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The Power of Ideas: Leadership, Governance, and the
Challenges of Jewish Education. An Institute for
Professional and Lay Leaders, January 1997.

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The Power of Ideas: Leadership, Governance, and the Challenges of Jewish Education

January 19-20, 1997

An Institute for
Professional and Lay Leaders
in
Jewish Education

co-sponsored by

CIJE
Council for Initiatives
in Jewish Education

and

Philosophy of Education Research Center
Harvard University

Gutman Conference Center at the Harvard Graduate School of Education

The Power of Ideas: Leadership and Governance in Jewish Education

Monday January 20, 1997

Overview

Gail Dorph

We began the day by reading the notes of Sunday's session in order to both review what had happened and frame the work for the day. We added to the notes: processing the snowball exercise and issues of implementation. Gail also mentioned that Karen Barth would not be joining us because of illness.

Gail then outlined our work for the day stressing the way in which the group's feedback from the previous day had been taken into account. She mentioned three things:

- people's desire to engage more directly with the Jewish texts
- participants suggestion that they would like to work at creating their own cases
- the desire to speak with others who are in similar role positions (e.g., lay leaders with lay leaders; day school leaders with day school leaders)

She described the way in which today's activities had been modified to address these needs.

Revisiting the Case: Jewish Perspective

Mike Rosenak

Mike began the morning text study by asking participants to respond to the question: why study Jewish texts! What kinds of questions can we ask of our tradition to help us better understand the issues that we raised yesterday? In order to respond, participants had to integrate the specifics of our learning about leadership and about the case with the possible responses from Jewish tradition.

Participants' questions included:

What was the responsibility of the community leaders?

Did the leaders of the community engage in constructive activities?

Who is the boss? With whom does the authority lay?

"Mipne darkei shalom" (For the sake of peace)-When is this ruling applicable?

When does information become a form of *"l'Shon haRa"* (gossip)?

Can we think of members of the board as "Elders"? What was their role in this case?

How does the community keep the balance between success and failure?

When trying to implement change, how can the leader avoid becoming a scapegoat?

Mike pointed out possible difficulties in trying to use Jewish texts in such a deliberation:

- A Jewish text usually contains different arguments, and each text is layered with multiple interpretations.
- The "word of God" is not easy to ascertain.

Mike then turned to the Brandeis case. He claimed that the community, as a whole, has an important

role to play in the discussion. Whether the leader had represented the community well is a necessary question to ask in this case. It is also important to remember that there are instances where the issues under consideration have symbolic meaning, and therefore earn a much greater weight than they would have otherwise.

How do we think about the community's best interest and how do we relate that question to another one; how do we relate to the stranger in our midst? Mike offered two criteria by which a community can operate when asked that question: when the organization is faced with a threat for its survival it is more likely that normative questions will be more arguable and take precedent. To illustrate that point we looked at two texts. In Genesis Rabbah, 24 we looked at a text where Ben Azzai and Rabbi Akiva discuss the question: under what circumstances do you save your own life at the expense of another's? From Exodus Rabbah, 30:12, we looked at a text where Hadrian and Aquila debate: is it possible for a stranger to really understand a people without knowing intimately their way of life.

Mike suggested that we might interpret these texts in the following way. When the organization feels secure, a more lenient attitude towards normative questions is likely to occur. To illustrate that we looked at the story of King Katzia in Genesis Rabbah 33:1.

Mike raised one last concept for consideration: "Secular Judaism." Secular Judaism lacks clear normative standards and norms that could help lay and professional leaders chart a consistent course, vision for an institution considered to be "secular." (E.g. If we were to say that an institution was Orthodox, we might have more of a sense about how this kind of decision might be made). Thus, Mike's sense was that lay and professional leaders in the Brandeis case could have benefited from a discussion on secular Judaism. Such a discussion could have led to the clear formulation of standards.

Managing the Change Process

Ellen Goldring, Judith Block McLaughlin, Josh Elkin

Ellen started by introducing the purposes of the activity: To think and reflect about change by looking at real cases from the participant's own organizations.

She asked participants to write a case story according to the following guidelines:

- it had to be personal
- it had to be an episode with which they had been intimately involved and they cared about
- it had to involve their role counterpart (that is, lay people had to write a case in which professionals had been involved and vice versa)

Everyone wrote for about 10 minutes before being assigned to small "job-alike" groups. The purpose of this round of discussion was to become familiar with each other's cases. This was followed by a discussion that focused around the following questions:

- What were the essential barriers that hindered achieving the goal?
- What were the essential ingredients that helped reach the goal?

- What did you want from your role partner in this episode?
- In the episode, what leadership roles were illustrated? (Leader as seeker of truth, leader as peace maker, leader as visionary, leader as manager/administrator)

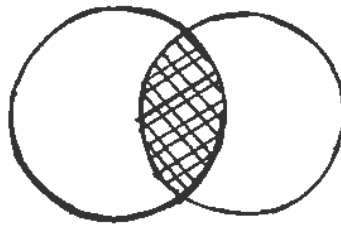
This last question tied the cases that had been written to images of leadership that had been presented in our text study session the previous evening.

After the small group sharing, the group reconvened. All of the written responses to barriers and ingredients for success, the first two questions to which participants responded, were hung on the wall. Lay leaders experiences on one side; professionals' experiences on the other. In sharing in this way, participants could see how others responded to the same questions.

Some recurring themes were evident:

- Many groups reported that the lack of sufficient funds was a barrier for success.
- Communication, trust, vision, and time were the ingredients that were both helpful and barriers in achieving the goal.
- It became evident that prioritizing goals and agreement on the necessary process to achieve them is of outmost importance.
- It was interesting to find out that Lay and Professional leaders shared the same concerns and did not have greatly different perspectives.

One participant drew a venn diagram to illustrate areas of overlap between lay and professional issues and roles. The shaded area in the middle indicating the overlapping areas.



Josh Elkin summarized the discussion by pointing out how writing a case, discussing it with peers, and having the feedback of your role counterpart can itself be a very powerful experience.

He then introduced John Kotter's eight steps to transforming your organization referring to the article in the notebook that Karen had suggested we read: *Leading Change: Why Transformation Effort Fail*. The article describes the necessary steps that one ought to consider in trying to introduce and manage change. Josh cautioned us against using such lists in a simplistic manner. The process is complicated and requires understanding of its complexity; whereas lists, such as these describe a linear process, which are rarely apparent in real life.

Working Lunch

Participants were asked to eat lunch in community groups in order to think about the work we had

been doing and how it might become part of the community's larger agenda.

Setting the Agenda Back Home

Judith Block McLaughlin

After lunch participants grouped by institutional team in order to address the following strategic planning questions:

- Try to identify a topic, a goal, an idea that is essential to your organization.
- Bear in mind Tom's Five Mileposts Toward Better Governance: Information, Agenda, Culture, Leadership and Structure.
- What are the respective roles as partners?
- What would you most like from your partner?

This session was a critical one. It allowed the time and context for the kind of conversation that does not happen very often. Team members were able to experience the importance of open and constructive dialogue, seeing where they share the same vision and where they differ. It was hard to regroup after this session, because most groups felt that they were really in the middle of their work.

In leading in to the general feedback session with which the seminar concluded, Judith commented that the level of engagement in this final discussion was graphic evidence that teams were involved in important work which could chart their future work together.

In the feedback session, participants mentioned issues of concern and also gratitude as they reflected on the 24 hours that we had spent together. They raised some of their concerns and some of their new gained insights. Some concerns focused on the ways in which the nitty-gritty work can "suck you in" to "forgetting" the kind of vision for which you strive. Participants talked about the complex nature of the tasks lying ahead and how they can be both paralyzing as well as invigorating. Some wanted more concrete help from CIJE in their home communities. While others were not concerned with the fact that they were not given more direct guidelines. Some mentioned their pleasure at being given (what they experienced as) the tools to ask the right question, to identify the problems, and felt empowered enough to go and find the appropriate solutions.

In conclusion, some of the faculty members added some final thoughts:

Tom reminded the group that what they had learned was "education on site." He felt that the staff had modeled how this kind of work could be done. Judith had reiterated that money is not the only source at leader's disposal. Talent should be also regarded as resource. Mike put in a plug for text study saying that study was a good way to develop meaningful learning and communication, recommending that we look to Jewish texts as guides in our future deliberations.

Gail concluded by thanking participants for attending, for taking the risks in coming together to this CIJE first ever seminar for lay and professional leadership. She mentioned the learning that we had done together as creating the basis for future seminars of this type.

THE POWER OF IDEAS: LEADERSHIP AND GOVERNANCE IN JEWISH EDUCATION

Sunday January 19, 1997

Overview and Introductions

Gail Dorph and Tom Savage

The Institute began by participants introducing themselves, briefly stating their names, organizations and roles. Particular mentioned was given to the presence of Drs. Israel Scheffler and Vernon Howard and their assistant, Stefania Jha of The Philosophy of Education Research Center, the Harvard home for this particular Institute.

CIJE has planned two previous leadership institutes at Harvard which only included professional leaders. At the conclusion of each of these the desirability of an institute designed around the joint issues of lay and professional leaders in Jewish education was raised. This particular institute was planned in response to that suggestion.

The purposes of the Institute were then reiterated:

1. Study of Jewish texts that relate to questions of leadership
2. Integrate ideas from the texts in our work in teams as lay-professional leaders
3. Focus on change processes that can help transform institutions
4. Develop multiple perspectives on lay-professional collaboration
5. Implement practical strategies to ground and nurture professional/lay relationships

Understanding Governance and Leadership

Tom Savage

Each participant was given an envelope which contained three statements. The assignment: choose the statement with which you agree most and the statement with which you agree least.

Each participant was then asked to find someone whom they did not know and share responses. The assignment was the same, but now both participants needed to come to an agreement on the two statements: the one with which you both most agreed and the one with which you least agreed.

Groups of six were then formed. The assignment: choose the two statements with which the whole group most agreed and the one statement with which the group least agreed.

Groups of twelve were then formed. The same assignment was given.

As groups completed their work, the lists of agrees and disagrees were put up on the wall. The lists included the following:

Least Agree

- * Our objectives depend on resources, not values, visions, or reasoned goals (2x)
- * The primary responsibility of the board is to hire and support the CEO
- * Trustees work hard and should, as in the corporate sector, be paid for their work. In fact, they would take the job more seriously if compensation were offered.
- * The lay president should be free to hire and fire senior officers, this is not a matter for the board

Most Agree

- * A board just cannot function effectively as a board if it meets only one or two times a year.
- * Most boards spend most of their time on matters of lesser importance to the institution.
- * Trustees should feel free to request and receive information from constituencies, including students and parents--for whom?...
- * The behavior of a board is in part a reflection of how the organization began, who began it, and how the initial leader(s) ran it.
- * There should be some forum or mechanism for clients such as students and parents to have direct access to trustees.
- * Many trustees feel "processed" to death. Yet, unless board members reflect on their practice together, the board won't govern effectively.
- * The two most important people in the organization are its CEO and board chair; if one is weak, so probably is the organization.
- * The primary responsibility of a board is to set institutional priorities and goals and strategies.
- * The most important board committee is the Nominating Committee and Board Development.
- * A formal board orientation process is a necessary part of every board member's effective work.

The group then examined many of these issues in order to better understand with what had we actually agreed and disagreed. Some of the issues that were discussed included:

What are legitimate and illegitimate ways of communicating?
How can trustees relate to their constituencies? How can constituencies have access to trustees.
Goal to empower board to become more knowledgeable.

What counts as important information?

Importance of understanding history and interpretation of the history of an institution.

Tom summarized the discussion by reiterating the five levers or elements of board/professional relationships stated in his article in the following chart. These will serve as themes for the whole of the Institute.

Information

What counts?

Gossip?

Agenda

Role

Meaningful

Substantive

Structure

Process

Leadership

Culture

People with history

Dynamic

Power of Memory.

Shared Governance: A Jewish Perspective on Roles and Responsibilities

Mike Rosenak

The session began by asking the question: how can we learn from texts? Mike suggested that the text if taken seriously, can shape our identity. In order for that to happen it needs to be learned in its own context and then bridge to our current context must be created.

We examined a series of texts which shed light on critical issues relating to the roles of leaders and the source of their authority.

The first distinction made was between prophet and priest (Ahad Ha'am). The prophet was described as visionary, uncompromising, and removed from daily concerns. The priest was described as a realist, politically wise, able to make compromises and live in the real world.

The next distinction was one of roles, epitomized in roles of Aharon (e.g., the president of State of Israel) versus Moshe (e.g., the prime minister of the State of Israel). Aharon was identified as the seeker of peace versus seeker of truth. He was the one who tried to reach conciliation by having each party identify with the complexity and trials faced by the other. The

strategy involved having each so identified with the fact that the other wanted to "make up," that reconciliation happened. Whereas, the seeker of truth attempts to "get to the bottom" of the situation learning what really happened. The two cannot easily live together in the skin of one person.

Leaders differ not only in the roles they play but also in their bases of authority. In our texts, we read of two sources of authority: the leader appointed by Heaven or the leader appointed by the collective will of the community. For example, the first kings of Israel were known as the anointed of God; the third king was already known as the grandson of the king.

Mike stressed the difficulty of harmonization and the tensions of leadership. Certain kinds of tensions between different kinds of leaders is essential. Each brings its own perspective. Each type of leadership has a place within the tradition. Tradition does not point to a preferred type.

Applying Basic Principles to Practice: A Case Study Analysis **Judith Block McLaughlin**

Judith McLaughlin introduced the case study on Brandeis University. The case study discussion had three goals:

- 1) Analyze the case;
- 2) Reflect on the case to learn about our own roles and institutions;
- 3) Develop principles of lay/professional partnerships.

Judith started with an overview of the Brandeis case indicating that at the time of the case, Brandeis was considered a religious oriented, non-sectarian university. Brandeis had recently become a member of the American Association of Universities, a prestigious group of major research universities in the US.

The group discussed the questions: What is going on--happening in the case? What is it really all about?

