr. A.L. Frankel, who, together with his father, David, was once one of the world's most prominent dealers of antique *seforim*. He backed my conclusion, indicating a few distinct features that distinguish the Venetian type styles. This was my first introduction to analysis of type styles, an important tool in dating printed materials.

He also pointed out another feature — the way the lines were justified. In printing terminology, justification simply refers to making the margin even. Lines inevitably vary in their number of letters, and if no effort is made, some would be longer than others. In modern printing, justification is accomplished by varying the space between letters and words. On this page, for instance, the less letters on a line, the greater the space between words. Also, some words are hyphenated and completed on the following line.

In Hebrew, the division of a word at the end of a line is not permitted, making this all the more difficult. In sacred scrolls, justification is accomplished by widening certain letters known as (sic) *dilatables*. In other early manuscripts, however, scribes completed a short line by inserting the first letter from the next line.

Until more sophisticated methods of justification were introduced, early printers adopted this method, squaring off the margin by inserting the first letter

from the following line. This is usually a distinct hallmark of the very early *seforim*, since this method of justification was largely discontinued in the mid 1500's. Nonetheless, I recently came across a *Teshuvos Rashba* printed in Vienna, 1812, where this technique was employed.

Seforim From Venice

VENICE IS GENERALLY NOT THOUGHT OF as an important Jewish city, but during the 1500's, it was. Around 5269 (1509), German invasions drove many Jewish refugees into Venice. They were too many in number to be expelled, so in 5276 (1516), they were herded into nearby "New Foundry." This had important philological implications, for the Italian expression for "New Foundry" is *Ghetto Nuovo*, and many authorities attribute the word "Ghetto" — for a segregated Jewish quarter — to this episode. Yet so many young people today do not even realize that the original ghetto-dwellers were Jews!

During this era, Venice emerged as a prime world center of *seforim* printing — especially due to the activities of Daniel Bomberg. The first edition of the Talmud was printed here, establishing the pagination and style for all subsequent editions. This had special value to me, since this also occurred in 5283 (1532), the very year my *Tanach* was printed.

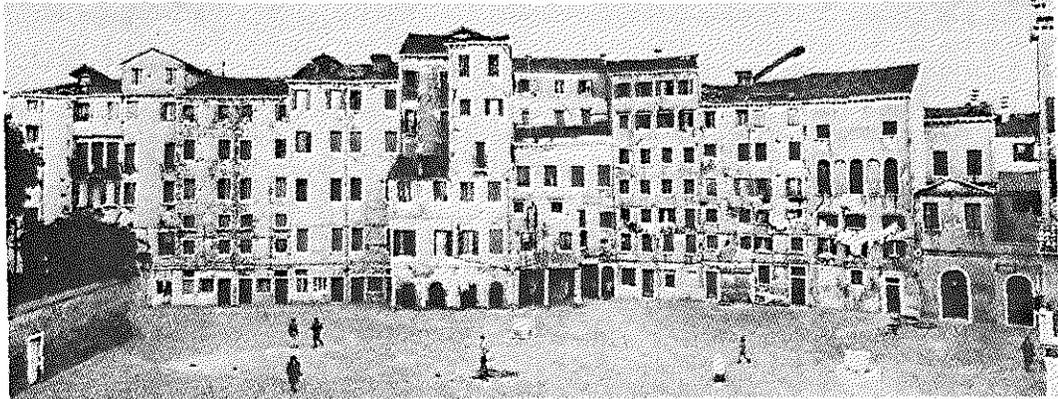
Seforim are not meant to be museum pieces, but are of greatest value when they are actually used. I therefore make frequent use of this *Tanach*. The paper is highly durable and the print is crisp and clear — much better than any present edition. Once, very late at night, I was looking up something in the *Ibn Ezra*. Before I realized it, I was just turning pages, contemplating all the history that has taken place in the 450 years since this volume was printed:

When it was printed, Rabbi Yoseif Karo was still a young man, and had only begun writing his *Bais Yoseif* a year earlier. Rabbi Moshe Isserlis, the *Rama*, was only three years old. Rabbi Moshe Cordevero (the *Ramak*), dean of the Safad school of *Kabbala*, was only a year old. Neither the *Ari* nor Rabbi Chaim Vital had even been born. The great population shifts that moved the center of Judaism from the Mediterranean lands to Eastern Europe were just beginning.

Turning the pages, I could almost see the years flying by. *Who had held this volume? Had it been in the hands of the Radbaz, the Maharal, or the Shach? Was it in the library of Rabbi Eliahu Mizrachi or the Shelah? Had the Alshich or the Metzudos David made use of it while writing their commentaries?* The very possibilities seemed to forge a physical link with these giants.

Of course, there was no direct evidence of such contact. The only name that I found in the volume was that of Yosef ben Yaakov Vega, whom I am still trying to identify.

Seforim From Venice



A view of the Piazza
of the Ghetto Nuovo
in Venice

The Incunabulum

MEANWHILE, I HAD NOT DEVOTED much attention to the other volume, even though it had some interesting features. It was obviously a copy of the *Mishnas Chasidim*, a Kabbalistic text by Rabbi Emanuel Chay Rikki, containing the commentary *Mafte'ach Olomos* by Rabbi Moshe of Dragatshein. Even though it had no title page, time and place were easy to ascertain, since the only edition was printed in Zalkiev in 5505 (1745).

The first and last signatures were missing, and had been replaced by handwritten pages — the only available means then for replacing missing leaves. Judging from the paper and writing style, the handwritten pages were inserted in the late 1700's.

In addition, a small manuscript, containing several chapters from the *Sefer Gilgulim*, was bound at the beginning of the book. The writer noted that he copied these chapters from an edition of *Sefer Gilgulim* printed in Frankfurt-Am-Main in 5444 (1684). Obviously, the book was out of print, and writing by hand was his only means of obtaining a copy. The next edition of the *Gilgulim* was printed in Zalkiev in 5534 (1774), so it can be assumed that the manuscript was written before then.

Even though the practice is forbidden, binders often used leaves from old *seforim* in binding newer volumes. In this case, the binder had used two leaves from a *Mishnayos Nega'im* as end-papers, the papers attaching the book to its cover. Initially, I did not pay them much heed, but one evening I examined these end-papers more closely, and immediately realized that the leaves contained parts of the *Mishna* with the *Rambam's* commentary — and nothing else. But when had a *Mishna* been printed with nothing but the *Rambam's* commentary? A quick look at the indices gave the answer: Naples in 5252 (1492) and Venice in 5306 (1546). But which one was it?

This was raising exciting possibilities. If it was the Naples edition, it was not only from the first edition of the *Mishna* ever published, but it was also an *incunabulum*. *Incunabulum* refers to a book printed before 1500, and to collectors, these are the rarest and

most valuable items. This is true of books in general, but since so many *seforim* were destroyed in persecutions and pogroms, Hebrew incunabula are particularly rare.

Before I could properly examine these two leaves, I had to remove them from the covers. Very carefully, I removed the covers and soaked them in a large pan, meticulously separating the paper from the cover boards. Laying paper towels under the leaves so that they would not tear, I gingerly lifted them from the pan. There before me were two intact leaves, in good condition, containing the eighth, ninth and tenth chapters of *Nega'im*.

