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Maxcost: 25.00IFM

Title: Jewish press.

Volume:

Issue:

Month/Year: August 5 2005

Pages: 68-69

ILL - ReCAP
New York Public Library
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Article Author: Michael Broyde

Article Title: Full Time Yeshiva Study: An Exchange

Brooklyn, N.Y. : Jewish Press, [1949]-

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LETTERS TO THE EDITOR

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standards. The "experts in the field" Rav Schachter alludes to are therefore incapable of being objectively true by Torah standards and the decision therefore falls in the hands

of the people, as Rav Schachter also established.

Only the resonant voice of the Lubavitcher Rebbe can still be heard yelling "Not one inch!"

This voice, we can now see, was meant to protect the Israeli people from the dangers of the unilateral actions by its government (God forbid). Sadly, it seems as well that with the type of *gedolim* we have today, we may also need the Rebbe to protect us from ourselves as well.

Lawrence Kulak
Brooklyn, NY

Protestant Divestment

Several Protestant denominations have passed resolutions — ill-conceived, ill-directed and ill-willed — calling for divestment from companies doing business with Israel. Such self-satisfied moral preening will do nothing to advance peaceful solution of the Arab-Israel conflict, but will likely do

much to delay it.

Particularly offensive is the sole focus on alleged Israeli misdeeds. Where are similar calls for sanctions against real rogue regimes? Where are denunciations of Arab Muslim depredations against black Muslims in Darfur? Where are condemnations of China's decades-long occupation of Tibet and persecution of its own

Christians? Where are protests against the perilous plight of Christian minority communities throughout the Islamic world? Where are even muted slaps against many other malefactors?

These churches have naively accepted the blatant falsehoods of Arab interlocutors. The Jews are not an alien presence in (Continued on Page 69)

Full-Time Yeshiva Learning: An Exchange

Re Rabbi Michael Broyde's "Letter to a Friend on Modern Orthodoxy" (front-page essay, July 8):

To my chagrin, Rabbi Broyde describes full-time yeshiva learning as "insular" and "cloistered." It is not clear what he means. Why is it any more insular or cloistered than the activities which occur in college or university — or in a laboratory where scientists labor without outside distractions? In secular society, for instance, there are think tanks where scholars devote their lives to the pursuit of knowledge.

Why should Jewish scholars not have an opportunity to devote their lives to pursuit of Torah knowledge — especially in a free country like the United States? Rabbi Broyde writes: "From the profound scientific contributions of Einstein to the musical compositions of Mozart and the literary contributions of Shakespeare, *halacha* and *hashkafa* allows — and in my opinion encourages — one to examine the advances of society..."

Since *halacha* and *hashkafa* are invoked to justify the aforementioned generalization, it would also be necessary to mention the supreme value of Torah study as a priority of the Jewish people — an absolute duty in accordance with *halacha* and *hashkafa* (Jewish law and philosophy). Oddly, Rabbi Broyde downplays its importance. In his opinion, Torah study should be relegated to a subordinate status in relation to secular studies and professional careers for both practical and philosophical reasons.

He writes: "It is a manifestation of the ideal for Orthodox Jews to work for a living and to regularly learn Torah on a part-time basis." (This is a complicated subject. Certainly, people who are unable to study Torah on a full-time basis should be encouraged to seek gainful employment. There is a case to be made regarding the above as a practical consideration. Nonetheless, it is questionable whether such an opinion is valid as the ideal. The relevant Torah sources on the subject clearly reject Rabbi Broyde's thesis.)

Rabbi Broyde refers to *Berachot* 35b. as a primary source to substantiate the proposition that Torah study should take a back seat to secular studies and labors. With all due respect, that Gemara paradoxically refutes his thesis. At the end of the discussion, the dean of the yeshiva, Rava, instructs his disciples not to attend class in the months of Nisan and Tishrei so that they would not be preoccupied with their sustenance for the entire year.

That leaves ten months of intensive Torah study on a full-time basis. (During a leap year, that would mean eleven months of full-time Torah study.) It is plain that Rava follows Rabbi Yishmael who favors the Torah cum *derech ereitz* approach as opposed to the approach of Rabbi Shimon Bar Yochai. However, even according to the former, Torah learning takes precedence over all other activities in terms of time and effort. Incidentally, despite the more esoteric approach advocated by Rabbi Shimon Bar Yochai, nobody rules against it.