Responses included:

- * conflict/confusion about identity: secular and/or religious identity
- * admissions problem: traditional pool of students is eroding
- * misconstruing problem? Admissions or something else
- * newish administration
- * power struggle
- * outsider, non-Jewish board members
- * losing its uniqueness
- * media escalated the problem

- * vocal presence of founding leader/role never defined
- * failure to articulate responses--constitution
- * president's agenda?
- * Multiple constituencies--what do they care about?
- Stakeholders
- * board ambivalence--what is their role?
- * didn't understand symbolic culture
- * weak relationship between strategy and goal
- * reaction to change/communication
- * differing perceptions of mission
- * powerful motivations for change from the environment
- * mirror waking up to other fears
- * strategy for survival
- * miscalculation/ambivalence
- * competing values

WHAT SHOULD I DO AS PRESIDENT?

- * explain rationale and strategy
- * Develop supporting team-get board more involved
- * What am I acting out for institution?
- * say "I/we made a mistake"
- * create forum to discuss the issue and reflect

WHAT SHOULD THE BOARD DO?

- * talk to/listen to students
- * create educational opportunities/forums
- * first discuss thoroughly within board
- * frame the discussion in terms of what really is at stake here: An internal Jewish debate

The group summarized some of the lessons we learned from the case:

1. Know and define your constituencies/stakeholders and consult them widely.
2. Reflect on what they are telling you; learn from them, beyond PR
3. Important to build a collaborative process of change
4. Confront difficulties and fears and go to your community. If you sense there is something uncomfortable about an issue, then there is something there.
5. Develop a real debate within the board to get at the heart of important issues.
6. Learn /learn /learn...understand ramifications
7. Strategies must follow from clear goals and mission.

Lay and professional leaders are partners; they are co-dependents in the best sense of the word. The success of one should equal the success of the other.

Power of Ideas: Leadership, Governance, and the Challenges of Jewish Education
An Institute for Professional and Lay Leaders in Jewish Education
January 19-20, 1996

SUNDAY, JANUARY 19

12:00-1:00	Registration and Lunch
1:00-1:30	Purpose of the Institute Welcome and Introduction
1:30-3:00	Understanding Governance and Leadership Tom Savage and Judith Block McLaughlin
3:00-3:30	Break
3:30-5:00	Shared Governance: A Jewish Perspective on Roles and Responsibilities Mike Rosenak
5:00-6:00	Break
6:00-7:00	Dinner
7:00-9:00	Applying Basic Principles to Practice: A Case Study Analysis Judith Block McLaughlin and Tom Savage

MONDAY, JANUARY 20

8:00-8:30	Hotel check-out/Breakfast
8:30-10:00	Revisiting the Case: Jewish Perspectives Mike Rosenak
10:00-10:15	Break
10:15-12:15	Managing the Change Process Karen Barth
12:15-1:15	Working Lunch (by community groups)
1:15-3:00	Setting the Agenda for Back Home Tom Savage and Judith McLaughlin

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The Power of Ideas: Leadership, Governance, and the Challenges of Jewish Education
January 19-20, 1996
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Faculty and Staff Biographies

Karen A. Barth is Senior Consultant for the Council for Initiatives in Jewish Education (CIJE). Prior to her coming to CIJE, Mrs. Barth worked for ten years at McKinsey & Company International, which is a management consulting firm. She specialized in consulting with large companies helping with change, management, and innovations. Mrs. Barth received a B.A. in economics summa cum laude from Brandeis University and an M.B.A. from Harvard University Business School.

Gail Zaiman Dorph is the Senior Education Officer for the Council for Initiatives in Jewish Education (CIJE). She works at both the national and local levels on issues of building the profession of Jewish Education. This work includes the design of innovative professional development projects, among which is a national Teacher Education Institute designed to develop a cadre of highly trained teacher educators for Jewish supplementary schools. Before coming to CIJE, Dorph directed the Fingerhut School of Education at the University of Judaism. She was also part of a national team that wrote the Melton Curriculum with her curricular area being the teaching of Siddur.

Joshua Elkin has served as the head of the Solomon Schechter Day School of Greater Boston for the past 19 years. He is a graduate of Columbia College, was ordained by the Jewish Theological Seminary, and was awarded an Ed.D. from Columbia Teachers College. Rabbi Elkin has held the position of Adjunct Lecturer in Jewish Education at Brandeis University where he has been lecturing and advising students for over 10 years. He is a past Chair of the Steering Committee of the Solomon Schechter Day School Principals Council. In 1987-88, he spent a Sabbatical year in Israel as a Jerusalem Fellow, and upon his return was appointed a member of the Mandel Commission for Jewish Education in North America. Rabbi Elkin's writings have appeared in *The First Jewish Catalogue*, *The Melton Journal*, *Congress Bi-Weekly*, *Alternatives in Religious Education*, and in *Curriculum, Community, and Commitment, Views on the American Jewish Day School*.

Ellen B. Goldring is Associate Dean and Professor of Educational Leadership at Peabody College, Vanderbilt University, and is also co-director of the Research and Evaluation project for the Council for Initiatives in Jewish Education. Dr. Goldring has served as a Hebrew School teacher and educational director of a supplementary school before receiving her doctorate at the University of Chicago. In Chicago, she was an evaluator for the Chicago Board of Education. Dr. Goldring was on the faculty at Tel Aviv University and was Chair of the Program in Educational Administration and Organization before coming to Vanderbilt. Her research focuses on the organization and control of schools, and the changing roles of leaders, principals, and parents. Her work has been widely published in journals, and Goldring is also co-author (with Sharon Rallis) of *Principals of Dynamic Schools: Taking Charge of Change*.

Judith Block McLaughlin is Educational Chair for the Harvard Seminar for New Presidents, Lecturer on Education and Director of the Field Experience Program at the Harvard University Graduate School of Education. Previously, she has served as a Research Associate in the Harvard University Department of Sociology, Executive Director of the National Academy of Education, Dean of Student affairs at two colleges, and a high school teacher. She has published journal articles on presidential searches, the college presidency, and higher education governance and frequently consults with college and university governing boards, presidents, and senior administrators. She is editor of *The New College President: Leadership Transitions*; is coauthor of *Choosing a College President*, with David Riesman, and *An Education of Value*, with Marvin Lazerson and Bruce McPherson. Dr. McLaughlin earned an A.B. summa cum laude in sociology from the University of North Carolina at Chapel Hill and an M.A.T. and Ed.D. from Harvard University. She lives in Needham, MA with her husband, Edward F. McLaughlin, a clinical psychologist, and her two children, Kerry and Peter.

Nessa Rapoport is the Leadership Development Officer at the Council for Initiatives in Jewish Education. She is responsible for the area of mobilizing community support for Jewish education, which includes fostering a partnership between lay leaders and professionals for the revitalization of the community through education. She also oversees CIJE's publication program. For ten years she was a senior editor at Bantam Books, where she edited several best-selling memoirs. Ms. Rapoport's first novel, *Preparing for Sabbath* (William Morrow & Co., 1981), was reissued by Biblio Press in 1988, with an introduction by Rosellen Brown. Her most recent work is *A Woman's Book of Grieving* (William Morrow & Co., 1994). She co-edited (with Ted Solotaroff) *Writing Our Way Home: Contemporary Stories by American Jewish Authors* (Schocken Books, 1992), which was reissued as *The Schocken Book of Contemporary Jewish Fiction* (1995). She is a founder of The National Center for Jewish Healing and is a frequent speaker on topics of Jewish culture and imagination.

Michael Rosenak is Mandel Professor of Jewish Education at The Hebrew University and teaches at the Melton Centre for Jewish Education. He focuses on Philosophy of Jewish Education with a special interest in theological questions pertaining to educational theory. This includes such questions as the relationship between commitment and openness in the educational process. He received his B.A. from Yeshiva University, M.A. from Columbia University, and a Ph.D. from Hebrew University. He is the author of *Commandments and Concerns: Religious Jewish Education in Secular Society* and most recently *Roads to the Palace: Jewish Texts and Teaching*. Professor Rosenak is on the faculty of the Jerusalem Fellows program and is on the boards of Melitz and Pardes in Jerusalem.

Thomas J. Savage, S.J. holds graduate degrees in city planning from the University of California, Berkeley, and in public policy and administration from Harvard University, where he earned his doctorate. Fr. Savage has served as president of Rockhurst College in Kansas City, Missouri since October of 1988. Fr. Savage is also president of Rockhurst College Continuing Education Center, a wholly owned subsidiary of the College and the nation's leading nonprofit provider of lifelong learning, education and training for the workplace.

Understanding Governance and Leadership
Thomas J. Savage, S.J. and Judith Block McLaughlin

This opening session will examine the experiences, ideas and beliefs Institute participants have about how governance and learning is and should be carried out in Jewish educational settings. Emphasis will be on the roles and responsibilities of trustees, professionals, executives and staff. A framework that compares traditional and emerging ways to understand governance and leadership will be presented and used to assess the participants' experience and ideas. The session will enable participants to learn about each other's experiences and perspectives and develop a common framework upon which all subsequent Institute sessions will build.

Readings:

Thomas J. Savage, "Introduction," in Seven Steps to a More Effective Board (Kansas City, KS: National Press Publications, 1994, pp. 3-14).

Barbara E. Taylor, Richard P. Chait, and Thomas P. Holland, "The New Work of the Nonprofit Board," in Harvard Business Review (Cambridge, MA: Harvard Business School Publishing, September-October, 1996, pp. 4-11).



Shared Governance: A Jewish Perspective on Roles and Responsibilities
Michael Rosenak

Our session explores the relevance of Jewish texts to an understanding of leadership styles and policies. Among the issues relating to leadership we shall discuss:

- the tension between leaders who are “peacemakers” and those who are uncompromising visionaries;
- the delineation of roles among diverse types of leaders; and
- the location of real authority among diverse leaders who all claim to have it.

We shall look at several models in midrashic literature designed to alleviate tensions between leaders and to harmonize leadership conceptions. Finally, the biblical narrative of Eldad and Medad and midrashic-talmudic elaboration and discussion of this narrative will help us to examine our issues.



SESSION I, TEXT NO. 1

12

Numbers-III: 17-28.

the Eternal, as he was commanded. "And these were the sons of Levi by their names; Gershon, and Kohath, and Merari. "And these are the names of the sons of Gershon by their families; Libni, and Shimei, "And the sons of Kohath by their families; Amram, and Izhar, Hebron, and Uzziel. "And the sons of Merari by their families; Mahli, and Mushi. "These are the families of the Levites according to the house of their fathers. "Of Gershon was the family of the Libnites, and the family of the Shimites; these are the families of the Gershonites. "Those that were numbered of them, according to the number of all the males, from a month old and upwards, even those that were numbered of them were seven thousand and five hundred. "The families of the Gershonites shall encamp behind the dwelling westward. "And the prince of the house of the father of the Gershonites was Eliassaph the son of Leah. "And the charge of the sons of Gershon in the appointed tent shall be the dwelling, and the tent, the covering thereof, and the screen for the entrance of the appointed tent. "And the hangings of the enclosure, and the screen for the entrance of the enclosure, which is by the dwelling, and by the altar round about; and

was regarded as the utmost time such a child can live) it can be counted to come under the term "keeper of the Holy charge". — R. Judah the son of R. Shalom said: It is quite the usual thing with this tribe to be included in a census from their birth. (for it is said: (XXVI: 58) "[And the name of Amram's wife was Jochebed, the daughter of Levi], whom her mother bore to Levi in Egypt" — which is explained: "Meaning that she bore her just as she entered the gates of the border-city of Egypt and yet she is counted among the seventy souls which came down with Jacob into Egypt" (cf. Gen. XLVI: 27 and Rashi thereon), because if you counted their number (as set forth in Gen. XLVI: 8-27), you will find that they were one short of seventy, and it was she whose name is not mentioned; that who made up the number seventy (cf. Tanch.). (16) AND BY [AND MOSES NUMBERED THEM] ACCORDING TO THE WORD OF THE LORD — Moses said to the Holy One, blessed be He, "How can I enter their tents to ascertain the number of their babes?" Thereupon the Holy One, blessed be He, replied to him, "You do your share and I will do Mine!" Moses accordingly went and stationed himself at the entrance of each tent, the Shechinah having gone there beforehand, and a divine voice issued from the tent, saying, "So-and-so many babes are in this tent." It is on this account that it states, "[and Moses numbered them] according to the word (by the mouth) of the Lord". (21) OF GERSHON, THE FAMILY OF THE LIBNITES — that is to say: Of Gershon, those who were numbered were the family of the Libnites and the family of the Shimites; and the section concludes with the statement (v. 22) "those who were numbered of the tribe of Gershon were seven thousand and five hundred"; (23) THE DWELLING — i.e. the lower curtains (those which were spread immediately over the boards of the Tabernacle); AND THE TENT (the word has not its usual meaning of "tent"; cf. Rashi on Ex. XXVI: 7-12) — i.e. the curtains of goat-hair that were made as a roofing (to cover the lower curtains). — THE COVERING THEREOF — the covering made of rams' skins and tachash skins (cf. Rashi on Ex. XXXV: 11). AND THE SCREEN FOR THE ENTRANCE — i.e. the Veil (cf. Rashi ib. v. 12). (26) AND THE CORDS OF IT —

NOTES.

1) It is quite possible to translate this verse as follows: To Gershon belonged the family of Libni etc. But this cannot be the meaning, because this is stated in the second half of verse 18: It intends rather to enumerate the families who were counted and the total of such families.

mation of the masses, on whom the harmony of the community depends; but at the same time their idea will cease to be a primal force in its own right. Its influence will accordingly be further and further diminished by the action of other forces, old and new, in their constantly watchful and internecine struggle—a struggle in which our idea will have no special body of adherents to guard it and widen the sphere of its influence.

There are thus two ways of doing service in the cause of an idea; and the difference between them is that which in ancient days distinguished the Priest from the Prophet.