How was I to determine from which edition they had come? Then it struck me: In the margin of my big "*Yachin U'Boaz*" *Mishnayos*, there were *Chilufey Girs'a'os* — variant readings. Two of the most important editions cited were those of Naples and Venice. I would only have to see which one fitted my copy.

Carefully checking the variant readings, I found that my copy conformed exactly to the readings of the Naples edition. It was indeed an *incunabulum*: two leaves from a *sefer* printed in 1492, the year best known for the discovery of America and the expulsion from Spain. As an added coincidence, I discovered this *incunabulum* on Columbus Day!

More on the Leaves

MY FIRST INFORMATION regarding this edition came from the introduction to the "*Yachin U'Boaz*," that there were only ten known copies of this *Mishnayos* in existence. Further information came from David Frankel's catalogue of "*Hebrew Incunabula*," itself a rarity that I had found among some *sheimos*. Here I found that this edition had been the last *sefer* printed in Naples by Joshua Solomon Soncino, completed on May 8, 1492. Since many anti-Christian sections — omitted or changed in later editions — are contained in their complete form in this edition, it was subject to particular attack. I also discovered that only two copies of this rarest edition of the *Mishna* are known to exist in the United States, and these in major libraries.

Owning one kindled in me an interest in Hebrew incunabula in general. The first book had been printed by Guttenberg around 1455, and just twenty years later, the first Hebrew book, a *Chumash* with *Rashi*, was printed in Reggio, Italy. The very next Hebrew text to be printed — a year later — was the *Tur*, which in those years — before the *Bais Yoseif* — served as the most popular code of Jewish Law. By 1500, close to a hundred different books had been printed.

The invention of the printing press may well have been the *hashgacha* (Divine governance's) measure for perpetuating the *mesora* after the dispersal of the thriving Jewish community from Spain in 1492. . . . Similarly, some have pointed out that the introduction of the photo-offset process in the 1940's was a Divine measure for replacing the millions of sacred volumes that were destroyed in World War II, and could never

have been reprinted by conventional means.

In all the world, only a thousand examples of Hebrew incunabula are known to exist — that is, approximately ten copies of each *sefer* printed. The rest were either worn out and buried, or destroyed in the periodic book burnings characteristic of those times. Among surviving incunabula, most are now in major libraries or museums, with only a handful still in private hands.

Open Eyes

ALL THIS DEMONSTRATES that for one who keeps his eyes open, there are still many treasures to be found, even without spending much money. Such treasures are often unidentified and are buried as *sheimos* . . . lost forever.

This is not only true of *seforim* hundreds of years old, but even of those printed a generation or two ago. Many such *seforim*, printed in Europe, are still in use in synagogues and private libraries, but as they become worn, a good number are being buried. How long will it be before a *sefer* printed in Vilna in 1890 will also be considered a rare treasure? It is something that comes from a world that no longer exists, and once it is gone, it is gone forever.

I would encourage young people who are building *seforim* collections to include some older editions, if only to preserve them for future generation. Providing a tangible link to the giants of the past, these *seforim* will be objects that our children and grandchildren will treasure. ✡

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A Touch of "Chaim"

*A story that might have happened to you.
...And if it didn't, perhaps it should.*

IT WAS PRINTED in the same manner as the hundreds of other invitations I receive:

You are cordially invited to attend a . . . in honor of — and so on.

This one, however, did not ask for money, did not appeal for some worthy financially desperate cause, or for some needy family overseas. No tear jerkers, no play on the *rachmonos* strings of my heart:

You are invited to attend a Shiur by Rabbi Chaim Maggid, formerly Rosh Yeshiva at Mesifita Limud HaTorah, now residing in Yerushalayim Ir Hakodesh.

The topic of the shiur: Mesechtas Pesachim, Perek כ Mishna כ. It will take place at the Mesivta Limud HaTorah on Sunday evening

Reb Chaim had been my *rebbe* at the Mesivta some twenty years ago, and it so happens that I had learned *Mesechtas Pesachim* in his class.

I went directly to my *seforim* shelves. My old *Gemora* was there — the same one I had used in Reb Chaim's class. I opened it, and out slipped some yellowed loose-leaf sheets with some notes on the *Gemora*. On the margin of the *daf* were handwritten references to a *Rosh*, a *Ran*, a *Reb Akiva Eiger*

Slowly I started: *Ohr l'arba asor bodkin* . . . it came back slowly. The words seemed strange, yet familiar . . . like a second reading of an old book . . . like a repeat in my mind of an old popular saying or a tune that swims into one's consciousness every once in a while.

I sat there for a half-hour, studying the *Gemora*, the *Rashi*, even venturing a look at the *Rosh* and the *Ran*. I seemed to be making some headway when the telephone intruded and I was jolted back to my regular self. It was a request to come to the Melava Malka in honor of Mr. ___ this coming *Motza'ei Shabbos*. "I have a previous engagement. Send me an envelope and I'll do my share by mail."

WOLF KARFIOL, a graduate of Mesifita Torah Vodaath, is a businessman who is active in communal affairs. His "The End of All Flesh" was featured in the March edition of JO.

I LEFT THE GEMORA prominently on the dining room table, so I would not miss seeing it the next few days. The *Shiur* was scheduled for the next week, and I had a lot of preparing to do.

It was a busy week. *Why did Reb Chaim have to come at the peak of my busy season?* I sneaked a glance at *Pesachim* several times during the week and for a longer period of time on *Shabbos*, but at the week's end it still seemed like an old story faintly recalled — remembering the thrust of the tale but very few of the details.

THE BAIS HAMIDRASH was full by the time I got there, with my *Gemora*, containing those old notes, tucked under my arm. *Sruly . . . Yankee . . . Dovid . . . Yosi*, the old *Chavrusa* — they had arrived before me. Haven't seen some of them since — oh, fifteen, twenty years. Quick *Hello's* in that "So-you-also-got-the-urge" tone of voice. There had been many other invitations that we had all received during years passed, and they had been ignored. Why had we all decided that this was one opportunity that we shouldn't miss?

(That had been some class! Memories of great moments floated into my mind, I do believe that today's kids don't give their *rebbis* half the work and prematurely grey hairs as we did to Reb Chaim — but that's a story for itself.)

Not only did the entire class come, but the others also had their old *Gemoras* under their arms, with the yellowing notes slipping out between the pages. "If you'd have told me that you were coming I could have reviewed the *Gemora* with you," I remarked to Yosi. But we both knew: we each had not wanted to pressure the other in any way, each coming of our own free will.

Another glance around the room: Some fellows were occupying the same places they had twenty years ago . . . the old seats were a little too tight for some of us.

Then the door swung open. There was no time to greet him. As he entered, the entire class rose to attention. He stood at his old *shtender* (at least it looked

the same), straight-backed, head tilted forward — just like then. His face was a bit more wrinkled, the beard an almost-white now, and a bit thinner, but his spirited manner was totally unchanged.

His voice rang out with a few words of greeting, and then he went right to the *Mishna*.