The Gemara simply admonishes us that "not many" have succeeded using that system. Nonetheless, some have succeeded. (See *Biur Halacha* 156:1 *Orach Chaim*) To his credit, Rabbi Broyde does cite the Rama, *Yoreh Deah* 246:21 and the analysis of Rabbi Moshe Feinstein of blessed memory — *Iggros Moshe*. Unfortunately, however, he misses the point. The authorities quoted do not confer a dispensation as a ruling of last resort; actually, they recommend and encourage full-time Torah study as vital for the survival of the Jewish people.

The *Aruch Hashulchan* cites the precedent of Zevulun and Yissochar as a viable model. In fact, it is asserted in that commentary that even Rambam of blessed memory would have no objections if a community deemed it appropriate to support Torah scholars. Furthermore, it is definitely wise to study the *Iggros Moshe* analysis cited above.

Not only does Rabbi Feinstein allow and encourage the activity of full-time and intensive Torah study

but in addition he writes that it would be sinful for Torah scholars to refrain from engaging proactively in full-time Torah learning notwithstanding their possession of professional skills and talents. This might come as a surprise to Rabbi Broyde. Nevertheless, it would seem that Rabbi Feinstein would not allow a Torah scholar to follow the solitary ruling of Maimonides even as "*midos chassidus*," to quote the original Hebrew locution.

In plain English, Rabbi Feinstein strongly discourages scholars from rejecting the support of the community as a gesture of virtuous piety. Please allow me to translate what Rabbi Feinstein writes, as it's so fascinating: "I say that those who wish to show their piety by following Rambam's position are being misled by their evil inclinations (*yetzer harah*) to stop learning Torah by pursuing professional and business careers. Ultimately, such individuals will forget the small amount of Torah they once learned and might not even study Torah on a part-time basis. As stated by the earlier great sages who were like angels, it would be impossible to achieve high levels of Torah erudition at the same time one labors in the marketplace. This holds true especially in our generation when it would be intolerable to allow scholars to suffer deprivation..."

In conclusion, Rabbi Feinstein exhorts members of the community to support Torah institutions of higher learning by offering generous donations that will enhance the quantity and quality of Torah scholarship among Jews. Such an outcome would find Hashem's favor as the entire cosmos of the Lord God of Israel runs by virtue of His *halacha* — His divine law.

Chaim Silver
(Via E-Mail)

Rabbi Broyde Responds:

Chaim Silver's letter endorsing the taking of charity to learn in *kollel* highlights a dispute among the contemporary *poskim* which has clear antecedents in the *rishonim*. The clarity of Rav Moshe's view on this topic — which is that full-time *kollel* study is the ideal for all, even if one has to rely on charity in order to do so — does not diminish the equally clear language of the Rambam, which is also worth quoting. Rambam (*Mishneh Torah, Hil. Talmud Torah* 3:10) writes:

"Anyone who contemplates that maybe he should study Torah and not work, but rather be supported by charity, has desecrated the name of the Lord, embarrassed Torah, extinguished the light of religion, caused evil to himself, and excluded himself from the world to come."

Simply put in plain English, Rambam does not encourage Torah study if one needs to be supported by others' charity in order to learn. Thus, according to Rambam, in order to ensure that one is able to faithfully continue in Torah study, one must pursue a livelihood. In this way, Torah does not take a "subordinate status" to "professional careers." Quite the opposite — one's occupation fosters one's Torah learning. This is the model that we, as a Modern Orthodox community, need to follow.

Many throughout the generations have disagreed on this issue, and the matter certainly does have its origins in the three-way dispute among the *tannaim* and *amoraim* found in *Berachot* 35a and *Menachot* 99b and the many different views of the *rishonim*. However, contrary to Chaim Silver's claim, the *rishonim* accept the view of R. Yishmael (of *Berachot*) and adopt the view that ideally people should work and learn. All need to find a profession that allows them to learn, and a method of learning that allows them to work; *Beit Yosef* and *Shulchan Aruch* 156 makes this clear. One cannot dismiss the view of the Rambam and the legitimacy of his position with a citation to *Iggros Moshe*. Indeed, one can point to dozens of *poskim* on both sides of this issue.

With all due respect to Chaim Silver, there is no consensus favoring a person learning Torah and not earning a living. Indeed, *Shulchan Aruch, O.C.* 156:1 states quite clearly that "any Torah study not accom-

panied by earning a living will ultimately be for naught and lead to sin." Earning a living is a vital part of being an Orthodox Jew, and not just for people who are unable to learn full time.