The Prophet is essentially a one-sided man. A certain moral idea fills his whole being, masters his every feeling and sensation, engrosses his whole attention. He can only see the world through the mirror of his idea; he desires nothing, strives for nothing, except to make every phase of the life around him an embodiment of that idea in its perfect form. His whole life is spent in fighting for this ideal with all his strength; for its sake he lays waste his powers, unsparing of himself, regardless of the conditions of life and the demands of the general harmony. His gaze is fixed always on what *ought* to be in accordance with his own convictions; never on what *can* be consistently with the general condition of things outside himself. The Prophet is thus a primal force. His action affects the character of the general harmony, while he himself does not become a part of that harmony, but

remains always a man apart, a narrow-minded extremist, zealous for his own ideal, and intolerant of every other. And since he cannot have all that he would, he is in a perpetual state of anger and grief; he remains all his life "a man of strife and a man of contention to the whole earth." Not only this: the other members of society, those many-sided dwarfs, creatures of the general harmony, cry out after him, "The Prophet is a fool, the spiritual man is mad"; and they look with lofty contempt on his narrowness and extremeness. They do not see that they themselves and their own many-sided lives are but as the soil which depends for its fertility on these narrow-minded giants.

It is otherwise with the Priest. He appears on the scene at a time when Prophecy has already succeeded in hewing out a path for its Idea; when that Idea has already had a certain effect on the trend of society, and has brought about a new harmony or balance between the different forces at work. The Priest also fosters the Idea, and desires to perpetuate it; but he is not of the race of giants. He has not the strength to fight continually against necessity and actuality; his tendency is rather to bow to the one and come to terms with the other. Instead of clinging to the narrowness of the Prophet, and demanding of reality what it cannot give, he broadens his outlook, and takes a wider view of the relation between his Idea and the facts of life. Not what *ought* to be, but what *can* be, is what he seeks. His watchword is not the Idea, the

whole Idea, and nothing but the Idea; he accepts the complex "harmony" which has resulted from the conflict of that Idea with other forces. His battle is no longer a battle against actuality, but a battle in the name of actuality against its enemies. The Idea of the Priest is not, therefore, a primal force; it is an accidental complex of various forces, among which there is no essential connection. Their temporary union is due simply to the fact that they have happened to come into conflict in actual life, and have been compelled to compromise and join hands. The living, absolute Idea, which strove to make itself all-powerful, and changed the external form of life while remaining itself unchanged—this elemental Idea has died and passed away together with its Prophets. Nothing remains but its effects—the superficial impress that it has been able to leave on the complex form of life. It is this form of life, already outworn, that the Priests strive to perpetuate, for the sake of the Prophetic impress that it bears.

Other nations have at various times had their Prophets, men whose life was the life of an embodied Idea; who had their effect, smaller or greater, on their people's history, and left the results of their work in charge of Priests till the end of time. But it is pre-eminently among the ancient Hebrews that Prophecy is found, not as an accidental or temporary phenomenon, but continuously through many generations. Prophecy is, as it were, the hall-mark of the Hebrew national spirit.

The fundamental idea of the Hebrew Prophets was the universal dominion of absolute justice. In Heaven it rules through the eternally Righteous, "who holds in His right hand the attribute of judgment," and righteously judges all His creatures; and on earth through man, on whom, created in God's image, lies the duty of cherishing the attribute of his Maker, and helping Him, to the best of his meagre power, to guide His world in the path of Righteousness. This Idea, with all its religious and moral corollaries, was the breath of life to the Hebrew Prophets. It was their all in all, beyond which there was nothing of any importance. Righteousness for them is beauty, it is goodness, wisdom, truth: without it all these are naught. When the Prophet saw injustice, either on the part of men or on the part of Providence, he did not inquire closely into its causes, nor bend the knee to necessity, and judge the evil-doers leniently; nor again did he give himself up to despair, or doubt the strength of Righteousness, or the possibility of its victory. He simply complained, pouring out his soul in words of fire; then went his way again, fighting for his ideal, and full of hope that in time—perhaps (even "at the end of time"—Righteousness would be lord over all the earth. "Thou art Righteous, O Lord,"—this the Prophet cannot doubt, although his eyes tell him that "the way of the wicked prospereth": he feels it as a moral necessity to set Righteousness on the throne, and this feeling is strong enough to conquer the evidence of his eyes. "But I will speak

these high offices? Said Moses to them: I did nothing, on my own initiative. It was the Holy One Blessed be He who said so. Whereupon he showed them: "See, the Lord hath called by name Bezalel". This bears out the text: "so shalt thou find grace and good favour in the sight of God", alluding to Bezalel, about whom God said: "See I have called by name . . .". "And man" (*adam*) alluding to the Israelites, as it is stated: "And you my sheep, the sheep of My pasture, are men". (*adam*) (Ezekiel 34, 31). (Tanhumah Vayak'hel 3)

The public always suspect the intentions of those in office and find fault. Have their suspicions and small-mindedness to be taken into account or to be ignored? Our Sages teach us that every effort must be made, beforehand, by a public servant to be above suspicion. Another Midrash dwells on this point:

אלה מקורי המשכן, משכן העדות אשר סוקד על פי משה (לח, כא). ולמה עשה השבון הקב"ה מאמין בו, שנאמר "עבדי משה בכל ביתי נאמן" (במדבר יב, ז) — ומשה נתן חשבון? אלא מפני ששמע ליצני הרור שהי משחת אחריו, שנאמר: "וזה כצאת משה . . . יקמו כל העם תצבו איש סתת אהלו והביטו אחרי משה" (לג, ח). ומה היו אומרים? היו מסתכלין מאחוריו ואומר אחד לחברו: "ראה צואתו ראה שוקיו אוכל משלנו, שותה משלנו" וחברו משיבו: "ירקהו אדם שנמנה על מלאכת המשכן, על ככרי כסף ועל ככרי זהב, שאין לו חקר ולא משקל ולא מנין — מה אחז רוצה, שלא יהא עשירי? כששמע כן, אמרו: "חייכם, משעמרה מלאכת המשכן, אי נתן להם חשבון". כן שנמרה, אמר להם: "אלה מקורי המשכן".

"These are the accounts of the Tabernacle . . . as they were rendered according to the commandment of Moses" (Exodus 38, 21). Why did he render account? The Holy One Blessed be He trusted him, as it is stated: "he is trusted in all My house (Numbers 12, 7); notwithstanding Moses rendered account! But this was because the scorners of his time gossiped regarding him, as it is stated: "And it came to pass, when Moses went out unto the Tent, that all the people rose up, and stood, every man at his tent door, and looked after Moses". (Exodus 33, 8). What did they say? They looked at his back and said one to another: What a neck! What legs! Eats of that which is ours, and drinks of that which is ours! His fellow would reply: Fool! A man who is in charge of the work of the Tabernacle, talents of silver, talents of gold, uncounted unweighed and unnumbered — what else do you expect — that he should not be rich!

When Moses heard this, he said: By your lives! As soon as the work of the Tabernacle is finished, I shall render them an account. As soon as it was finished, he said to them: "These are the accounts of the Tabernacle". (Tanhumah Pekudei 7)

This suspicion of the motives of the leaders of the generation is no rarity in our sources. The prophet Ezekiel alludes to the leaders — the shepherds of Israel — who had not been faithful to the needs of their flock:

— — — הו' רעי ישראל אשר היו רעים אותם
הלוא הצאן ירע קרעי קרעים
את החלב האכלו
ואת הצמר תלבשו
הבריאה תוכחו,
הצאן לא תרע.

Voe unto the shepherds of Israel that have fed themselves;
should not the shepherds feed the sheep?
You did eat the fat, and you clothed you with wool,
you killed the fatlings;
but you fed not the sheep. (Ezekiel 34, 2-3)

Our Sages showed how the children of Israel dared to find fault with Moses and how he, nevertheless, took account of their whisperings. From this they meant us to learn that it was not sufficient for a man to justify his behaviour to God but he must "find grace and good favour in the sight of God and man". The Torah itself explicitly enunciates the same principle in the text:

— — — והייתם נקים מ'ישראל.

Then you shall be guiltless before the Lord, and before Israel. (Numbers 32, 22)

אָהרן אוֹהֵב שְׁלוֹם וְרוֹדֵף שְׁלוֹם
אֲבוֹת דְּרָבִי נִמְנָן פֶּרֶק י"ב מִשְׁנָה ג

שְׁנֵי בָנֵי אָדָם

שֶׁעָשׂוּ מְרִיבָה זֶה עִם זֶה —

הֵלֵךְ אֶהְרֹן וַיֵּשֶׁב אֶצֶל אֶחָד מֵהֶם.

אָמַר לוֹ: "בָּנִי, רְאֵה חֲבֵרְךָ, מִהוּ אוֹמֵר,

מְטָרְךָ אֶת לְבֹו

וְקוֹרֵעַ אֶת בְּגָדָיו.

אוֹמֵר: "אוֹי לִי,

הֵיֵאָף אֲשָׂא אֶת עֵינַי וְאֶרְאֶה אֶת חֲבֵרִי?

בוֹשְׁתִי הֵימָנוּ,

שָׂאֲנִי הוּא שֶׁסְּרַחֲתִי עָלָיו!"

הוּא יוֹשֵׁב אֶצְלוֹ

עַד שֶׁמְסִיר קִנְיָה מִלְּבֹו.

וְהוֹלֵךְ אֶהְרֹן וַיֵּשֶׁב אֶצֶל הָאֲחֵר,

וְאוֹמֵר לוֹ:

"בָּנִי, רְאֵה חֲבֵרְךָ, מִהוּ אוֹמֵר,

מְטָרְךָ אֶת לְבֹו

וְקוֹרֵעַ אֶת בְּגָדָיו.

אוֹמֵר: אוֹי לִי,

הֵיֵאָף אֲשָׂא אֶת עֵינַי וְאֶרְאֶה אֶת חֲבֵרִי?

בוֹשְׁתִי הֵימָנוּ,

שָׂאֲנִי הוּא שֶׁסְּרַחֲתִי עָלָיו!"

הוּא יוֹשֵׁב אֶצְלוֹ

עַד שֶׁמְסִיר קִנְיָה מִלְּבֹו.

וְכִשְׁנִפְגְּשׁוּ זֶה בָּזֶה —

גִּיפְפוּ וַיִּנְשְׁקוּ זֶה לָזֶה.

מִטְרָךְ — קוֹרֵעַ

הֵיֵאָךְ — אֵיף

אֲשָׂא אֶת עֵינַי — אָרִים אֶת עֵינַי,

אֶסְתַּכֵּל

אֲרֵאֶה אֶת חֲבֵרִי — אֶסְתַּכֵּל בְּפָנָיו

שֶׁל חֲבֵרִי

בוֹשְׁתִי הֵימָנוּ — אֲנִי מִתְבַּיֵּשׁ

מִפָּנָיו

סְרַחֲתִי עָלָיו — פִּגְעָתִי בּוֹ

מְסִיר קִנְיָה — מְסַלֵּק אֶת

הַקִּנְיָה

גִּיפְפוּ — חִיבְקוּ אוֹתוֹ

Rabbi Me'ir says: Why does the verse say, *And did turn away many from iniquity?* For ⁴ when Aaron would walk along the road and meet an evil or wicked man, he would greet him. On the morrow if that man sought to commit a transgression, he would think: "Woe unto me! how shall I lift my eyes afterward and look upon Aaron? I should be ashamed before him, for he greeted me." And thus that man would refrain from transgression.

So, too, when two men had quarreled with each other, Aaron would go and sit down with one of them and say to him: "My son, mark what thy fellow is saying! He beats his breast and tears his clothing," ⁵ saying, 'Woe unto me! how shall I lift my eyes and look upon my fellow! I am ashamed before him, for I it is who treated him foully.'

He would sit with him until he had removed all rancor from his heart; and then Aaron would go and sit with the other one and say to him: "My son, mark what thy fellow is saying! He beats his breast and tears his clothing," ⁵ saying, 'Woe unto me! how shall I lift my eyes and look upon my fellow! I am ashamed before him, for I it is who treated him foully.'

He would sit with him until he had removed all rancor from his heart. And when the two men met each other, they would embrace and kiss each other. That is why (of Aaron's death) it is said, *They wept for Aaron thirty days, even all the house of Israel* (Num. 20: 29).

Another interpretation Why did (all) Israel weep for Aaron thirty days [while for Moses only the men wept?] Because [Moses] rendered judgment strictly according to the truth; [but Aaron] ⁶ never said to a man, "Thou hast acted offensively," or to a woman, "Thou hast acted offensively." That is why it is said, *And all the house of Israel wept for him*. But of Moses, who reproved them with strong words, it is said, *And the men of Israel wept for Moses* (Deut. 34: 8).

Moreover, how many thousands there were in Israel named Aaron! For had it not been for Aaron these children would not have come into the world.⁷

And some say: This is why it is said, *They wept for Aaron*

thirty days, even all the house of Israel—for who could see Moses, our master, standing and weeping and himself not weep!

And some say: Who could see Eleazar and Phineas, the two distinguished priests,⁸ standing and weeping and himself not weep!

At that time Moses begged for a death like Aaron's death: for he saw Aaron's bier laid out with great honor,⁹ and bands and bands of ministering angels mourning him. Now was it in the presence of anyone that he made the request? Nay, when he was by himself he made the request, but the Holy One, blessed be He, heard his whispering. And how do we know that Moses begged for a death like Aaron's death and that God heard his whispering? For it is said, *Die in the mount whither thou goest up, and be gathered unto thy people; as Aaron thy brother died in Mount Hor* (Deut. 32: 50). Thus thou dost learn that Moses begged for a death like Aaron's death.

At that time ¹⁰ He said to the angel of death: "Go, bring to Me the soul of Moses."

The angel of death went and stood before him. "Moses," he demanded, "give me thy soul."

Moses rebuked him and retorted: "Where I sit thou hast no permission to stand! And thou sayest 'Give me thy soul!'" He rebuked him and drove him off angrily.

Finally the Holy One, blessed be He, said to Moses: "Moses, thou hast had enough of this world, for lo, the world to come awaits thee: for thy place hath been ready for thee since the six days of Creation"—as it is said, *And the Lord said, Behold a place by Me, and thou shalt stand upon the rock* (Exod. 33: 21).