THE SHIUR LASTED for over an hour and a half. I glanced around at my *chaverim* from time to time. Not one was talking with a neighbor. Not one was in any way distracted from the front of the room. Each face glowed with great interest, following each word, each explanation, each change of tone . . . One and a half hours of true Torah study — something few of us had experienced in a long, long time.

Reb Chaim lived in each word. He answered all questions in his customary friendly and understanding manner. Some of them were difficult, penetrating. Some just needing a word of explanation. But all were replied to with that special twist of the head or hand, as if to ask "Un yetz farshteist du? (And now do you understand?)"

The *shiur* ended and the class quickly gathered around Reb Chaim. *Sholom Aleichem . . . Hello, Rabbi! . . . How is your family in Eretz Yisroel? . . .*

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Quite suddenly, his host had come to take him home. He excused himself, but we would meet again before he returned home, wouldn't we?

NOW WE HAD AN OPPORTUNITY to talk to each other. We all agreed that it had been a most unusual evening. We were all reminded of the old Yeshiva days, and we were keenly aware of something that we had lost over the years . . . something that each of us would like to experience again.

Where had those thousands of nights gone? Why had newspapers and magazines, radio or T.V., taken the place of the Gemora? How did we allow it to happen? Why didn't we bring it to a stop, as we had done tonight? Now we were, indeed, forced to stop . . . think . . . and make sure that Reb Chaim's shiur was just a beginning. We knew that we had to find a rebbi, find a shiur and live again . . . to put some Torah into our lives everyday . . . to immerse our lives in Torah.

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BOOKS

THE BOOK OF RUTH, as reflected in Rabbinical literature, by *Yitzhak I. Broch* (Feldheim, 1975, \$5.00)

THE BOOK OF RUTH, a new translation with a commentary anthologized from Talmudic, Midrashic and Rabbinic sources, by *Rabbi Meir Zlotowitz* with OVERVIEW by *Rabbi Nosson Scherman* (ArtScroll Studios Press, 1976, \$5.95 hard-cover, \$3.95 soft-cover).

MOTHER OF ROYALTY, by *Yehoshua Bachrach* (Feldheim, 1973, \$6.00).

THE STORY OF RUTH is engraved in our hearts as a moving and inspiring episode in the early history of our people, profound in its spiritual message and replete with Torah teachings. The books here discussed seek — each in its own way — to interpret to us the meaning of this story, following the guidance provided by our Sages.

Rabbi Broch's commentary is along the line of his earlier commentary on *Shir Hashirim*. It draws on *Midrashim* as well as a number of classical commentaries on *Ruth*. The explanations offered are woven into a smooth-moving and very readable interpretation of the text. At the same time, the author has included numerous significant passages from the *Midrash* on *Ruth* which are not directly concerned with the text but provide an abundance of sublime ideas.

What is the lesson of *Megillath Ruth* that Rabbi Broch underlines? It is devoted to the spirit of lovingkindness, beyond the prescriptions of the law: "Naomi, Ruth and Boaz, by sublimating their selfish ego, by taking on responsibilities far beyond the letter of the Law, are the heroes of this book. They are the people nearer to G-d, they are the forerunners of the *Moshiach* . . ." Appealing and lucid, Rabbi Broch's commentary will undoubtedly find a warm reception from grateful readers.

Rabbi Zlotowitz's work, which follows his edition of *Megillath Esther* as the second volume in the projected ArtScroll Tanach Series, differs from Rabbi Broch's in a number of ways. In the first place, Rabbi Zlotowitz provides a new translation of the text, which is distinguished by its fidelity to the Hebrew text, and replaces such archaisms as "cleaved" with every-day words (in this case "clung"). Secondly, his aim has been to compose an anthology of comments rather than one consecutive narrative; he leaves the reader free to pick out comments as he goes along, or to fashion from the variety of comments offered, a multi-dimensional image of what each verse is meant to convey.

Finally, to provide a unified picture of the main themes recurring in *Ruth* there is an introductory Overview, written by Rabbi Nosson Scherman, which deals with various difficult issues raised by this *Megilla*, such as how to understand the episode of the threshing floor, and the conduct of the people in *Tanach* in general; the strange and murky roots of the Davidic dynasty, and the working of Divine Providence; and, also, the very complex question of whether Ruth and Orpha converted in Moab, which affects our understanding of many aspects of *Sefer Ruth*. Fascinating to any reader, this volume is of particular value for the student concerned with understanding the deeper issues underlying the text.

Both Rabbi Broch and Rabbi Zlotowitz list among their sources Rabbi Bachrach's work which originally was published in Hebrew but is now available in English. As in his other writings on *Tanach* (on *Sha'ul* and *David*; on *Jonah* and *Eliyahu*; and on *Esther*), Rabbi Bachrach painstakingly analyzes the Biblical text and shows that, to understand it at all, we must turn to the observations of our Sages in *Talmud* and *Midrash* — and he masterfully weaves text and Rabbinic interpretation into one unified whole.

There was a time when the study of *Tanach* — under the slogan of scientific exactness — meant a narrow concentration on the simple meaning of words, on etymological and syntactical emphasis, with some attention to the historical and archaeological background. The result was a dangerous misleading and distortion of the *Kisvei Hakodesh*, for, as the Rabbis always emphasized, *Tanach* can only be read in the light of *Chazal*. This Rabbi Bachrach brilliantly demonstrates.

In the process, in drawing on a large number of Talmudic and Rabbinic sources, the author develops many issues only touched on in *Sefer Ruth*, such as the meaning of suffering, the role of *chesed* in creation, and the significance of various *Mitzvoth* mentioned in *Ruth* (such as *Yibum* — levirate marriage, and *Matnoth Aniyim* — the share of the poor in the harvest). The sources are quoted in full — many of them in Hebrew as well as English — and the study of this work is a deep and inspiring experience.

IN ACCORDANCE WITH HIS WILL — A Torah View on Woman and on Women's Lib, edited by *Rabbi A.A. Freedman* (2635 Harding, Oak Park, Mich; \$1.95).

AT THE TIME OF THE YEAR when the heroic personalities of *Ruth* and *Naomi* pass before us, special interest focuses on this little volume. It contains, primarily, Rabbi Samson Raphael Hirsch's study of the Jewish woman (translated by *Dayan I. Grunfeld* and published in *Judaism Eternal*, the classic collection of S.R. Hirsch's essays). This famous essay discusses the function of woman — according to Jewish law, as well as the

personalities and lifework of the great women in *Tanach* and the view taken of woman in the Talmudic tradition. The editor has added excerpts from Rabbi S.R. Hirsch's commentary to the *Chumash*, and Rabbi M. Lehmann's commentary to the *Haggadah* that have a bearing on the subject.

It is remarkable how many of the subjects currently discussed in connection with the clamor for women's liberation are incisively treated in this little publication: the dignity of a woman's role in the world (and the enslavement of man, pressing buttons on some machine or sitting behind some desk); the pitfalls of romantic love (and the wisdom of sound matchmaking); the psychological needs and distinct nature of man and woman; and not least, the poisonous misrepresentation of woman's place in Torah Judaism. This volume is a "must" for everyone concerned with a true understanding of this critical subject.