Moreover, when one discusses the reality of temporary full-time Torah study as an alternative to seeking professional training and earning a living, two additional issues need to be candidly addressed. The first is insuring that those who are in *kollel* are actually learning, and not simply avoiding the responsibilities of life with the mere veneer of Torah study. Even those who accept Rabbi Feinstein's view must recognize that there are those in *kollel* in Israel merely to avoid service in the Israeli army, and are learning very little while living off the charity of others.

Even in America one sees people who are clearly not fit for full-time study in *kollel* struggling to conform to a mold that they do not fit into. Many of them seem to be warming seats in a *beit midrash*, rather than actually learning Torah. Such people should not be supported by our community, which needs to insure that those learning in *kollel* at communal expense are actually highly-skilled, intellectually accomplished Torah scholars. To continue Chaim Silver's analogy to a university: What would we think of an advanced research institute in physics that admits everyone, does not give examinations or otherwise test its students for accomplishment and knowledge, and seeks support from charitable contributions? Such is what many *kollelim* are — and that is not at all what Rabbi Feinstein envisioned in his *teshuvah*.

The second issue is even more complex. A transition program and process out of *kollel* needs to be more fully thought about, so that when a person wishes to cease full-time Torah study and seek a profession, the necessary communal support is in place for a successful transition. Many young men are seeking a gradual transition out of *kollel* and do not find their path to be easy or well supported by the community that encourages *kollel*. Even if one desires to encourage full-time Torah study for a period in a young man's life, there has to be the realization that most of these young men will seek eventually to leave *kollel*, and serious thought and resources need to be invested in allowing those in *kollel* to transition into a job that allows financial success. Some will seek employment in the Jewish day-school system or as pulpit rabbis, and others will become professionals in the secular world. Proper training for what to do when one's life in *kollel* has ended is vital. The reward for many years of *kollel* study cannot be a life of poverty or misery, if Torah study is to be a virtue that we actually encourage.

In short, Chaim Silver's letter on *kollel* analyzed one side of a multifaceted dispute among *poskim*. Whichever side one takes on the theoretical topic of *kollel* as a religious norm, anyone who sees the community that we live in realizes that many men learning in *kollel* do not live up to the ideals that Rabbi Feinstein puts forward, and we are not building transition points to allow for those individuals to transition to an economically secure future. A deep and long-term commitment to regular Torah study as part of one's life as an Orthodox Jew requires that such study not be incompatible with earning a living — indeed, the more compatible it is, the more people will study Torah.

To me, the Modern Orthodox ideal remains that each and every adult should position himself to both learn Torah as much as he can while simultaneously earning a living with respect — each person should be his own integrated Yissachar and Zevulun. Every student should educate himself toward such a goal — and I can think of a yeshiva which is also a university that aspires to train students in such a model!

Learning Torah seriously while pursuing professional endeavors is quite a challenge, but no one ever thought that being Modern Orthodox would be easy.

LETTERS TO THE EDITOR

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their ancient historic land, where they have continuously been since biblical times. Displacing no one, modern returnees purchased unwanted land at high price, made the deserts bloom, and drained the swamps. Their economic dynamism further drew in a massive Arab influx. Though the League of Nations' British Mandate was to prepare for a Jewish National Home, the Jews repeatedly accepted periodic proposals, based on existing

population patterns, for partition.

Is Israeli "occupation," as implied, uniquely evil? It is not evil, but it is unique. Has a defeated genocidal aggressor ever dreamed of dictating terms of peace, or, in this case, only a temporary truce? How rarely could such a conquered people emerge from occupation remarkably better off?

The unparalleled viciousness of Israel's enemies, their indiscriminate violence, gross abuse

of humane considerations, and constant anti-Israel and anti-Jewish media incitement — even to the smallest children — ought universally brand them moral pariahs. How can church leaders, in good conscience, stand with them in condemning the one island of freedom in a vast sea of despotism?

Richard D. Wilkins
Syracuse, NY

Correcting Machberes

In the Machberes column of July 22, Rabbi Tannenbaum wrote that the Biala Rebbe, Rabbi Ben Zion, is the son of Rabbi Betzalel Simcha Menachem Ben Zion Rabinowitz, *zt"l*. Actu-

ally, Rabbi Ben Zion is Rabbi Betzalel Simcha Menachem Ben Zion Rabinowitz, *zt"l*; his father is correctly listed as Rabbi Yechiel Yehoshua, *zt"l*.

Rabbi Arye Don Gordon
Los Angeles, CA

God's Justice

When Pharaoh ordered the murder of Jewish male children, he signaled his own ultimate national demise. By comparison, the killing of children by today's rabid homicide Arab murderers will ultimately spell their own demise. God's justice may appear to work slowly, but it does work.