Then the Holy One, blessed be He, took the soul of Moses and put it in safekeeping under the throne of glory. And when He took it, He took it only by means of a kiss, as it is said, *By the mouth of the Lord* (Deut. 34: 5).

Nor is the soul of Moses alone in safekeeping under the throne of glory; rather the souls of all the righteous are in safekeeping under the throne of glory, as it is said, *Yet the soul of my lord*

דברי הימים ב

כו

הַמִּגְדָּלִים וְעַל-הַפְּנוֹת לִירוּשָׁלַיִם וּבְאַבְנֵי גְדֻלּוֹת וַיֵּצֵא
 שְׁמוֹ עַד-לְמֶרְחֹק כִּי-הִפְלִיא לַהֲעֹזֵר עַד כִּי-חָזַק: וּכְחֻזְקוֹ
 גָּבַהּ לְבֹו עַד-לַהֲשִׁיחִית וַיַּמְעַל בִּיהוָה אֱלֹהָיו וַיָּבֹא אֶל-הֵיכַל
 יְהוָה לְהִקְטִיר עַל-מִזְבַּח הַקְּטֹרֶת: וַיָּבֹא אַחֲרָיו עֲזָרְיָהוּ
 הַכֹּהֵן וְעַמּוּ כֹהֲנִים לִיהוָה שְׂמוֹנִים בְּנֵי-חֵיל: וַיַּעֲמֵדוּ עַל-
 עֲזָרְיָהוּ הַמֶּלֶךְ וַיֹּאמְרוּ לוֹ לֹא-לָךְ עֲזָרְיָהוּ לְהִקְטִיר לִיהוָה כִּי
 לְכֹהֲנִים בְּנֵי-אַהֲרֹן הַמִּקְדָּשִׁים לְהִקְטִיר צָא מִן-הַמִּקְדָּשׁ כִּי
 מַעֲלָת וְלֹא-לָךְ לִכְבוֹד מִיהוָה אֱלֹהִים: וַיֹּזַעַף עֲזָרְיָהוּ וּבִירוֹ
 מִקְטֹרֶת לְהִקְטִיר וּבִזְעָף עִם-הַכֹּהֲנִים וְהַצִּירֵת זָרָחָה בְּמִצְחוֹ
 לִפְנֵי הַכֹּהֲנִים בְּבֵית יְהוָה מַעַל לְמִזְבַּח הַקְּטֹרֶת: וַיִּכֶּן אֵלָיו
 עֲזָרְיָהוּ כֹחַ הָרָאשׁ וְכָל-הַכֹּהֲנִים וְהַנְּהָ-הוּא מִצָּרַע בְּמִצְחוֹ
 וַיִּבְהֻלוּהוּ מִטֶּמֶס וְגַם-הוּא נָדָח לִצְאָת כִּי נִגָּעַו יְהוָה: וַיְהִי
 עֲזָרְיָהוּ הַמֶּלֶךְ מִצָּרַע וְעֲרִיזוֹס מוֹתוֹ וַיָּשֶׁב בֵּית הַחִפְשׁוֹת מִצָּרַע
 כִּי נִגְזַר מִבֵּית יְהוָה וַיּוֹתֵם בְּנֵי עַל-בֵּית הַמֶּלֶךְ שׁוֹפֵט אֶת-
 עַם הָאָרֶץ: וַיִּתֵּר דְּבָרֵי עֲזָרְיָהוּ הָרִאשֹׁנִים וְהָאַחֲרֹנִים כְּתָב
 יִשְׁעִיהוּ בֶן-אֲמוֹץ הַנְּבִיא: וַיִּשְׁכַּב עֲזָרְיָהוּ עִם-אֲבֹתָיו וַיִּקְבְּרוּ
 אֹתוֹ עִם-אֲבֹתָיו בְּשָׂרָה הַקְּבוּרָה אֲשֶׁר לַמֶּלְכִים כִּי אָמְרוּ
 מִצָּרַע הוּא וַיִּמְלֹךְ יוֹתָם בֶּן תַּחְתָּיו: בֶּן-עֶשְׂרִים א כו
 וְחֲמֵשׁ שָׁנָה יוֹתָם בְּמָלְכֹו וּשְׁש־עֶשְׂרֵה שָׁנָה מָלַךְ בִּירוּשָׁלַם
 וְשֵׁם אִמּוֹ יְרוּשָׁה בַת-צִדּוֹק: וַיַּעַשׂ הַיָּשָׁר בְּעֵינֵי יְהוָה כָּכָל
 אֲשֶׁר-עָשָׂה עֲזָרְיָהוּ אָבִיו רַק לֹא-בָא אֶל-הֵיכַל יְהוָה וְעוֹד
 הָעָם מִשְׁחִיתִים: הוּא בָנָה אֶת-שַׁעַר בֵּית-יְהוָה הָעֶלְיוֹן
 וּבְחוֹמַת הָעֶפְלָ בָּנָה לָרֹב: וְעָרִים בָּנָה בְּהָר יְהוּדָה וּבְחֻדְשִׁים
 בָּנָה בִּירֵנָאֹת וּמִגְדָּלִים: וְהוּא נָלַחַם עִם-מֶלֶךְ בְּנֵי-עַמּוֹן וַיַּחֲזֹק
 עֲלֵיהֶם וַיִּתְּנוּ-לוֹ בְּנֵי-עַמּוֹן בְּשָׁנָה הַהִיא מֵאָה כֶּפֶר-כֶּסֶף
 וְעֶשְׂרֵת אֲלָפִים כֶּדִים חֲטִים וּשְׁעוּדִים עֶשְׂרֵת אֲלָפִים זֹאת
 הֵשִׁיבוּ לוֹ בְּנֵי עַמּוֹן וּבְשָׁנָה הַשְּׁנִיָּה וְהַשְּׁלִישִׁית: וַיִּתְחַזַּק

הַחִפְשִׁית

reigned fifty-two years in Jerusalem; his mother's name was Jecoliah of Jerusalem. ⁴ He did what was pleasing to the LORD just as his father Amaziah had done. ⁵ He applied himself to the worship of God during the time of Zechariah, instructor in the visions^a of God; during the time he worshiped the LORD, God made him prosper. ⁶ He went forth to fight the Philistines, and breached the wall of Gath and the wall of Jabneh and the wall of Ashdod; he built towns in [the region of] Ashdod and among the Philistines. ⁷ God helped him against the Philistines, against the Arabs who lived in Gur-baal, and the Meunites. ⁸ The Ammonites paid tribute to Uzziah, and his fame spread to the approaches of Egypt, for he grew exceedingly strong. ⁹ Uzziah built towers in Jerusalem on the Corner Gate and the Valley Gate and on the Angle, and fortified them. ¹⁰ He built towers in the wilderness and hewed out many cisterns, for he had much cattle, and farmers in the foothills and on the plain, and vinedressers in the mountains and on the fertile lands, for he loved the soil.

¹¹ Uzziah had an army of warriors, a battle-ready force who were mustered by Jeiel the scribe and Maasseiah the adjutant under Hananiah, one of the king's officers. ¹² The clan chiefs, valiants, totaled 2600; ¹³ under them was the trained army of 307,500, who made war with might and power to aid the king against the enemy. ¹⁴ Uzziah provided them—the whole army—with shields and spears, and helmets and mail, and bows and slingstones. ¹⁵ He made clever devices in Jerusalem, set on the towers and the corners, for shooting arrows and large stones. His fame spread far, for he was helped wonderfully, and he became strong.

¹⁶ When he was strong, he grew so arrogant he acted corruptly: he trespassed against his God by entering the Temple of the LORD to offer incense on the incense altar. ¹⁷ The priest Azariah, with eighty other brave priests of the LORD, followed him in ¹⁸ and, confronting King Uzziah, said to him, "It is not for you, Uzziah, to offer incense to the LORD, but for the Aaronite priests, who have been consecrated, to offer incense. Get out of the

^a Some Heb. mss. read byr't; compare ancient versions, "fear."

Sanctuary, for you have trespassed; there will be no glory in it for you from the LORD God." ¹⁹ Uzziah, holding the censer and ready to burn incense, got angry; but as he got angry with the priests, leprosy broke out on his forehead in front of the priests in the House of the LORD beside the incense altar. ²⁰ When the chief priest Azariah and all the other priests looked at him, his forehead was leprous, so they rushed him out of there; he too made haste to get out, for the LORD had struck him with a plague. ²¹ King Uzziah was a leper until the day of his death. He lived in ^a isolated quarters^b as a leper, for he was cut off from the House of the LORD—while Jotham his son was in charge of the king's house and governed the people of the land.

²² The other events of Uzziah's reign, early and late, were recorded by the prophet Isaiah son of Amoz. ²³ Uzziah slept with his fathers in the burial field of the kings, because, they said, he was a leper; his son Jotham succeeded him as king.

27 Jotham was twenty-five years old when he became king, and he reigned sixteen years in Jerusalem; his mother's name was Jerushah daughter of Zadok. ² He did what was pleasing to the LORD just as his father Uzziah had done, but he did not enter the Temple of the LORD; however, the people still acted corruptly. ³ It was he who built the Upper Gate of the House of the LORD; he also built extensively on the wall of Ophel. ⁴ He built towns in the hill-country of Judah, and in the woods he built fortresses and towers. ⁵ Moreover, he fought with the king of the Ammonites and overcame them; the Ammonites gave him that year 100 talents of silver and 10,000 kor of wheat and another 10,000 of barley; that is what the Ammonites paid him, and (likewise) in the second and third years. ⁶ Jotham was strong because he maintained a faithful course before the LORD his God.

⁷ The other events of Jotham's reign, and all his battles and his conduct are recorded in the book of the kings of Israel and Judah. ⁸ He was twenty-five years old when he became king, and he

^a Meaning of Heb. uncertain.

Shemini 2

precepts and commandments for the correcting of human behaviour through open reproof or the intimation of His wish to bless and guide them. But there are a few instances, states Nahmanides, where God reveals himself to the individual or the group without making known any particular intention or precept. The fact of divine revelation constitutes the end itself, in order that the faithful may enjoy His nearness and light and there is no greater honour to man than this. These sentiments of Nahmanides are elaborated with reference to the divine revelation granted to the Patriarch Abraham at the beginning of Vayera, which is accompanied by no message or explicit command.

"Behold three men stood" (Genesis 18, 2) — this passage implies that on the very same day that Abraham was circumcised, God appeared to him whilst he was convalescing during the heat of the day at the entrance to his tent, and this was a revelation of the divine Presence designed to do him honour. A similar kind of revelation is described in connection with the Tabernacle (Leviticus 10, 23): "And they went out and blessed the people: and the glory of the Lord appeared to all the people". In consequence of the zeal with which they carried out the precept of constructing the Tabernacle, they were rewarded by the revelation of the divine Presence which, in this context and the previous one (Abraham), involved no message or precept at all, but constituted a recompense for the previous fulfillment of a precept, and to make known that God had found favour with their deeds, as it is stated (Psalms 17, 15): "As for me, I will behold Thy face in righteousness: I shall be satisfied, when I awake, with Thy likeness".

In Psalm 27, 4, we have the sublime expression of the Psalmist's wish:

אֶחָד שְׁאֵלְתִי מֵאֵת־יְיָ אֹתָהּ אֲבַקֵּשׁ
שְׂבִתִי בֵּית־יְיָ
לִקְוֹת בְּנִצְחָם יְיָ

One thing have I desired of the Lord — that will I seek after;
that I may dwell in the house of the Lord...
to behold the delight of the Lord

The tragedy of Nadab and Abihu

The same idea is phrased, somewhat differently, in Psalm 16, 11:

חַוִּיעֵנִי אֶרֶח חַיִּים
שְׂבַע שְׂמֵחוֹת אֶחֱפִינֶךָ

Thou wilt show me the path of life:
in Thy presence is fullness of joy.

All Israel were privileged to enjoy this revelation of the divine Presence:

וַיֵּרָא כְבוֹד־יְיָ אֶל-כָּל-הָעָם:
וַיֵּרָא כָל-הָעָם וַיִּלְנוּ וַיִּפְּלוּ עַל-פְּנֵיהֶם:

And the glory of the Lord appeared to all the people
and all the people saw and shouted and fell on their faces.

At the height of this sublime rejoicing in the Divine glory, which the Lord had bestowed on them, they were suddenly stunned by the spectacle of supernatural destruction:

וַיִּקְחוּ כָּנִי אֶהֱרֹן נָדָב וַאֲבִיהוּא אִישׁ מִחֲתָתוֹ
וַיִּתְּנוּ בָהֶן אֵשׁ וַיִּשִּׂמוּ עָלֶיהָ קֶטֶרֶת
וַיִּקְרִיבוּ לִפְנֵי ה' אֵשׁ זָרָה אֲשֶׁר לֹא צִוָּה אוֹתָם
וַתֵּצֵא אֵשׁ מִלִּפְנֵי ה' וַתֹּאכַל אוֹתָם
וַיָּמָתוּ לִפְנֵי ה'.

And Nadab and Abihu, the sons of Aaron, took either of them
his censer,
and put fire therein, and put incense thereon,
and offered strange fire before the Lord, which he commanded
them not.

And there went out fire from the Lord, and devoured them,
and they died before the Lord.

(10, 22)

The true motivation of this divine act of retribution has puzzled all our commentators, down the ages. Here we quote some of the varied opinions of our Sages on the subject:

בשביל ד' דברים מתו שני בני אהרן: על הקריבה ועל ההקרבה, על אש זרה ועל שלא נטלו עצה זה מזה.
על הקריבה — שנכנסו לפני ולפנים; ועל ההקרבה — שהקריבו קרבן שלא נצטוו;
על אש זרה — אש מבית הכרים הכניסו; ועל שלא נטלו עצה זה מזה — שנאמר "איש מחתרו" — איש מעצמו עשו.

For four things did the two sons of Aaron die: For the drawing near, and for the sacrifice, for the strange fire and for not consulting each other. For drawing near — that they entered into the innermost precincts; for the sacrifice — that they offered a sacrifice which they had not been commanded; for the strange fire — they brought in fire from the kitchen; and that they did not consult one another — as it is said: "Each one his censor" — each one acted on his own, individually.