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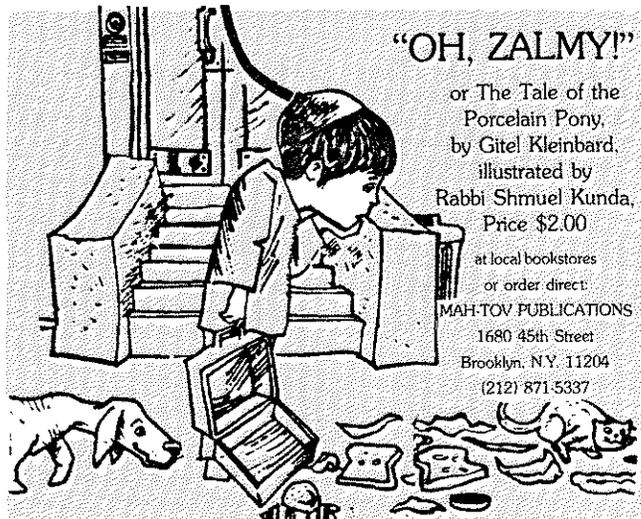
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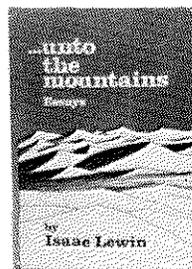
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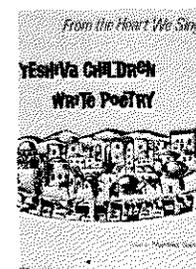


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Dialogue-ing Through Pesach

ON PESACH WE celebrate Israel's liberation from slavery and its initial steps toward exalted peoplehood, making it a particularly Jewish festival. This find expression in every aspect of the Seder, from the Kiddush ("... Who has chosen us from all nations and sanctified us with His commands") to Hallel and Nirtza ("Sh'foch chamos'ch — Pour Thy wrath upon those nations that know You not.").

Pesach is also a holiday when all members of the extended family come together reaffirming their common ancestry, strengthening

One may not share the Korban Pesach with a non-Jew ... for this offering commemorates our liberation and our entry into a lasting covenant with G-d. It is therefore fitting that only full-fledged members of our People savor the Pesach. SEFER HACHINUCH:14

their bond of Jewishness.

Somehow, those who thrive on recognition from non-Jews cannot even celebrate this particularly Jewish festival without inventing "universal" facets to it, or simply dialogizing their way through the Seder with results totally contrary to the holiday theme. Instead of stressing the individuality of Jewish experience, its most redeeming feature, to them, is that it is the source of a common belief and that Seder rituals somehow correspond to similar customs in other confessions. Two especially distressing examples of this trend took place in Los Angeles. In one case:

More than 900 Catholic high-

school students here have participated in a special ecumenical Jewish Passover service presided over by Rabbi Edgar F. Magnin of the Wilshire Boulevard Temple and Timothy Cardinal Manning, archbishop of Los Angeles.

The students, who were from Catholic high schools throughout the Los Angeles archdiocese, attended the service yesterday at the temple for a demonstration of the seder, the Jewish Passover ritual mentioned in the Gospel accounts of the Last Supper.

The program, the first one in Catholic education here, was designed to improve the students' understanding of both the Jewish roots of Christianity and the prayer life of contemporary Judaism. LOS ANGELES HERALD-EXAMINER

It makes one wonder how Jewish readers of the article would evaluate the distinctive features of Judaism vis-a-vis Christianity!

A more detailed account (in the B'nai B'rith Messenger April 23, '76) of the ecumenical "Seder" recorded that:

... the Cardinal and the Rabbi, who embraced on the pulpit, addressed themselves to the spirit of the season. Rabbi Magnin (declared): "Years ago an event like this would not have been possible at all. A Prince of the Church would not walk into a synagogue. A Jew would feel lost in a church."

So Rabbi Magnin succeeded in ascertaining that a Jew need never feel strange in a church or uncomfortable with Christianity. (Like so many other such endeavors, this seder grew out of a meeting last fall between the Rabbi, the Cardinal,

and that Johnny Appleseed of dialogues, Rabbi Marc H. Tannenbaum, director of interreligious affairs of the American Jewish Committee.)

The other "Seder" involved participation of actor-singer Pat Boone. Perhaps one may think that a professional pop-rendition of *Chad Gadya* may be rather harmless, but Mr. Boone's participation in the Seder at Ribbi Hillel Silverman's Sinai Temple in Los Angeles was hardly innocuous.

According to John Dart, Religious Writer for the Los Angeles Times,

Pat Boone has some of the Los Angeles Jewish community in a quandary. He is an unabashedly evangelistic Christian. The entertainer has been saying lately that there are really four branches of Judaism — Orthodox, Conservative, Reform and Christian.

In Riverdale, N.Y., seven nuns broke matzoh, drank kosher wine, sang Jewish hymns and participated in a traditional Seder before attending Holy Thursday mass. Sister Patricia, the youngest attending, asked the "four questions." JTA, April 19, 1976

Boone says that he is happy to share his Christian faith privately with traditional Jews and believes a Jew is no less Jewish by believing in Jesus as the Messiah.

Boone is quoted in Israel Today as saying that to be a "completed Jew" one must believe every word in both the Old and New Testaments.

It is difficult to imagine a more destructive presence at a Seder than a folksy movie-star who is also an unabashed missionary! It makes one wonder: To the proponents of inter-faith dialogue has inter-religious cross-breeding actually replaced Judaism as their religion?

Avrum P. Shapiro

In Praise of Repetition and Small Town Joys



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REPETITION IS BORING. It offers a means of memorization — at the price of waning stimulation. It is the product of necessity, but no exercise of joy.

—Or so I always thought.

Then I discovered that repetition can be meaningful... even beautiful. And it took a dinner in Savannah, Georgia, to make this come alive.

Of course, repetition is important. After all, the Torah repeats the details of the offering of each *Nasi* (Tribal Prince) at the dedication of the *Mishkan* — to the tune of twelve repetitions of the five passages. Some commentaries indicate that it shows there was no rivalry amongst the *nesi'im* when they presented their offerings: not one of them changed the formula to outdo his fellow to demonstrate his originality. In addition, each *nasi* offered the identical package, but each had his own individual *kavanos*. . . . I have long considered the first answer to be a "beautiful thought," but the recent occurrence I referred to reminded me of this *parsha*, and clarified it for me.

Our *shul's Chevra Kadisha* held its annual dinner several weeks ago. I know that people in the larger, metropolitan Jewish communities believe that Yiddishkeit can't exist more than 50 miles out of New York except in communities of at least 20,000 Jewish souls. Savannah has only 3,000 Jews, but our *shul* seats 1200. We have a *Mohel/Shochet*, two Kosher

AVRUM P. SHAPIRO a Baltimore native, teaches at the Savannah Hebrew Day School, and serves as Assistant Principal at the Hebrew Community School of Savannah. An article of his appeared in Jewish Parent. This is his first contribution to THE JEWISH OBSERVER.

caterers, a *Mikva*, a Hebrew Day School and afternoon Hebrew Classes. — Not very impressive? But there is a deep feeling for Torah observance . . . something in the air . . . call it a *teshuva* fever, if you will.