Albert Klass
Brooklyn, NY

Editorial

(Continued from page 5)

previously been discussed in our editorials. First, a few general prefatory observations.

From the start of our focus on the process by which the RCA expelled Rabbi Mordecai Tendler from its membership rolls, we have been intrigued by the RCA's adamant refusal to submit the dispute to a competent *bet din*. As we've discussed extensively, the RCA has instead chosen to rely on a fundamentally flawed process. Indeed, the RCA's recent imperious, untimely and insulting response to the *hazmonos* of the Chief Rabbinate's Bet Din of Jerusalem, in which the organization declared that it would consent to go to one of two *batei din* — one of which has a history of antagonism toward Rabbi Tendler and his family; the other of which not only functions as the RCA's house *bet din* but whose Av Bet Din is individually named as a defendant along with the RCA — only served to compound the dismay over the spectacle of a prominent rabbinic organization doing cartwheels to avoid resorting to an impartial forum.

Perhaps a definitive explanation will emerge in time. To be sure, public statements released by the RCA have intimated — and at least one of its major figures has told The Jewish Press — that the RCA rabbis have determined that a serious abuse problem exists in the Orthodox rabbinate — a problem so widespread that the *bet din* apparatus cannot deal effectively with it and which requires a new *takanah* in the nature of *horoas shoa* (which replaces the halachic *bet din* with a less rigorous evidentiary process). Significantly, the RCA retained the same firm that investigated the rampant systemic abuse in the Catholic Church to look into the allegations against Rabbi Tendler. But the existence of a problem in the Orthodox rabbinate at all comparable to that of the Catholic clergy is by any reckoning — except, perhaps in the fevered imaginations of those responsible for the discredited Awareness Center — an unexamined and completely unproven premise. In fact, the RCA has bought into an unconscionable *bilbul* against the Orthodox rabbinate in general and its own thousand members in particular.

However, as many of our readers have observed, the truth may well lie in the recent debacle in which an official of the Orthodox Union, for whom the RCA serves as rabbinic arm, was scandalously exonerated of charges of abuse by a duly constituted *bet din* on which two prominent RCA leaders served. In that case, the accused official was subsequently convicted and is now serving a prison term. It seems that the RCA, in order to vindicate what its members *did on that bet din*, feels an institutional need to denigrate the efficacy of the *bet din* system itself in matters of this sort. Doubtless it is no coincidence that one of the driving forces behind the RCA's policy of dispensing with a *bet din* in abuse cases was a member of that *bet din* and one of its principal halachic resources was another. Moreover, both serve as judges on the RCA's Beth Din of America.

In any event, Rabbi Rosenberg's comments are helpful in understanding how the RCA went drastically wrong in its handling of the Tendler case. For example, Rabbi Rosenberg's defense of the RCA's expulsion decree is that since five "knowledgeable" rabbis, who are also "experienced community leaders," came "to such a radical conclusion," "the least that can be said [is] that there was something in the evidence...that made them feel sure..."

In other words, not even Rabbi Rosenberg, a member of the RCA Executive Committee, can specify anything in particular of which Rabbi Tendler was found guilty but is constrained to rely on the old adage, "Where there's smoke, there's fire." What system of justice operates this way? Not surprisingly, therefore, Rabbi Tendler was never given a specification of the charges against him at the outset or a specification of the findings upon which he was convicted, despite the fact that he demanded both.

Rabbi Rosenberg asks The Jewish Press whether it consulted, "halachic authorities" in formulating its editorial position on the need for a *bet din* and if so, which ones. Unless Rabbi Rosenberg denies the fact that the Jerusalem Bet Din of the Chief Rabbinate is a halachic authority — and he may well be of that view — he should know that we have consid-

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Disrespect For Gedolim?

No Emunas Chachamim

It pains me deeply to read letters to the editor like those in the July 22 issue attacking our *gedolim* and *roshei yeshiva*. How can readers let their emotions get in the way and cause them to lose their *emunas chachamim*?

The Gemara says that whoever complains and says "those rabbis" in a criticizing manner is a heretic. Do these readers, *chas v'shalom*, want to fall into the category of "vayilonu ha'am"?