(Vayikra Rabbah 20)

The reasons given by our Sages seem only to whet our curiosity, in replacing one enigma by another. Moreover, Moses' answer to Aaron, the bereaved father, when imparting to him the divine message after the tragedy, is equally strange:

הוא אֶשְׁרֵי־דָבָר יי לאמר
בְּקִלְכִּי אֶקְדֹּשׁ

This is what the Lord has said; by those that are near to me I shall be sanctified.

(10, 3)

These words imply that they were punished not just like any other

transgressors, but in accordance with their elevated status. This is how the *Sifra* explains their offence:

They too in their joy, as soon as they saw the new fire stood forth to heap love unto their love, "And each one took his censor".

The *Biur* contains a similar explanation:

Nadab and Abihu were religious personalities of the highest order, and far be it from them maliciously to transgress the word of the Lord. But out of a superabundance of joy they lost their heads and entered the Holy of Holies to burn incense which they had not been commanded by Moses, but which they had made of their own accord, and this is the meaning of the phrase "which He had not commanded them". For the fire which they took was from the outer altar in accordance with the daily rite . . . And the strange fire referred to here is not literally fire, but rather implies what is meant by the phrase "a sin offering of sweet savour", which means a *repast of fire*, as if the verse had stated, "the giving of strange fire which they had not been commanded". The reason why the phrase "strange incense" is not used, as Onkelos interprets, "a strange mixture of incense spices" was because their offence did not consist of that. They offered properly constituted incense. They put fire in the censor and placed incense in it and such a fire offering is not mentioned in the Torah elsewhere, except on the Day of Atonement, when the High Priest offers such incense in the Holy of Holies, but the ordinance of Yom Kippur had still not been stated, since it is recorded "after the death of the two sons of Aaron". But the implication of the phrase "which He had not commanded them" is that He had not commanded them to offer such incense on this particular day and not that they had transgressed the prohibition of "he shall not come into the Sanctuary at all times", which had not yet been made known.

But such important religious leaders as Nadab and Abihu should have been more careful "walking humbly before their God" and fearing to draw near to the Sanctuary unless summoned there and not bringing a fire offering on their own initiative . . . Not that they, God forbid, transgressed an explicit prohibition in the Torah or that they transgressed a divine command given to Moses not to burn fire in the Tabernacle on that day so that the divine Name could be sanctified by fire from heaven. Moses had never commanded such a thing and there is no mention of this in the Scripture. These two figures did not transgress any explicit prohibition, but merely exceeded the

hands upon his hands: and he stretched himself upon the child; and the flesh of the child was warmed. Then he returned, and walked in the house to and fro; and went up, and stretched himself upon him: and the child sneezed seven times, and the child opened his eyes. And he called Gehazi, and said, Call this Shunammite woman. So he called her. And when she was come in to him, he said, Take up thy son. Then she went in, and fell at his feet, and bowed herself to the ground, and took up her son, and went out. And Elisha came again to Gilgal: and there was famine in the land; and the sons of the prophets were sitting before him: and he said to his servant, Set on the great pot, and boil a pottage for the sons of the prophets. And one went out into the field to gather herbs, and found a wild vine, and gathered thereof wild gourds his lap full, and came and sliced them into the pot of pottage: for they knew them not. So they poured out for the men to eat. And it came to pass, as they were eating of the pottage, that they cried out, and said, O thou man of God, there is death in the pot. And they could not eat. But he said, Then bring meal. And he cast it into the pot; and he said, Pour out for the people, that they may eat. And there was no harm in the pot.

And there came a man from Ba'al-shalisha, and brought the man of God bread of the first fruits, twenty loaves of barley, and full ears of corn in his sack. And he said, Give to the people, that they may eat. And his attendant said, What should I set this before a hundred men? He said again, Give the people, that they may eat: for thus says the Lord, They shall eat, and shall leave over. So he set it before them, and they did eat, and left some of it over, according to the word of the Lord.

Now Na'aman, captain of the host of the king of Aram, was a man of great note with his master and highly esteemed, because by him the Lord had given deliverance to Aram; he was also a mighty warrior, but stricken with zara'at. And Aram had gone out in raiding parties, and had brought away captive out of the land of Yisra'el a little girl, and she attended the wife of Na'aman. And she said to her mistress, Would my lord were with the prophet that is in Shomeron! for he would heal him of his disease. And one went in, and told his lord, saying, Thus and thus said the girl who is of the land of Yisra'el. And the king of Aram said, Go to, go, and I will send a letter to the king of Yisra'el. And he departed, and took with him ten talents of silver, and six thousand pieces of gold, and ten changes of clothing. And he brought the letter to the king of Yisra'el, saying, Now when this letter is come to thee, behold, I have sent Na'aman my servant to thee, that thou mayst heal him of his infection. And it came to pass, when the king of Yisra'el had read the letter, that he rent his clothes, and said, Am I God, to kill and to make alive, that this man sends to me to cure a man of his infection? only consider, I pray you, and see how he seeks a quarrel against me. And when Elisha the man of God had heard that the king of Yisra'el had rent his clothes, he sent to the king, saying, Why hast thou rent thy clothes? let him come now to me, and he shall know that there

וַיֵּשֶׁב וַיִּלֶךְ בְּכִיּוֹת אַחַת הַנָּה וְאַחַת הַנָּה וַיַּעַל וַיִּגְהַר עָלָיו וַיּוֹדֶר
הַנְּעוּר עַד-שֶׁבַע פַּעַמִּים וַיַּפְקֹחַ הַנְּעוּר אֶת-עֵינָיו: וַיִּקְרָא אֶל-
גִּיזָיו וַיֹּאמֶר קְרָא אֶל-הַשְּׁנַמְמִית הַזֹּאת וַיִּקְרָאָהּ וַתָּבֹא אֵלָיו
וַיֹּאמֶר שְׂאֵי בִנְךָ: וַתָּבֹא וַתַּפֵּל עַל-רַגְלָיו וַתִּשְׁתַּחֲוֶה אֶרְצָהּ
וַתִּשָּׂא אֶת-בְּנָהּ וַתֵּצֵא: וְאֵלִישָׁע שָׁב הַגִּלְגָּל:
וְהָרֶעִב בָּאָרֶץ וּבְנֵי הַנְּבִיאִים יֹשְׁבִים לִפְנֵי וַיֹּאמֶר לְנַעֲרָו שִׁפְלִי
הַסִּיר הַגְּדוּלָּה וּבִשְׁלֵל נְזִיר לִבְנֵי הַנְּבִיאִים: וַיֵּצֵא אַחֵר אֶל-
הַשֶּׁהָ לִלְקֹט אֹרֶז וַיִּמְצָא גֶפֶן שֶׁהָ וַיִּלְקֹט מִפֶּטֶל פִּקְעֹת שֶׁהָ
מֵלֵא בְּגָדוֹ וַיָּבֵא וַיַּפְלֹחַ אֶל-סִיר הַנְּזִיר כִּי-לֹא יִדְעוּ: וַיַּעֲקֹ
לְאֻנָּשִׁים לֵאכֹל וַיְהִי כֹאכֹלִם מִהַנְּזִיר וְהַמָּה עֲצָקוּ וַיֹּאמְרוּ מוֹת
בְּסוּר אִישׁ הָאֱלֹהִים וְלֹא יִכְלוּ לֵאכֹל: וַיֹּאמֶר וְקִחוּ-קִמְחָה
וַיִּשְׁלַךְ אֶל-הַסִּיר וַיֹּאמֶר צֶק לָעָם וַיֹּאכְלוּ וְלֹא הָיָה דִּבְרַר עַד
בְּסוּר: וְאִישׁ בָּא מִבְּעַל שְׁלֹשָׁה וַיָּבֵא לְאִישׁ
הָאֱלֹהִים לֶחֶם כְּבוֹדִים עֶשְׂרִים-לֶחֶם שְׁעָרִים וְכֶרֶם לִבְצֻקָּה
וַיֹּאמֶר תֵּן לָעָם וַיֹּאכְלוּ: וַיֹּאמֶר מִשְׁרַתָּ מַה אַתָּה לִּי לִפְנֵי מַה
אִישׁ וַיֹּאמֶר תֵּן לָעָם וַיֹּאכְלוּ כִּי כֹה אָמַר יְהוָה אֲכֹל וְהוֹתֵר:
וַיִּתֵּן לִפְנֵיהֶם וַיֹּאכְלוּ וַיִּתְּרוּ כְּדִבְרֵי יְהוָה: וַיִּנְעֲמֻן
שָׂרֵי-צָבָא מֶלֶךְ-אֲרָם הָיָה אִישׁ גְּדוֹל לִפְנֵי אֲדָמָו וְנִשְׂא פָנָיו
פִּי-כֹו נִתְּן-יְהוָה תְּשׁוּעָה לְאֲרָם וְהָאִישׁ הָיָה גִּבּוֹר חֵיל מִצְרַע:
וְאֲרָם יֵצֵא גְדוּדִים וַיִּשְׁבּוּ מֵאֶרֶץ יִשְׂרָאֵל נַעֲרָה קִטְנָה וַתְּהִי
לִפְנֵי אִשֶּׁת נַעֲמָן: וַתֹּאמֶר אֶל-גִּבְרַתָּהּ אַחֲרָי: אֲדָמָו לִפְנֵי
הַנְּבִיָּא אֲשֶׁר בְּשִׁמְרוֹן אִזּוּ יֹאסֵף אֹתוֹ מִצְרַעָתוֹ: וַיָּבֵא וַיַּגִּד
לְאֲדָמָו לֵאמֹר כֹּזֶאת וְכֹזֶאת דִּבְרָה הַנְּעָרָה אֲשֶׁר מֵאֶרֶץ
יִשְׂרָאֵל: וַיֹּאמֶר מֶלֶךְ-אֲרָם לִךְ-בָּא וְאֶשְׁלַחָה סֵפֶר אֶל-מֶלֶךְ
יִשְׂרָאֵל וַיִּלְךְ וַיִּקַּח בְּיָדוֹ עֶשֶׂר כִּבְרִי-כֶסֶף וְשֵׁשֶׁת אֲלֻפִּים וְהֵב
וְעֶשֶׂר חֲלִיפוֹת בְּגָדִים: וַיָּבֵא הַסֵּפֶר אֶל-מֶלֶךְ יִשְׂרָאֵל לֵאמֹר
וַעֲתָה כְּבוֹא הַסֵּפֶר הַזֶּה אֵלָיו הֲנֵה שְׁלַחְתִּי אֵלָיְךָ אֶת-
נַעֲמָן עַבְדִּי וְאֶסְפְּתוֹ מִצְרַעָתוֹ: וַיְהִי כִּקְרָא מֶלֶךְ-יִשְׂרָאֵל אֶת-
הַסֵּפֶר וַיִּקְרַע בְּגָדָיו וַיֹּאמֶר הָאֱלֹהִים אֲנִי לְהַמִּית וְלַחַיּוֹת כִּי-
זֶה שְׁלַח אֵלָי לֵאסֹף אִישׁ מִצְרַעָתוֹ כִּי אֲדִידְעֵנָה וְדָא כִּי-
מִתְאַנֶּה הוּא לִי: וַיְהִי כְשֶׁמַּע אֵלִישָׁע אִישׁ-הָאֱלֹהִים כִּי-
קָרַע מֶלֶךְ-יִשְׂרָאֵל אֶת-בְּגָדָיו וַיִּשְׁלַח אֶל-הַמֶּלֶךְ לֵאמֹר לְמַה

Is a prophet in Yisra'el. So Na'aman came with his horses and with his chariot, and stood at the door of the house of Elisha. And Elisha sent a messenger to him, saying, Go and wash in the Yarden seven times, and thy flesh shall be restored to thee, and thou shalt be clean. But Na'aman was angry, and went away, and said, Behold, I thought, He will surely come out to me, and stand, and call on the name of the Lord his God, and wave his hand over the place, and so heal the infected person. Are not Amana and Parpar, rivers of Dammeseq, better than all the waters of Yisra'el? may I not wash in them, and be clean? So he turned and went away in a rage. And his servants came near, and spoke to him, and said, My father, if the prophet had bid thee do some great thing, wouldst thou not have done it? how much rather then, when he says to thee, Wash, and be clean? Then he went down, and dipped himself seven times in the Yarden, according to the saying of the man of God: and his flesh was restored like the flesh of a little child, and he was clean. And he returned to the man of God, he and all his company, and came, and stood before him: and he said, Behold, now I know that there is no God in all the earth, but in Yisra'el: now therefore, I pray thee, take a blessing of thy servant. But he said, As the Lord lives, before whom I stand, I will receive none. And he urged him to take it; but he refused. And Na'aman said, If not, let then, I pray thee, be given to thy servant two mules' burden of earth; for thy servant will henceforth offer neither burnt offering nor sacrifice to other gods, but to the Lord. In this thing the Lord pardon thy servant, that when my master goes into the house of Rimmon to bow down there, and he leans on my hand, and I bow myself in the house of Rimmon: when I bow myself down in the house of Rimmon, the Lord pardon thy servant in this thing. And he said to him, Go in peace. So he departed from him a little way. But Gehazi, the servant of Elisha the man of God, said, Behold, my master has spared Na'aman this Aramman, in not receiving at his hand that which he bought: but, as the Lord lives, I will run after him, and take something of him. So Gehazi followed after Na'aman. And when Na'aman saw him running after him, he came down from the chariot to meet him, and said, Is all well? And he said, All is well. My master has sent me, saying, Behold, even now there be come to me from mount Efrayim two young men of the sons of the prophets: give them, I pray thee, a talent of silver, and two changes of garments. And Na'aman said, Be pleased to take two talents. And he urged him, and bound two talents of silver in two bags, with two changes of garments, and laid them upon two of his servants; and they bore them before him. And when he came to the hill, he took them from their hand, and deposited them in the house: and he let the men go, and they departed. But he went in, and stood before his master. And Elisha said to him, Where from, Gehazi? And he said, Thy servant went nowhere at all. And he said to him, Went not my heart with thee, when the man turned back from his chariot to meet thee? Is it a time to receive money, and to receive garments, and oliveyards, and vineyards, and