I'm not asking New Yorkers to give up their comforts — their easy access to *Cholov Yisroel*, or the convenience of *davening* in the corner *shtiebel*. I only ask that you not feel sorry for us — as if we were stranded on some remote island. We're not. Those who came before us were not, and those who follow us, will not be.

Most of the things we lack can be acquired through the mail — even if 13th Avenue pizza and Carvel ice cream won't survive a postal trip. You need only ask one of the vacationers who pass through Savannah on the way to Miami and spend a *Shabbos* in this *shtetl*, or the *yeshiva bachurim* passing through on the way to a *chasuna*, or those unfortunate travelers who experience (*lo aleinu*) car trouble or sickness, or the *meshulachim* who make their rounds here. Ask them about the traditional *hachnosas orchim* — more than just prosaic Southern hospitality which is practiced here with enthusiasm and warmth.

YES, TORAH TRADITIONS are well preserved and observed here in the South, which brings me back to the *Chevra Kadisha* dinner. It is traditional here that prior to the meal, election of officers is held. Each year the same officers are re-elected; only those who have passed on are replaced by new electees. The current president has held his post (*kein ayin hora*) nigh on forty years, following in the footsteps of his

father and grandfather before him. After the meal, representatives of a number of *shul* affiliates (Congregation, Brotherhood, Sisterhood, Women's *Chessed Shel Emes*...) extend greetings to the gathering, a brief *dvar Torah* presented by the President of the *chevra*, and finally a *drasha* by the *shul's* Rabbi.

The representative of each of the affiliates rose in turn, and in soft, solemn, respectful tones expressed sincere joy at seeing the many faces who returned this year again to attend the dinner. Each in turn, nodded to the president, and intoned the prayer and that the *Ribono Shel Olam* should grant that the sole activity of the *Chevra Kadisha* from this dinner to the next should be the preparations for that next dinner. The evening ended with the traditional Torah thought.

As I sat listening to the repeated wishes for a year of "no business" for the *Chevra* I found myself thinking that there was nothing boring or redundant about listening to these sincere wishes over and over again. I thought of that other *dvar Torah* I mentioned ... of the repetition of statements ... the *kavanos* of the *Nesiim* ... the lack of jealousy ... the friendship, *Chevra*, *Chavrusa* ... and I really think that I do understand it — now.

Repetition is beautiful. ☞

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Letters to the Editor



**Words, Pictures, and
Tombstones**

To The Editor:
 I know that JO is not a picture magazine, in the sense that LIFE was. Nonetheless you have taken lately to featuring graphics as a means of statement-making rather than as a mere complement to the text, so I address these comments to your graphics department.

The Rogatchover's features pasted on a backdrop of his *blatt Gemora* (March, 1976) struck me as a redundancy. I must confess that I was also rather startled by the appearance *Makos* 12 on page 16 of my JO, but that in itself is not sufficient reason to raise objection. After all, your magazine regularly features Torah thoughts, which in itself precludes disrespectful treatment of your journal, i.e. discarding it or bringing it into "unclean" places; so the appearance of Torah in one form or another in your pages is nothing new. . . . Perhaps it was the utilization of a page of the Talmud for an aesthetic visual effect that is objectionable, for we have always known that "her ways are gracious," without resorting to such literal exemplification.

Another case in point: In the same issue, your article on "Leaving the Fold" was introduced with a photograph of a Reform rabbi and an Episcopalian priest sharing in officiating at a mixed marriage. This stuck me as grossly offensive. (In your text, your refer to the non-Kosher kitchen in the AJ Committee headquarters. So, why no picture of a Committeeman doing battle with a shrimp-cocktail?) While

I'll accept the shock-tactic of showing tombstone headpieces for the discussion of moribund Chevra Kadisha, the graphic depiction of the ushering of people out of Jewry is, to my sensibilities, a bit too much.

If, indeed, a picture is the equivalent of a thousand words, all the more is editorial discretion called for in employing graphic effects.

YERACHMIEL WAGNER
East Meadow, Long Island

Reprints of "Chevra" Article

To the Editor:
 May I have your permission to reprint Mr. Karfiol's article, "The End Of All Flesh," in our local Jewish paper? I would like to commend him for bringing this problem to the attention of the public. His experience, unfortunately, is not uncommon. Relatives and friends are often left with the responsibilities of handling the affairs of their departed. Since a large portion of our Jewish community does not receive your publication, it is our hope that this article will alert them to their obligations and responsibilities, I feel that the biggest single problem is the lack of education.

Unfortunately, many of our own *Kehillas* are not equipped with a *Chevra Kaddisha* and, therefore, relatives who are not religious do not know what to do. Without going into the *halachic* aspects, but briefly mentioning that one must first call the *Chevra Kaddisha* to insure that all arrangements are carried out in accordance with Jewish law and tradition, Mr. Karfiol's idea

of instituting a form to insure the deceased wishes is good and can be adapted to any *Chevrá* or *shul*. This will be the best insurance policy to protect your loved ones from embalming and autopsy and to insure the proper *Chessed Shel Emes* due to them.

REUVEN MILLER
Boston, Massachusetts

More Shul "Manias"

To the Editor:

I was very amused by the interesting article of Pinchos Jung ("Walkie Talkie Mania," March, '76). One point he partly missed, however, was how parents abandon their children on taking them to *shul* when they place them very often behind their own seats, out of sight, and next to other noisy children: Supervision by Remote Control Only.

There is much to be said in favour of talking in *shul*. However it must be addressed to the right quarters and the right words have to be used. Alas, what people say is not found in any prayerbook and is not addressed to G-d, Who is always eager to listen to every word of the prayers of a Congregation.

We often try to get rid of talkers by answering them with a no or shake of our heads. Do we realize that by doing so we only encourage the talkers to more talking and thereby transgress the law of *lifney iver* (placing a stumbling block before the blind)?

I don't want to close my letter without paying tribute to our fellow Jews and how gifted they are. We manage to say our prayers, especially Grace after Meals, whilst we adjust our watches, manicure our fingernails, pile up the plates, sometimes even indulging in long conversations in sign language.

I hope the above and Mr. Jung's clever article has given food for thought to your readers.

ERICH J. ROSENTHAL
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LETTERS CONTINUED

Comments on "Danger..."

To The Editor:

Regarding Rabbi Elias's article ("A Danger From Within" - Mar. '76) which made specific mention of our organization: It is to correct those very points that Rabbi Elias brought out concerning textbooks that this organization was founded. Boruch Hashem we have received wide acceptance in the Day School movement throughout America, Canada, as well as Australia.

In addition to the observations made by Rabbi Elias, I would like to point out other gross errors in commonly used texts that can prove very damaging. In the second volume of Sfas Yisroel, in the unit

on berachos the author states that on sukriyos (candy) one says a M'zonos! A fully illustrated Purim page shows items sent for shalach manos: most of the items displayed are not acceptable as shalach manos.