The famous "*ki davar Hashem bozah*" speech given by Harav Hagaon Rav Aharon Kotler, *zt"l*, is still ringing in our ears to this day. Rav Aharon had given this blazing speech when a so-called rabbi degraded the *kavod* of the Brisker Rav, *zt"l*. I still remember attending an *asifah* of the *olam haTorah* when a Yiddish newspaper put down Harav Hagaon Rav Eliezer Shach, *zt"l*. I vividly recall HaRav Mordechai Gifter, *zt"l*, and *ybd"l* Harav Elya Svei protesting along with other *roshei yeshiva* for Rav Shach's *kavod haTorah*.

I don't know how someone who describes himself as a *talmid* of Harav Moshe Feinstein, Harav Aharon Kotler, Harav Yaakov Kaminetzky and Harav Shimon Schwab write, "The greatest problem we as a community face is that *rosh yeshivas* are our leaders...and they want to turn the community into a yeshiva. This is a disaster."

If these *gedolei roshei yeshiva* were around today they would tear *kriyah*.

Rabbi Moshe Shochet
Brooklyn, NY

Deserving Of Praise, Not Scorn

What a shame that Rabbi Dovid Eidensohn ran out of space in his anti-*rosh yeshiva* diatribe (letter, July 22). I was certain that, given time, he would have gotten around to blaming them for the London bus and train bombings, if not 9/11.

Every month, I, along with thousands of other observant Jews, receive stacks of letters, written and/or endorsed by those whom Rabbi Eidensohn saw fit to malign. Why do they take out precious time from their enormously busy schedules? It's because they love their fellow Jews, and when they see their brothers in distress — be it in America, Israel or anywhere in the world — they do whatever they can to help. Our *gedolim* understand that without their approbation, people would not be inclined to donate money, so they get involved and because of these efforts those who are dealt a heavy blow are assisted, at least financially.

But Rabbi Eidensohn conveniently overlooks our *rosh yeshivas'* contributions, choosing instead to focus on what he considers their apathy in the face of crucial communal issues. He claims that rabbis are not only disinterested in fighting the gay lobby, but that many support the cause. Assuming that our letter writer is not in some drug induced state, I can only surmise that he considers Rabbi Sharon Kleinbaum and her associates at gay and lesbian synagogues to be legitimate

rabbis — for there is no authentic rabbi (or authentic Orthodox Jew, for that matter) who considers homosexuality anything but an abomination.

He then contends that genetic engineering will lead, within the next ten years, to unkosher strains of meat and vegetables, and wants our rabbis to take immediate action. Even if we grant that there's merit to this contention — and I'm highly skeptical — just what does he propose the rabbis do?

Just one year ago, when an actual crisis regarding bugs in New York City tap water arose, these supposedly do-nothing *rosh yeshivas* urged businesses and homes to install filters and were soundly and roundly lambasted on the radio and in print — including by some readers and writers on these very pages of The Jewish Press. Just imagine the flack they would catch for making Chicken Little pronouncements years before a real problem existed. There seems from Rabbi Eidensohn's letter and the Jewish Press editorial that prompted this discussion, an assumption that the *rosh yeshivas* snap their fingers and all observant Jews march in lockstep. Several years ago when the Moetzet Gedolei Hatorah tried to curb profligate spending at Orthodox weddings, the proposed enactment was immediately shot down by influential — i.e., affluent — members of the *frum* community.

As for the *rosh yeshivas'* supposed silence regarding the disengagement, just what would Rabbi Eidensohn have our *gedolim* do? Should they urge their flocks to take up arms and engage in civil war with the IDF? The Gemara teaches that when one will not be heard he should not speak, and it's quite clear that those in support of abandoning Gaza are not concerned with the opinions of American *rosh yeshivas*.

And even if Rabbi Eidensohn persists and says that they should be outspoken in any case, just where does it end? Will our rabbinic leaders not then be enjoined to rail against the proposed gay festival in Jerusalem? Will they not then be forced to speak out against those who have brought pork into the Holy Land? Rabbi Eidensohn and others of similar mind want to turn our *gedolim* into Al Sharpton-type activists, but that is not their mission in this world. Rather, their primary focus is advancement of the Torah and they have been remarkably effective in this venue. They should receive encomiums, not scorn.

I will concede that Rabbi Eidensohn is correct on one point. Our *rosh yeshivas* should not be forced to deal with so many communal issues, for this detracts from the time they can devote to Torah study. However, the *baalei batim* are too busy attending cantorial cruises, booking their *Pesach* vacations and renovating their rental properties to relieve our *gedolim* of these unwanted burdens. Rather than point the fingers at those who are continuing the traditions of Moshe Rabbeinu, we must take a hard look at ourselves.

Dr. Yaakov Stern
Brooklyn, NY