קדעת בגדיך וכליך וידיע כי יש נביא בישראל: ויבא נעמן בסוסו וברכבו ויעמד פתח הבית לאלישע: וישלח אליו אלישע מלאך לאמר הלך ורחצת שבע פעמים בירדן וישוב בשרך לך וטהר: ויקצף נעמן וילך ויאמר הנה אמתו אלי יצא ויצא ועמד וקרא בשם יהוה אלהיו והניף ידו אל המקום ואסף המצוה: הלא טוב אבנה ופרפר נהרות דמשק מכל מימי ישראל הלא ארחץ בהם וטהרתי ויפן וילך בחמה: ויגשו עבדיו וידברו אליו ויאמרו אבן דבר גדול הנביא דבר אליך הלא תעשה ואף כי אמר אליך רחץ וטהר: וירד ויטבל בירדן שבע פעמים כדבר איש האלהים וישוב בשרו כבשר נער קטן וטהר: וישלח אל איש האלהים דוא וכל מחנהו ויבא ויעמד לפניו ויאמר הנה נא ידעתי כי אין אלהים בכל הארץ כי אם בישראל ועתה קדנא ברכה מאת עבדך: ויאמר חזיהוה אשר עמדתו לפני אס- אקה וימצדכו לסתת וימאן: ויאמר נעמן ולא יתן-נא לעבדך משא צמר פרדים אדמה כי לא יעשה עוד עבדך עלה ונחל לאלהים אחרים כי אם ליהוה: לדבר הלא יסלח יהוה לעבדך בבוא ארצי בית דמון להשתחוה שמה והוא נשען על ידיו והשתחוית בית דמון בהשתחוית בית דמון וסלח-נא יהוה לעבדך כדבר הזה: ויאמר לו לך לשלום וילך מאתו כבדת ארץ: ויאמר גיחזי נער אלישע איש האלהים הגה וחסד ארצי את נעמן הארמי הזה מקחת מידו את אשר הביא חזיהוה כי אס-דצתי אחיו ולקחתי מאתו מאומה: וירדף גיחזי אחר נעמן ויראה נעמן רץ אחיו ויפל מעל המרכבה לקראתו ויאמר השלום: ויאמר ושלום ארצי שלחני לאמר הנה עתה זה בא אלי שני נערים מחר אפרים מבני הנביאים תנה-נא להם כסף כסף ושתי חלפות בגדים: ויאמר נעמן הואל קח כפרים ויפרדו ויצר כפרים כסף בשני חרטים ושתי חלפות בגדים ויתן אל שני נערים וישאו לפניו: ויבא אל העפל ויקח מידם ויפקד בבית וישלח את האנשים וילכו: והוא-בא ויעמד אל ארצו ויאמר אליו אלישע מאן גיחזי ויאמר לא הלך עבדך אנה ואנה: ויאמר אליו לא-לבי הלך כאשר הפך איש מעל מרכבתו לקראתך העת לקחת את-הכסף ולקחת כגדים ויחיתם וכרמים וצאן וכקר ועבדים ושפחות:

sheep, and oxen, and menservants, and maldservants? So let the disease of Na'aman cleave to thee, and to thy seed for ever. And he went out from his presence sticken as white as snow. And the sons of the prophets said to Elisha, Behold now, the place where we dwell with thee is too small for us. Let us go, we pray thee, to the Yarden, and take from there every man a beam, and let us make us a place there, where we may dwell. And he answered, Go. And one said, Be pleased to go with thy servants. And he answered, I will go. So he went with them. And when they came to the Yarden, they cut down wood. But as one was felling a beam, the axe head fell into the water: and he cried, and said, Alas, master! for it was borrowed. And the man of God said, Where fell it? And he showed him the place. And he cut off a stick, and threw it in there; and made the iron float. Then he said, Take it up to thee. And he put out his hand, and took it. Then the king of Aram warred against Yisra'el, and took counsel with his servants, saying, In such and such a place shall be my camp. And the man of God sent to the king of Yisra'el, saying, Beware that thou pass not such a place; for there Aram are hidden. And the king of Yisra'el sent to the place which the man of God told him and warned him of, and saved himself there, not once nor twice. Therefore the heart of the king of Aram was sore troubled for this thing; and he called his servants, and said to them, Will you not show me which of us is for the king of Yisra'el? And one of his servants said, No, my lord, O king: but Elisha, the prophet that is in Yisra'el, tells the king of Yisra'el the words that thou speakest in thy bedchamber. And he said, Go and see where he is, that I may send and fetch him. And it was told him, saying, Behold, he is in Dotan. Therefore he sent there horses, and chariots, and a great host: and they came by night, and surrounded the city. And the servant of the man of God rose early, and went out, and behold, an army surrounded the city both with horses and chariots. And his servant said to him, Alas, my master! what shall we do? And he answered, Fear not: for they that are with us are more than they that are with them. And Elisha prayed, and said, Lord, I pray thee, open his eyes, that he may see. And the Lord opened the eyes of the young man; and he saw: and, behold, the mountain was full of horses and chariots of fire round about Elisha. And when they came down to him, Elisha prayed to the Lord, and said, Smite this people, I pray thee, with blindness. And he smote them with blindness according to the word of Elisha. And Elisha said to them, This is not the way, neither is this the city: follow me, and I will bring you to the man whom you seek. But he led them to Shomeron. And it came to pass, when they were come to Shomeron, that Elisha said, Lord, open the eyes of these men, that they may see. And the Lord opened their eyes, and they saw; and, behold, they were in the midst of Shomeron. And the king of Yisra'el said to Elisha, when he saw them, My father, shall I smite them? shall I smite them? And he answered, Thou shalt not smite them: wouldst thou smite those whom thou hast taken captive with thy sword and with thy

ויערעת נעמן תרפק בן ובורעך לעולם ויצא מלפניו מצרע
כשעלג: ויאמרו בני הנביאים אל אלישע הנה
א נא המקום אשר אנחנו יושבים שם לפניך עד ממונו: נלכה
ב נא עד הירדן ונקחה משם איש קורה אחת ונעשה לנו שם
מקום לשבת שם ויאמר רבו: ויאמר האחד האל נא ולך
ו את עבדיך ויאמר אני אלך: וילך אתם ויבאו הירדנה
ו יגורו העצים: והיו האחד מפיל הקורה ואת הפדול נפל
ה אל המים ויצעק ויאמר אהה אדני והוא שואל: ויאמר
י איש האלהים אנה נפל ויראהו את המקום ויקצב עץ
ו ושלח שמה ויצף הפדול: ויאמר הרם לך וישלח ידו
ו ויקחהו: ומלך ארם היה נלחם בישראל ויועץ
ח אל עבדיו לאמר אל מקום פלני אלמנ תחננו: וישלח איש
ו האלהים אל מלך ישראל לאמר השמר מעבר המקום הזה
ב כי שם ארם נלחמים: וישלח מלך ישראל אל המקום אשר
אמר לו איש האלהים והוהירה ונשמר שם לא אחת ולא
א שתים: ויסער לב מלך ארם על הדבר הזה ויקרא אל
עבדיו ויאמר אליהם הלא תגידו לי מי בשלנו אל מלך
ישראל: ויאמר אחד מעבדיו לא אדני המלך כי אלישע
ב הנביא אשר בישראל יגיד למלך ישראל את הדברים אשר
ז תדבר בחדר משכבך: ויאמר לבו ודא איכה הוא ואשלח
ד ואקחהו ויגדלו לאמר הנה בדתן: וישלח שמה סוסים ורכב
ו חיל כבד ויבאו לילה ויקפו על העיר: וישמע משרת איש
ו האלהים לקום ויצא והנה חיל סובב את העיר וסוס ורכב
ו ויאמר נערו אליו אהה אדני איכה נעשה: ויאמר אל תירא
ז כי רבים אשר אתנו מאשר אתם: ויתפלל אלישע ויאמר
י יהוה פקדנא את עינו ויראה ויפקח ויהוה את עיני הנער
ו וירא והנה הקר מלא סוסים ורכב אש סביבת אלישע:
ז ויגדו אליו ויתפלל אלישע אל יהוה ויאמר הן נגא את
ט הגויה ההם בסנודים ויבם בסגורים כדבר אלישע: ויאמר
ו אלהם אלישע לא היה הדרך ולא היה העיר לכו אחרי
ו ואוליכה אתכם אל האיש אשר תבקשון וילך אותם
ב שמרונה: והיה בבאם שמרון ויאמר אלישע יהוה פקח את
ג עיני אלה ויראו ויפקח יהוה את עיניהם ויראו והנה בתוך
כא שמרון: ויאמר מלך ישראל אל אלישע בראתו אותם
כב האפה אפה אבי: ויאמר לא תלך האשר שכית בחרבך
ובקשתך אתה מכה שים להם ומים לפניהם ויאכלו וישתו

'And they shall answer and say, Our hands have not shed this neither have our eyes seen it. *Be merciful, O Eternal, unto thy Israel, whom thou hast released; and lay not innocent blood upon people of Israel's charge. And the blood shall be pardoned thee: shalt thou put away the guilt of innocent blood from among you thou shalt do that which is right in the eyes of the Eternal. thou goest forth to war against thine enemies, and the Eternal hath given them into thine hands, and thou hast captured captives seest among the captives a woman of a beautiful figure and delight her, that thou wouldest take her for thy wife; *Then thou shalt bring her home to thine house: and she shall clip the hair of her head and pare her nails; *And she shall remove the raiment of her body

has brought forth no fruits (no offspring) have its neck broken at a s untitled valley) which has not brought forth fruits, to expiate for the man him whom they did not permit further to beget children (Sot. (7) מִיָּדָה אֶל הַיָּדָה [AND THEY SHALL ANSWER AND SAY, HANDS HAVE NOT SHED [THIS BLOOD]] — But would it enter mind that the elders of the court are suspect of blood-shedding? The meaning of the declaration is: We never saw him and knowingly depart without food or escort (if we had seen him we would not have depart without these) (Siphre; Sot. 45b¹). The priests thereupon (8) וְנָשָׂא וְנָשָׂא נָשָׂא FORGIVE UNTO THY PEOPLE ISRAEL²). וְנָשָׂא AND THE BLOOD SHALL BE PARDONED THEM — Scripture refers to them that when they have done this (the ceremony prescribed) their be forgiven (Sot. 46a³). (9) וְנָשָׂא נָשָׂא BUT THOU SHALT PUT AWAY GUILT OF INNOCENT BLOOD FROM AMONG YOU — This teaches if the murderer is found after the heifer's neck was broken he must now be put to death, — and this is what Scripture describes as נָשָׂא נָשָׂא IN THE EYES OF THE LORD (cf. Sot. 47b; Keth. 37b and Tosaph. וְנָשָׂא נָשָׂא נָשָׂא).

(10) וְנָשָׂא נָשָׂא WHEN THOU GOEST FORTH TO WAR — Scripture speaking here of a war that is not obligatory upon the Israelites (Siph in regard to a war that was waged against the inhabitants of Erez Israel, & could not possibly say, "and thou hast captured captives," since it has been stated regarding them, (XX. 16) "[But of the cities of those people the Lord thy God doth give thee for an inheritance] thou shalt kill nothing that hath breath." וְנָשָׂא נָשָׂא — AND THOU HAST CAP CAPTIVES — These apparently redundant words are intended to Canaanite people living in it (in a city outside Canaan); that it is all capture them although they belong to the seven nations (Siphre; Sot. (11) וְנָשָׂא [AND THOU SEEST AMONG THE CAPTIVES] A WOMAN if she be a married woman (Siphre; Kidd. 21b⁴). וְנָשָׂא נָשָׂא [AND DELIGHTEST IN HER,] THAT THOU Wouldest TAKE HER FOR WIFE⁵ — Scripture is speaking (makes this concession) only in view of evil inclination (his carnal desires) (Kidd. 21b). For if the Holy One, be He, would not permit her to him as a wife, he would nevertheless her, although she would then be forbidden to him. However, if he does her in the end he will hate her, for Scripture writes immediately after (v. 15) "If a man have two wives, one beloved, and another hated, etc. ultimately he will beget a refractory and rebellious son by her" (vi. 18 for this reason that these sections are put in juxtaposition). (12) וְנָשָׂא נָשָׂא means, AND SHE SHALL LET GROW HER NAILS

NOTES: For Notes 1-9 see Appendix.

clared it unclean; [59b] and this was the oven of 'Aknai.' Why [the oven of] 'Aknai?—Said Rab Judah in Samuel's name: [It means] that they encompassed it with arguments⁶ as a snake, and proved it unclean. It has been taught: On that day R. Eliezer brought forward every imaginable argument,⁷ but they did not accept them. Said he to them: 'If the *halachah* agrees with me, let this carob-tree prove it!' Thereupon the carob-tree was torn a hundred cubits out of its place—others affirm, four hundred cubits. 'No proof can be brought from a carob-tree,' they retorted. Again he said to them: 'If the *halachah* agrees with me, let the stream of water prove it!' Whereupon the stream of water flowed backwards. 'No proof can be brought from a stream of water,' they rejoined. Again he urged: 'If the *halachah* agrees with me, let the walls of the schoolhouse prove it,' whereupon the walls inclined to fall. But R. Joshua rebuked them, saying: 'When scholars are engaged in a *halachic* dispute, what have ye to interfere?' Hence they did not fall, in honour of R. Joshua, nor did they resume the upright, in honour of R. Eliezer; and they are still standing thus inclined. Again he said to them: 'If the *halachah* agrees with me, let it be proved from Heaven!' Whereupon a Heavenly Voice cried out: 'Why do ye dispute with R. Eliezer, seeing that in all matters the *halachah* agrees with him!' But R. Joshua arose and exclaimed: 'It is not in heaven.'^a What did he mean by this?—Said R. Jeremiah: That the Torah had already been given at Mount Sinai; we pay no attention to a Heavenly Voice, because Thou hast long since written in the Torah at Mount Sinai, *After the majority must one incline.*²

R. Nathan met Elijah and asked him: What did the Holy One, Blessed be He, do in that hour?—He laughed [with joy], he replied, saying, 'My sons have defeated Me, My sons have defeated Me.' It was said: On that day all objects which R. Eliezer had declared clean were brought and burnt in fire.³ Then they took a vote and excommunicated him.⁴ Said they, 'Who shall go and inform him?' 'I will go,' answered R. Akiba, 'lest an unsuitable person go and inform him, and thus destroy the whole world.'⁵ What did R. Akiba do? He donned black garments and wrapped himself in black,⁷ and sat at a distance of four cubits from him. 'Akiba,' said R. Eliezer to him, 'what has particularly happened to-day?' 'Master,' he replied, 'it appears to me that thy companions hold aloof from thee.' Thereupon he too rent his garments, put off his shoes, removed [his seat] and sat on the earth, whilst tears streamed from his eyes.⁸ The world was then smitten: a third of the olive crop, a third of the wheat, and a third of the barley crop. Some say, the dough in women's hands swelled up.