Another book used in many schools for young students is "Dinim Uminhagim" published by Ktav. One need only scan through the large words and multi-colored pictures to see many items unacceptable to a Torah outlook: i.e., stating categorically that Hallel is said on Yom Ho'atzmaus (apparently complete Hallel, since the book equates it with Chanukah). Illustrations of mixed dancing, miniature yarmulkas, a Kohein Gadol whose clothes are not properly illustrated, etc., fill the pages of the book.

One grave error found in many satisfactory textbooks, which warrants immediate correction, is the false portrayal of the Luchos. The Luchos were not rounded on top. I also find objectionable the use of

pictures in textbooks and coloring books portraying the Avos, Imahos, Moshe, the Shevatim, and so on. Children grow up picturing our forefathers in such a manner, especially if the teacher or parent does not explain otherwise to the children.

Those blessed with talents of writing, imagination, and artistic creativity should dedicate their talents for Hashem's sake and develop Torah-true materials. These people should be encouraged to undertake this work. It is also essential that philanthropists - individuals and foundations - help execute these works. But please, to those who publish story books and coloring books: do not exploit the people by charging outrageous prices. Why, oh, why must a 16-page coloring book cost \$.79?

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(From the left) Rabbi Simcha Elberg (chairman of the Executive Board of Agudath Horabbonim), Rabbi Shneur Kotler (dean, Beth Medrash Gevoha, Lakewood), Rabbi Nochum Perlow (Noveminsker Rebbe), Rabbi Yaakov Kamenetzky (dean, Mesifita Torah Vodaath), Rabbi Moshe Feinstein (speaking), Rabbi Moshe Sherer (executive presi-

dent, Agudath Israel of America), Dr. Ernst Bodenheimer, Rabbi Shlomo Oppenheimer (toastmaster), Alexander Hasenfeld and Menachem Shayovich (recipients of awards, with Abraham Bleeman — not in photograph), Rabbi Gedalia Schorr (dean, Mesifita Torah Vodaath), and Rabbi Shraga Grossbard (head of Chinuch Atzmai).

Photo by Trainer Studios

JEWISH POLICY created on a Do-It-Yourself decision-making basis was strongly denounced by the renowned Torah authority Rabbi Moshe Feinstein in an address to the crowd of over 1,000 rabbis and lay leaders that filled the grand ballroom of the Statler Hilton Hotel in New York City, on Sunday, May 16, at the 54th annual dinner of Agudath Israel of America.

Rabbi Feinstein, who spoke for the Moetzes Gedolei HaTorah (Council of Torah Sages) of Agudath Israel declared: "Especially those burning issues not stated openly in halachic sources require the penetrating analysis of *Daas Torah*. Agudath Israel of America has an enviable record of adhering to *Daas Torah* — never straying from it — and for this above all else, it is deserving of our admiration and support." *Daas Torah* refers to the cumulative insights culled from the Torah's wisdom, possessed by those steeped in Torah scholarship, as it is brought to bear on all issues.

The large hall was graced by an impressive dais seating Yeshiva heads, Chassidic leaders, deans and principals of numerous day schools, and guests from many parts of the world including Israel, England, and a large delegation from Toronto, Canada.

Chief Rabbi Yaakov Fischman of Moscow, who is in America on a short visit, greeted the gathering expressing "deep satisfaction at witnessing such a large and strong force for Torah, as personified by the Agudath Israel assemblage."

Throughout the evening's program, *Daas Torah* emerged as the visible guiding force in Agudath Israel's myriad activities in service to a broad cross-section of American Jewry.

This was dramatically expressed in a brief but moving presentation of testimonials by six representative beneficiaries of Agudath's sixteen divisions of activity. The presentation, narrated by Rabbi Nosson Scherman, principal of Yeshiva Karlin-Stolin (Brooklyn), opened with a broad review of Agudath Israel's role as the principal advocate of the right and needs of yeshivos before government bodies. Vignettes of Agudath Israel's accomplishments were presented in short spots by:

David Unger, who teaches an adult Torah-education group for Agudath Israel's new Torah Education Network;

Shmuel Lustig, who was trained and placed in gainful employ as a computer programmer by Agudath Israel's Project COPE (employment and guidance division);

Moshe Kviat, who travels daily to Agudath Israel's Boro Park Senior Citizen Center for a Gemora class;

Sholom Rockovsky of Monsey, this year's Pirchei Agudath Israel's Siyum Mishnayos champ, who mastered 1850 Mishnayos by heart;

and *Craig Sklar*, a ten-year-old boy who responded to reach-out efforts by Zeirei Agudath Israel's Jewish Education Program, and now attends a Brooklyn Yeshiva.

The evening's guest speaker, Rabbi Shlomo Freifeld, Rosh Yeshiva of Yeshiva Shaar Yoshuv (Far Rockaway, N.Y.) spoke warmly of the stark contrast between the climate of American Jewry forty years ago, when Orthodoxy was an all but invisible presence and the concept "*Daas Torah*" was unheard of, and the contemporary

phenomenon of a vibrant and articulate Orthodoxy responding to the leadership of Gedolei Torah, under the aegis of Agudath Israel.

A high point in the program was the presentation of awards by Rabbi Moshe Sherer, executive president of Agudath Israel of America, on behalf of the movement to three guests of honor: Alexander Hasenfeld, who is a respected sponsor of numerous Torah causes, received the prestigious Hagaon Rav Aharon Kotler Memorial Award for distinguished service to Torah. The "Shearis Hapleitoh" Man of the Year — Reb Elimelech Tress Memorial Award — was presented to Abraham Bleeman, an eminent lay leader of the Orthodox Jewish Community of Toronto, president of the Ner Israel Rabbinical College in that city. The Moreinu Yaakov Rosenheim Memorial Award for distinguished service to Agudath Israel was bestowed upon Menachem Shayovich, former chairman of the organization's Commission on Legislation and Civic Action.

The Chairman of the evening was Rabbi Shlomo Oppenheimer, a vice president of Agudath Israel.

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LEADING TORAH SCHOLARS CONDEMN VIOLENCE

IN AN OBVIOUS REFERENCE to recent acts and threats of violence against Russian officials and property in the United States, a group of world-renowned Jewish scholars and authorities in Halacha (Torah law), the Council of Torah Sages, issued a proclamation condemning such acts as "very grave prohibitions."

The signers of this extraordinary proclamation, which was released to the press by Agudath Israel of America, a major Orthodox Jewish movement, are Rabbi Yaakov Kamenetzky, dean of the Mesivta Torah Vodaath Rabbinic Seminary; Rabbi Yaakov Yitzchok Ruderman, dean of the Ner Israel Rabbinical College (Baltimore, Md.); Rabbi Yitzchok Hunter, dean of the Mesivta Yeshiva Chaim Berlin; Rabbi Yisroel Spira, the Chassidic rabbi of Bluzov; Rabbi Moshe Feinstein, dean of the Mesivta Tifereth Jerusalem; and Rabbi Nochum Perlow, the Chassidic rabbi of Novominsk.