A Tanna taught: Great was the calamity that befell that day, for

everything at which R. Eliezer cast his eyes was burned up. R. Gamaliel too was travelling in a ship, when a huge wave arose to drown him. 'It appears to me,' he reflected, 'that this is on account of none other but R. Eliezer b. Hyrcanus.' Thereupon he arose and exclaimed, 'Sovereign of the Universe! Thou knowest full well that I have not acted for my honour, nor for the honour of my paternal house, but for Thine, so that strife may not multiply in Israel! At that the raging sea subsided.

Ima Shalom was R. Eliezer's wife, and sister to R. Gamaliel. From the time of this incident onwards she did not permit him to fall upon his face.⁹ Now a certain day happened to be New Moon, but she mistook a full month for a defective one.¹⁰ Others say, a poor man came and stood at the door, and she took out some bread to him.¹¹ [On her return] she found him fallen on his face. 'Arise,' she cried out to him, 'thou hast slain my brother.' In the meanwhile an announcement was made from the house of Rabban Gamaliel that he had died. 'Whence dost thou know it?' he questioned her. 'I have this tradition from my father's house: All gates are locked, excepting the gates of wounded feelings.'

Our Rabbis taught: He who wounds the feelings of a proselyte transgresses three negative injunctions, and he who oppresses him infringes two. Wherein does wronging differ? Because three negative injunctions are stated: *Viz., Thou shalt not wrong a stranger [i.e., a proselyte],¹² And if a stranger sojourn with thee in your land, ye shall not wrong him,¹³ and ye shall not therefore wrong each his fellowman,¹⁴ a proselyte being included in 'fellowman.'* But for 'oppression' also three are written, *viz., and thou shalt not oppress him,¹⁵ Also thou shalt not oppress a stranger,¹⁶ and [If thou lend money to any of my people that is poor by thee,] thou shalt not be to him as a usurer¹⁷ which includes a proselyte.*—But [say] both [are forbidden] by three [injunctions].

It has been taught: R. Eliezer the Great said: Why did the Torah warn against [the wronging of] a proselyte in thirty-six, or as others say, in forty-six, places? Because he has a strong inclination to evil.¹⁸ What is the meaning of the verse, *Thou shalt neither wrong a stranger, nor oppress him; for ye were strangers in the land of Egypt?* It has been taught: R. Nathan said: Do not taunt your neighbour with the blemish you yourself have.¹⁹ And thus the proverb runs: 'If there is a case of hanging in a man's family record, say not to him, 'Hang this fish up for me.'

MISHNAH. PRODUCE MAY NOT BE MIXED WITH OTHER

(5) This refers to an oven, which, instead of being made in one piece, was made in a series of separate portions with a layer of sand between each. R. Eliezer maintains that since each portion in itself is not a utensil, the sand between prevents the whole structure from being regarded as a single utensil, and therefore it is not liable to uncleanness. The Sages however hold that the outer coating of mortar or cement unifies the whole, and it is therefore liable to uncleanness. [This is the explanation given by Maimonides on the Mishnah, Kel. V, 10. Rashi A.L. adopts a different reasoning]. 'Aknai is a proper noun, probably the name of a master, but it also means 'snake'. (Gr. *fykva*) which meaning the Talmud proceeds to discuss. (6) Lit., 'words'. (7) Lit., 'all the arguments in the world'.

(1) Deut. XXX, 12. (2) Ex. XXIII, 2: though the story is told in a legendary form, this is a remarkable assertion of the independence of human reasoning.

(3) It was believed that Elijah, who had never died, often appeared to the Rabbis. (4) As unclean. (5) Lit., 'blessed him,' a euphemism for excommunication.

(6) I.e., commit a great wrong by informing him tactlessly and brutally. (7) As a sign of mourning, which a person under the ban had to observe.

(8) Lit., 'what is this day (different) from yesterday (or to-morrow)?' (9) Renting the garments etc. were all mourning observances. (In ancient times mourners sat actually upon the earth, not, as nowadays, upon low stools.)—The character of R. Eliezer is hotly contested by Weiss and Helevi. The former, mainly on the basis of this story (though adducing some other proof too), severely castigates him as a man of extreme stubbornness and conceit, who would brook no disagreement, a bitter controversialist from his youth until death, and ever

seeking quarrels (Dw. II, 81). Halévy (Dwark I, 3, pp. 374 et seqq.) energetically defends him, pointing out that this is the only instance recorded in the whole Talmud of R. Eliezer's maintaining his view against the majority. He further contends that the meekness with which he accepted his sentence, though he was sufficiently great to have disputed and fought it, is a powerful testimony to his humility and peace-loving nature. (3) The Nasi and the prime mover in the ban against R. Eliezer. (4) After the Eighteen Benedictions there follows a short interval for private prayer, during which each person offered up his own individual supplications to God. These were called supplications (*prun*), and the suppliant prostrated himself upon his face; they were omitted on New Moons and Festivals.—Elbogen, *Der jüdische Gottesdienst*, pp. 77 et seqq. Ima Shalom feared that her husband might pour out his grief and feeling of injury in these prayers, and that God, listening to them, would punish R. Gamaliel, her brother.

(5) Jewish months consist of either 30 days (full) or 29 (defective). Thinking that the previous month had consisted of 29 days, and that the 30th would be New Moon, she believed that R. Eliezer could not engage in these private prayers in any case, and relaxed her watch over him. But actually it was a full month, so that the 30th was an ordinary day, when these prayers are permitted. (6) I.e., she did not mistake the day, but was momentarily forced to leave her husband in order to give bread to a beggar. (7) Lit., 'wrong', v. n. 84. She felt sure that R. Eliezer had seized the opportunity of her absence or error to cry out to God about the ban. (8) Ex. XXII, 20. (9) Lev. XIX, 33. (10) Lev. XXV, 17. (11) Ex. XXII, 20. (12) Ex. XXIII, 9. (13) Ex. XXII, 14.

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"Those who assemble in groups" [Kohelet 12:11] — these are disciples of the wise *talmidei hachamin* who sit in different groups and occupy themselves with the Torah. These declare (given objects or persons) impure, and those declare them pure; these forbid and those permit; these declare unfit and those declare fit. Lest a person say: How can I learn Torah now (given this lack of agreement)? It has been taught: All were given "by one Shepherd" [ibid.] — one God gave them, one leader (Moses) spoke them, heard from the Lord of all things, as it is written: "and God spoke all these words." [Exodus 20:1]¹³

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පළමු පිටුව

they may stand there [170] with thee?⁷ 'With thee' implies, 'and thou with [i.e., in addition to] them.' And R. Judah?⁸ — 'With thee' was stated on account of the Shechinah.⁹ And the Rabbis?¹⁰ — Scripture saith, *And they shall bear the burden of the people with thee*.¹¹ 'With thee' implies, 'and thou with them'. And R. Judah? — 'With thee' intimates that [the elders must] be like thee,¹² [Moses]. And the Rabbis?¹³ — Scripture saith, *So shall they make it easier for thee and bear the burden with thee*.¹⁴ and the major Sanhedrin is deduced from the minor.

^a Our Rabbis taught: *But there remained two men in the camp*.¹ Some say: They [i.e., their names]² remained in the urn.³ For when the Holy One, blessed be He, said to Moses, *Gather unto me seventy of the elders of Israel*.⁴ Moses said [to himself]: 'How shall I do it? If I choose six out of each tribe, there will be two more [than the required number]; if I select five, ten will then be wanting. If, on the other hand, I choose six out of one and five out of another, I shall cause jealousy among the tribes.' What did he do? — He selected sixty men [out of each tribe], and brought seventy-two slips, on seventy of which he wrote the word 'Elder', leaving the other two blank. He then mixed them all up, deposited them in an urn, and said to them, 'Come and draw your slips.' To each who drew a slip bearing the word 'Elder', he said, 'Heaven has already consecrated thee.' To him who drew a blank, he said, 'Heaven has rejected thee, what can I do?' Similarly, thou readest, *Thou shalt take five shekels apiece by the poll*.⁵ Moses reasoned: How shall I act toward Israel? If I say to a man, 'Give me [the shekels for] thy redemption,' he may answer, 'A Levite has already redeemed me.' What did he

do? He brought twenty-two thousand slips and wrote on each, 'Levite', and on another two hundred and seventy-three he wrote, 'five shekels'. Then he mixed them up, put them into an urn and said to the people, 'Draw your slips.' To each who drew a slip bearing the word 'Levite', he said, 'The Levite has redeemed thee.' To each who drew a ticket with 'five shekels' on it, he said, 'Pay thy redemption and go.'

R. Simeon said: They⁶ remained in the Camp. For when the Holy One, blessed be He, ordered Moses: *Gather unto me seventy of the elders of Israel*, Eldad and Medad observed, 'We are not worthy of that dignity.' Thereupon the Holy One, blessed be He, said, 'Because you have humbled yourselves, I will add to your greatness yet more greatness.' And how did He add to their dignity? — In that all [the other prophets] prophesied and ceased, but their prophesying did not cease. And what did they prophesy? — They said, 'Moses shall die and Joshua shall bring Israel into the land.'

^b Abba Hanin said on the authority of R. Eliezer: They prophesied concerning the matter of the quails.⁷ [saying], 'Arise, quail; arise, quail.'

R. Nahman said: They prophesied concerning Gog and Magog,⁸ as it is said, *Thus saith the Lord God: Art thou he of whom I spoke in old time by My servants the prophets of Israel, that prophesied in those days for many years⁹ that I would bring thee against them? etc.*¹⁰ Read not 'shanim' [years] but 'shenayim' [two].¹¹ And which two prophets prophesied the same thing at the same time? — Say, they are Eldad and Medad.

(7) Num. XI, 16.

(8) How does he interpret 'with thee'? (9) I.e., in order to deserve that the Shechinah should rest upon them, as it is written, *And I will take of the spirit which is upon thee etc.* (Num. XI, 17). But it does not teach that Moses was to be counted in addition to them. (10) How do they know that Moses was over them, seeing that 'with thee' has a different meaning? (11) Num. XI, 17. (12) E.g., in purity of family descent and bodily perfection. (13) Whence do they deduce this? (14) Ex. XVIII, 22, referring to the minor Sanhedrin.

^a (1) Num. XI, 26. (2) Eldad and Medad. (3) V. *infra*. (4) Num. XI, 16. (5) Num. III, 47. After the completion of the Tabernacle, the Levites were called to replace the firstborns of all Israelites in the service of the Sanctuary, (cf. Ex. XXIV, 5; XIX, 24.) In order to effect this transfer of office, both the firstborn and the Levites were numbered. And when it was found that of the former there were twenty-two thousand, two hundred and seventy-three; and

of the latter, twenty-two thousand, the two hundred and seventy-three firstborns who were in excess of the Levites were redeemed at the rate of five shekels per head. (Five shekels is the legal sum for the redemption of a firstborn. v. Num. XVIII, 16). To solve the difficulty of deciding who was to be redeemed and who exchanged, the above scheme was adopted. (6) Eldad and Medad.

^b (1) The birds by which the Israelites were miraculously fed in the wilderness. Ex. XVI, 11-13; Num. XI, 31. (2) According to a widespread tradition, Gog and Magog represented the heathen nations or aggregate powers of evil, as opposed to Israel and the Kingdom of God; v. 'Eduy. II, 5. Ezekiel (XXXVIII, 2; XXXIX, 6) pictured the final destruction of the heathen world before the city of Jerusalem, as the defeat of Gog and Magog. (3) שנים which may be read either 'shanim' years or 'shenayim' 'two'. (4) Ezek. XXXVIII, 17. (5) I.e., the two prophets who prophesied, etc.

◁ For the continuation of the English translation of this page see overleaf.

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Continuation of translation from previous page as indicated by <

The Master said: 'All the other prophets prophesied and ceased, but they prophesied and did not cease.' Whence do we infer that the others ceased? Shall we say, from the verse, *They prophesied* *velo yasafu* (but they did so no more)?⁸ If so, what of the passage, *With a great voice, velo yasaf?* Does that too mean, *it went on no more*?⁹ But that must be interpreted, *It did not cease*?—But here¹⁰ it is written, *And they prophesied*,¹¹ whereas there¹² it is stated, *(they) were prophesying*, i.e., they were still continuing to prophesy.