This sharply worded pronouncement by a universally respected

group of venerable Torah authorities is expected to have a strong impact on those who have, in good faith, adopted the view that Russian Jews can be helped through violent methods. It is the first such definitive statement on this subject in recent years by the Council of Torah Sages.

The full text of the proclamation follows:

In response to widespread queries regarding the viewpoint that our Jewish brethren can be helped in their distress through violence and terror, whose advocates perpetrate various acts of assault and destruction on persons and property:

We herewith proclaim that such acts are contrary to Halacha, and that according to Torah Law they are to be viewed severely as very grave prohibitions. We therefore declare that whoever follows these ways will suffer extreme retribution. Needless to say, he is considered a transgressor of Torah Law.

The general community should distance itself from them and their ways. May G-d mend the breaches among us.

Signed on the 10th day of Iyar.

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2,000 Russian Immigrants Circumcised by RIRF

CLOSE TO 2,000 Jewish immigrants from Soviet Russia, who arrived in recent years in Israel, were circumcized through the efforts of the Russian Immigrant Rescue Fund, it was announced by Max Berg, chairman. In some cases, three generations — father, son and grandson — who could not be circumcized while in Russia underwent *bris milla* together.

According to Mr. Meier David Lewenstein, a prominent Tel Aviv industrialist who serves as the Israeli chairman of the Russian Immigrant Rescue Fund, a special department within the agency, headed by Rabbi Aaron Chazan, is active in organizing these circumcisions for Russian immigrants in every part of the Holy Land. He pointed out that "entering into the covenant of Abraham" is a moving experience for the Jewish immigrants, many of whom had to wait for years until their arrival in Israel to fulfill this major Jewish religious observance.

Mr. Lewenstein also praised the efforts of the volunteer activists of the Russian Immigrant Rescue Fund in Israel, for the successful manner in which they organized community *seodorim* in Russian immigrant centers for the first night of Passover. Each *seder* was well attended and served as a source of deep inspiration to the new arrivals.

50 Publications in New Agudah Catalogue

A NEW 16-PAGE *Catalogue of Publications* describing 50 publications of Agudath Israel of America was recently revised and edited. The catalogue lists publications for every member of the family and is divided into sections for adult and youth.

Copies of the *Catalogue of Publications* can be obtained by sending a stamped, self-addressed envelope to: Publications, Agudath Israel of America, 5 Beekman Street, New York, N.Y. 10038

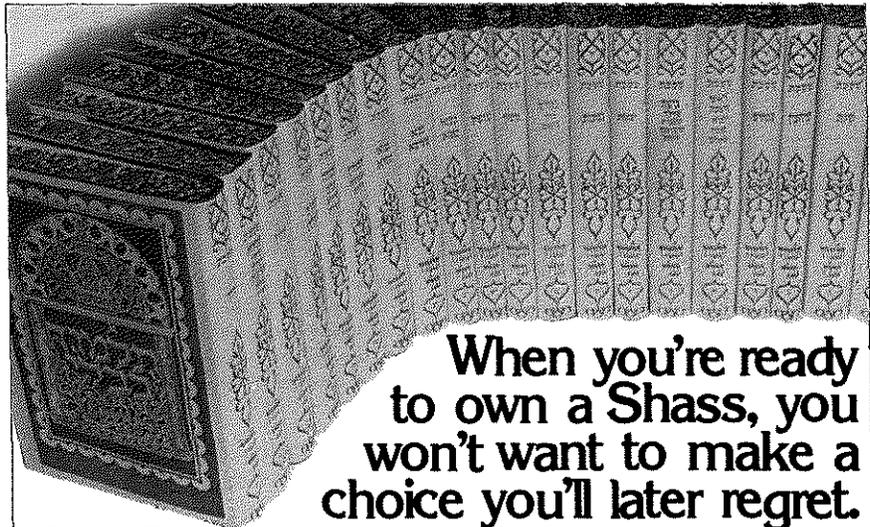
Large Brooklyn Yeshiva: seeks Assistant principal, English Department early afternoons. Experience on the jr. high and high school levels. All replies will be kept strictly confidential. Send resumes to Jewish Observer Classified, Box 406, 5 Beekman Street, N.Y.C. 10038.

Argentine Agudath Israel Renews Shechita

RELIABLE KOSHER SHECHITA was recently renewed for Jews in Argentina through the efforts of Agudath Israel of Argentina. For some time, Argentine Jews were forced to import meats from other countries in the Americas because of the absence of their own *shechita*. The newly instituted *shechita* and new kosher butcher stores will be under the supervision of Rabbi Yermiyahu Menachem Kohen, who was recently appointed as Rabbi of Agudath Israel of Argentina. In addition to the renewal of *shechita*, the newly installed rabbi also arranged for a large number of Pesach products which were sold for the first time in Argentina.

In other activities of Agudath Israel of Argentina, there are plans for the expansion of the Yeshiva Heichal HaTorah which is under the auspices of Agudath Israel. At the same time, leaders of Agudath Israel are now actively working to expand the Kollel, which was launched several years ago with the active help of Agudath Israel of America.

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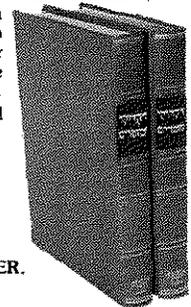
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NEW TORAH STUDY GROUPS

WITH THE PASSING of each week, another group of people is studying Torah as part of the newly launched Torah Education Network (Reshet Shiurei Torah) of Agudath Israel of America. The most recent groups formed meet regularly in Massapequa, Long Island; Forest Hills, Queens; and the Bronx. The concept of organizing small study groups in homes of individuals has aroused a great deal of interest among Jews with diverse backgrounds.

Many former yeshiva students are looking to Project TEN to set them up with Chavrusas, while others have readily volunteered their services to say a *shiur* for a group of adults. The primary concept of Reshet Shiurei Torah is to foster Torah study at all levels, be it in Siddur, Chumash, Gemorah, or other areas.

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PIRCHEI ENTERTAINS IN 13 HOSPITALS AND HOMES

THE PIRCHEI BAND and soloists led by Yitzchok Lamm presented Purim and Pesach programs in 13 hospitals, old age homes and nursing homes, it was announced by Rabbi Joshua Silbermintz, the National Director and Chairman of the Committee. These sick, elderly and forsaken Jews danced to the music presented to them by the *Chaveirim* of Pirchei Agudath Israel. The chaplains of many of these hospitals expressed that the patients look forward to each time that the members of Pirchei Agudath Israel come to entertain. These programs also have an Anti-Shmad impact, because missionary representatives constantly visit the Jewish patients who are neglected by the members of their family and the Jewish community.

Approximately 1,000 sick and elderly people in hospitals, nursing homes, old ages homes and homebounds were treated to *Shalach Monos* by the youth of Agudath Israel in a program sponsored by the Agudist Benevolent Society. For most of these patients, this was the only *Shalach Monos* that they received.

Anyone who knows of any hospital, senior citizen home or nursing home that needs Jewish musical entertainment, or any homebound who needs visitors, is advised to contact Rabbi Joshua Silbermintz at 964-1620.

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In a public address delivered in the spring of 5735, Hagoan Horav Moshe Feinstein שליט"א vigorously urged Yeshiva youth not to follow "the advice of the wicked" — to turn from the sanctity of Torah to the atheism and amorality of the university. He called upon Yeshiva youth to abstain from college attendance even in face of strong discouragement and opposition.

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"JEWISH PATIENTS' BILL OF RIGHTS" PUBLISHED

IN ORDER TO HELP the observant Jewish patient in a hospital cope with his specific needs, a "Jewish Patients' Bill of Rights" has been published by Agudath Israel of America. The brochure was prepared by Dr. Bernard Fryshman, chairman of the organization's Commission on Legislation and Civic Action, in order to inform the religious Jewish patient of his own rights, as well as to assist hospital administrators in properly caring for such patients.

The American Hospital Association adopted a "Patients' Bill of Rights" to clarify what a general patient may expect from a hospital administration. Agudath Israel's new publication focuses on the special needs and rights of the religious Jew.

Among the subjects covered in this publication are kosher food, hospital emergency admittance on a Sabbath or Jewish Festival, the observance of Jewish ritual, and hospital procedures posing religious questions.

The "Jewish Patients' Bill of Rights" can be obtained free of charge by sending a stamped self-addressed envelope to "Bill of Rights," Agudath Israel of America, 5 Beekman Street, New York, N.Y. 10038.

500 BNOS AGUDATH ISRAEL MEMBERS IN NATIONAL BIKUR CHOLIM PROGRAM

BNOS AGUDATH ISRAEL'S national Bikur Cholim effort in hospitals and nursing homes was intensified in recent weeks. Called Project "CHAI" (acronym for Care for Hospital Aged and Invalids), it involves more than 500 girls who visit thousands of elderly and sick each week.

In addition to servicing many areas in New York City, the girls are also actively involved in similar programs in Cleveland, Scranton, Philadelphia, Monsey (New York), and communities in Sullivan and Ulster Counties, and Long Island (New York). During their weekly visits, the Bnos girls not only attempt to lift the spirits of their bed-ridden friends through conversation and entertainment, but when necessary assist in the feeding of the patients. The program initially launched in 1972 at the Willowbrook State School, has since extended to 34 health institutions.

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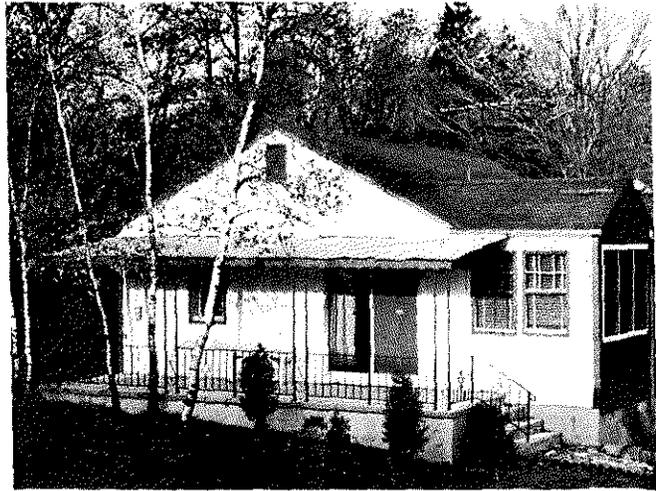
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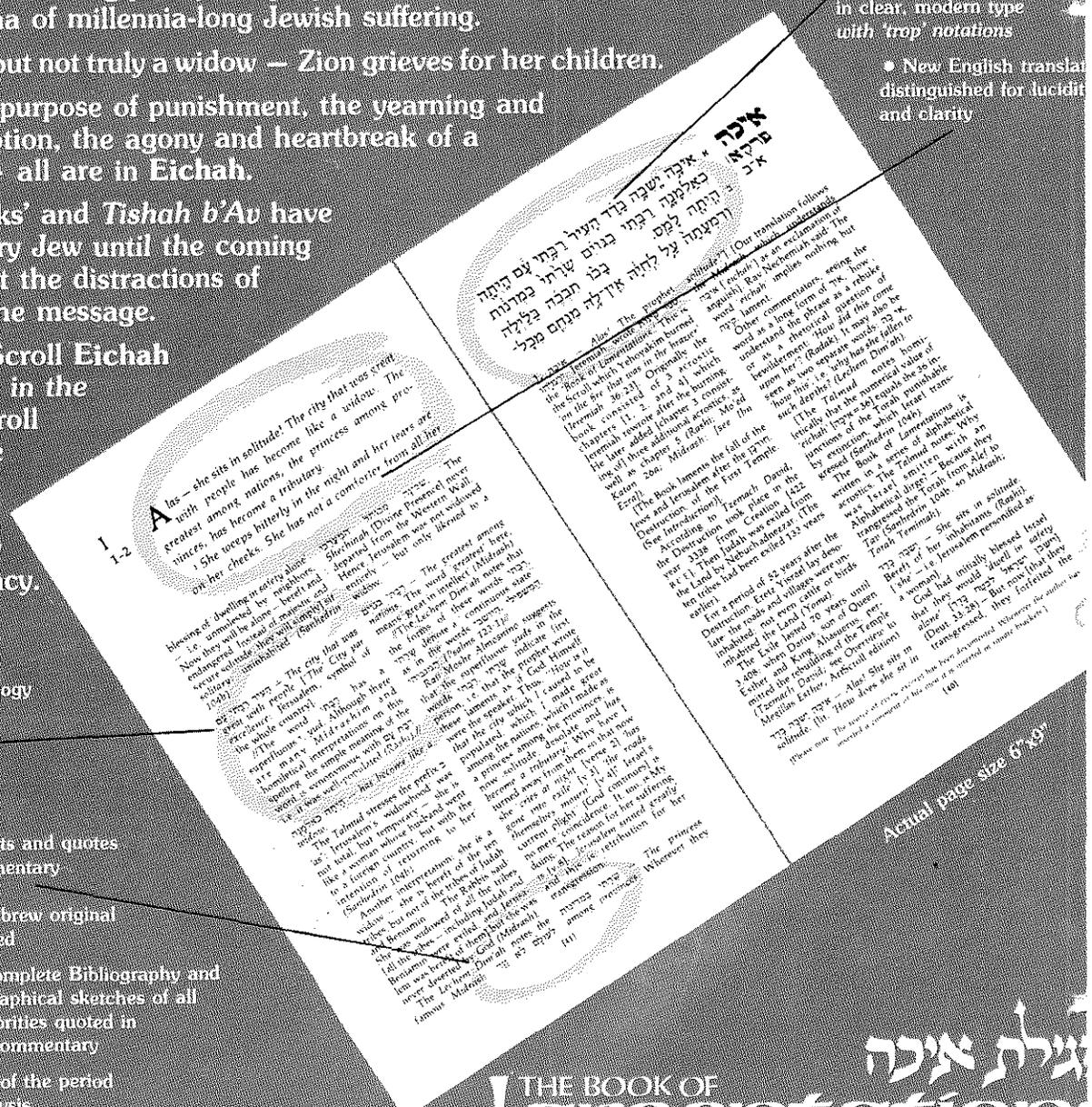
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