Now, according to the statement [that they prophesied] that Moses would die, [Joshua's request,] *My Lord Moses, forbid them*, is understandable: but on these two other views, 'why [did he say], *My Lord Moses, forbid them*?—Because their behaviour was not seemly, for they were like a disciple who decides questions in the very presence of his teacher. Now, according to these two other opinions [the wish expressed by Moses,] *Would that all the Lord's people were prophets* is reasonable: but on the view [that they prophesied] that Moses would die, was he then pleased therewith?—They did not complete their prophecy in his presence. How was Moses to 'forbid them' [as Joshua requested]? He [Joshua] said to him: Lay upon them public cares, and they will cease [prophesying] of themselves.¹

WHENCE DO WE LEARN THAT WE MUST FIND ANOTHER THREE? But after all, a majority of two for an adverse verdict is impossible:⁴ if eleven find the man not guilty and twelve find him guilty, there is still a majority of only one;⁵ and if there are ten for

not guilty and thirteen for guilty, there is a majority of three?—R. Abbahu said: [The majority of two] is possible only where [two] judges are added,⁶ and then the Mishnah agrees with the opinion of all, whilst in the major Sanhedrin, it is possible in accordance with the view of R. Judah, who holds their number to be seventy.⁷

R. Abbahu also said: Where judges are added, an evenly-balanced court may be appointed from the very outset. But is this not obvious?⁸—You might have assumed that the one who says, 'I do not know' is regarded as an existing member, and that anything he says is to be taken into consideration. We are therefore informed that he who says, 'I do not know,' is regarded as non-existent, and if he gives a reason [for a particular verdict] we do not listen to him.

R. Kahana said: If the Sanhedrin unanimously find [the accused] guilty, he is acquitted. Why?—Because we have learned by tradition that sentence must be postponed till the morrow in hope of finding new points in favour of the defence.⁹ But this cannot be anticipated in this case.¹⁰

R. Johanan said: None are to be appointed members of the Sanhedrin, but men of stature, wisdom, good appearance, mature age, with a knowledge of sorcery,¹ and who are conversant with all the seventy languages of mankind,² in order that the court should have no need of an interpreter. Rab Judah said in Rab's name: None is to be given a seat on the Sanhedrin unless he is able to prove the cleanness of a reptile from Biblical texts.³ Rab said: 'I

(8) וְלֹא יָסַף (9) וְלֹא יָסַף Deut. V, 19.

(8) But surely this cannot be said of the Shachin. (9) So in the first verse, וְלֹא יָסַף must bear the same connotation.

(10) Speaking of the elders, Num. XI, 15.

(11) וְלֹא יָסַף (imperfect with *now* consecutive = perfect). (12) In the case of Eldad and Medad, Num. XI, 17. (13) מְנַבְּאִים (participle).

(1) That they prophesied concerning the quail, or about Gog and Magog.

(2) [Ibid. XI, 29. (3) There is here a play on words, 'forbid them' being connected with 'ceasing'. Communal activities bring sorrow, and prophecy is possible only to the joyous spirit (Tosaf.).

(4) In a Sanhedrin of twenty-three. (5) And for conviction, a majority of two is necessary: v. *supra* 12.

(6) As in the following case: If eleven found him guilty and eleven not guilty, while the twenty-third is dubious, the law provides for an addition of two members. In case these agree with the accusers, the majority for condemnation is then two, v. Mishnah

infra 10a. (7) It might happen that thirty-six condemn and thirty-four acquit.

(8) Surely this has already been stated in the Mishnah cited. For if two are added when the twenty-third is dubious, the court consists of an even number.

(9) V. *infra* 14a: 35a. (10) Lit., 'But these will no more see for him (any merit).'

(1) So as to be able to detect those who seduce and pervert by means of witchcraft, cf. Rashi. (2) This number is given frequently in Talmud and Midrash as the number of languages existing in the world. V. *Pirke de R. Eliezer*, ch. 14; *Targum /mesukim* on Gen. XI, 8. and Rashi on Deut. I, 5. As it is impossible for one man to know all these languages, he must have meant that amongst them all, all the languages were to be known. But cf. Rab's dictum below. (3) I.e., he must be of subtle mind, so as to be able to prove the cleanness of reptiles that are definitely declared unclean in Scripture. V. Lev. XI, 29-39.

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(9) V. *infra* 14a: 35a. (10) Lit., 'But these will no more see for him (any merit).'

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בהעלתך

יב ויאמר יהוה אל משה הִנֵּה יְהוָה תִּקְדֹּץ עִתָּהּ תִּרְאֶה הִקְדָּר
דברי אסל: ויצא משה וידבר אל העם את דברי יהוה
ויואסף שבעים איש מזקני העם ויעמד אתם סביבות האהל:
וידר יהוה ויצא אליו ויאמר מן הנה ואשר עליו ויהיו
על שבעים איש הזקנים ויהיו כנח עליהם היום ויתנבאו
ולא יסו: וישארו שני אנשים במחנה שם האחד אלדד
ושם השני מידר ונתנו עליהם הרוח והפכה בכתבים ולא יצא
האהלה ויתנבאו במחנה: וירץ הנער ויגד למשה ויאמר
אלדד ומידר מתנבאים במחנה: וישן יהושע בן נון משרת
משה מבחרי ויאמר אדני משה כללם: ויאמר לו משה
המקנא אתה לי ומי יתן כל העם יהיה נביאים כדעתך יהוה
אתדורו עליהם: ויאסף משה אל המחנה הוא וזקני ישראל:
ורוח נסע ומאת יהוה ויגו שלום מרהיב ויטש על המחנה
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פני הארץ: ויסקו העם כל היום והוא וכל הלילה וכל יום
הפחדת ויאספו את ישראל הממעיט אסף עשרה חמרים
וישטחו להם שטוח סביבות המחנה: הבשר עולטו בין שניהם
טרם יפדת ואף יהוה חרה בכם ויך יהוה בעם מכה רבה
מאד: ויקרא את שם המקום ההוא קברות התאוה כר
שם קברו את העם המתאווים: מקברות התאוה נסעו העם
חצרות ויהיו בחצרות:

יג וידבר יהוה אל משה לאמר: שלח לך אנשים וחקרו את
ארץ כנען אשר אני נתן לבעי ישראל איש אתר איש אתר
למטה אבותיו תשלחו כל נשיא בהם: וישלח אתם משה
ממדבר פארן על פני יהוה כלם אנשים ראשי בני ישראל
המה: ואלה שמותם למטה ראובן ששע בן זכור: למטה
שמעון שפט בן חורי: למטה יהודה כלב בן יוסף: למטה
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במדבר

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slaughtered to suffice them? Or could all the fish of the sea be gathered for them to suffice them?" ²³And the LORD answered Moses, ²⁴"Is there a limit to the LORD's power?" ²⁵You shall soon see whether what I have said happens to you or not!"

²⁶Moses went out and reported the words of the LORD to the people. He gathered seventy of the people's elders and stationed them around the Tent. ²⁷Then the LORD came down in a cloud and spoke to him; He drew upon the spirit that was on him and put it upon the seventy elders. And when the spirit rested upon them, they ²⁸"spoke in ecstasy," but did not continue.

²⁹Two men, one named Eldad and the other Medad, had remained in camp; yet the spirit rested upon them—they were among those recorded, but they had not gone out to the Tent—and they ³⁰"spoke in ecstasy" in the camp. ³¹A youth ran out and told Moses, saying, "Eldad and Medad are acting the prophet in the camp!" ³²And Joshua son of Nun, Moses' attendant from his youth, spoke up and said, "My lord Moses, restrain them!" ³³But Moses said to him, "Are you wrought up on my account? Would that all the LORD's people were prophets, that the LORD put His spirit upon them!" ³⁴Moses then re-entered the camp together with the elders of Israel.

³⁵A wind from the LORD started up, swept quail from the sea and strewed them over the camp, about a day's journey on this side and about a day's journey on that side, all around the camp, and some two cubits deep on the ground. ³⁶The people set to gathering quail all that day and night and all the next day—even he who gathered least had ten homers—and they spread them out all around the camp. ³⁷The meat was still between their teeth, not yet chewed, when the anger of the LORD blazed forth against the people and the LORD struck the people with a very severe plague. ³⁸That place was named Kibroth-hattaavah, because the people who had the craving were buried there.

³⁹Then the people set out from Kibroth-hattaavah for Hazeroth.

²⁴ Lit. "Is the LORD's hand too short?"

²⁵ Others "prophesied"

²⁸ Exact nuance of Heb yikkareth uncertain

³⁰ I.e. "the graves of craving"

12 When they were in Hazeroth, ¹Miriam and Aaron spoke against Moses because of the Cushite woman he had married: "He married a Cushite woman!"

²They said, "Has the LORD spoken only through Moses? Has He not spoken through us as well?" The LORD heard it. ³Now Moses was a very humble man, more so than any other man on earth. ⁴Suddenly the LORD called to Moses, Aaron, and Miriam, "Come out, you three, to the Tent of Meeting." So the three of them went out. ⁵The LORD came down in a pillar of cloud, stopped at the entrance of the Tent, and called out, "Aaron and Miriam!" The two of them came forward; ⁶and He said, "Hear these My words: ⁷'When a prophet of the LORD arises among you, I ⁸make Myself known to him in a vision, I speak with him in a dream. ⁹Not so with My servant Moses; he is trusted throughout My household. ¹⁰With him I speak mouth to mouth, plainly and not in riddles, and he beholds the likeness of the LORD. How then did you not shrink from speaking against My servant Moses!' ¹¹Still incensed with them, the LORD departed.

¹²As the cloud withdrew from the Tent, there was Miriam stricken with snow-white scales! ¹³When Aaron turned toward Miriam, he saw that she was stricken with scales. ¹⁴And Aaron said to Moses, "O my lord, account not to us the sin which we committed in our folly. ¹⁵Let her not be as one dead, who emerges from his mother's womb with half his flesh eaten away." ¹⁶So Moses cried out to the LORD, saying, "O God, pray heal her!"

¹⁷But the LORD said to Moses, "If her father spat in her face, would she not bear her shame for seven days? Let her be shut out of camp for seven days, and then let her be readmitted." ¹⁸So Miriam was shut out of camp seven days; and the people did not march on until Miriam was readmitted. ¹⁹After that the people set out from Hazeroth and encamped in the wilderness of Paran.

שלח לך

13 The LORD spoke to Moses, saying, ²"Send men to scout

¹ Heb. clause obscure. Others "If there be a prophet among you, I the Lord"

² Cf. Lev. 13.2-3

**Applying Basic Principles to Practice:
A Case Study Analysis
Judith Block McLaughlin and Thomas J. Savage, S.J.**

In this session we will analyze the policy decision made by the lay Board and implemented by the professional staff at Brandeis University and the community reactions to this decision. In the course of our discussion, we will consider the intersection of mission, values, and culture with management strategy and actions.

Required Reading for Session:

"Pork and Shellfish at Brandeis University"

Questions for Reflection:

1. What do you think is going on here?
2. If you were talking with President Evelyn Handler in the fall of 1988, what would you say to her?
3. What would you recommend to the Brandeis Board?
4. What might the President and Board have done differently?
5. What lessons can be learned from this case that can be applied to your own organization?

Recommended Reading:

Terrence E. Deal, "Cultural Change: Opportunity, Silent Killer, or Metamorphosis?" in R. Kilmann, M. Saxton, R. Serpa, Gaining Control of the Corporate Culture (San Francisco: Jossey-Bass, 1985, pp. 292-331).

Judith Block McLaughlin, "Leadership Transitions: A Wide-Angle Lens," in Harvard Institutes for Higher Education (Cambridge, MA: Harvard Graduate School of Education, vol. 2, no. 2, December, 1993).

David H. Smith, "The Moral Core of Trusteeship," in Entrusted: The Moral Responsibilities of Trusteeship (Bloomington, IN: Indiana University Press, 1995, pp. 3-24).

PORK AND SHELLFISH AT BRANDEIS UNIVERSITY¹

In the summer of 1987, the Brandeis University food service included pork and shellfish on its menu for the first time ever in the institution's almost forty year history. The decision to serve this cuisine sparked a controversy that reverberated far beyond the University campus and raised important questions for the University regarding leadership and governance, financial viability, and institutional identity and values.

Brandeis University was founded in 1948 as a nonsectarian institution with a dual purpose: to provide high quality education to Jewish youth excluded from the nation's most competitive schools because of admissions quotas; and to create a nationally renowned research university, dedicated to graduate and undergraduate education, that would provide a stimulating college experience for a diverse student body. From its inception, Brandeis was unique in many ways. The only nonsectarian university founded and funded primarily by the Jewish community, it attracted famous academicians and an extremely talented student body, quickly establishing its reputation as a highly competitive academic institution. It also remained one of the smallest of the nation's leading research universities with less than three thousand undergraduates and one thousand graduate students.

The combination of Brandeis's youth, its dependence on a small percentage of the population (the Jewish community, Brandeis alumni and friends) for a significant portion of its financial support and applicant pool, and the expense of maintaining high quality research across twenty graduate departments provided serious challenges for the University as it attempted to sustain its academic standing and financial viability. The University was also affected by the changing climate and prospects for affluent Jews in the United States. As Ivy League institutions dropped their quotas, Jewish high school

¹This case was written by Judith Block McLaughlin, based on a research paper by Rachel E. Reck. The case is designed as a basis for class discussion rather than to illustrate either effective or ineffective handling of a policy decision.

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students were more comfortable applying to institutions formerly seen as inhospitable. As a consequence, in the late seventies and early eighties, Brandeis experienced a decline in the number and quality of applicants, as well as diminished donor support for the University.

New Institutional Strategies

In 1983, Evelyn Handler became the fifth president of Brandeis University following a protracted and heated search process. A late comer to the search, her appointment surprised many. Evelyn Handler was President of the University of New Hampshire, an institution not seen by some as "Brandeis quality." She was also the first woman president of the University and one of the first women to head a research university.

Topping President Handler's agenda was the need to fortify the fiscal and academic status of Brandeis University. In 1985, she submitted a report to the Brandeis Board of Trustees entitled Institutional and Academic Strategic Planning that affirmed "a commitment to the traditions upon the University was built and its mission as a research university with a deep commitment to liberal arts." The report recommended numerous academic and fiscal strategies "to maintain the quality of the faculty and enhance the stimulation of the academic environment for both faculty and students." Included among the suggestions were expanding the undergraduate student body to 4,000 students to increase the tuition base and help fund the graduate programs; launching a major capital campaign; eliminating the debt; adding three new professional schools; and examining the curriculum with a view to modifications in keeping with the vocational needs of students.

In March, 1987, an ad hoc committee of the Brandeis Board of Trustees responded with its Final Report. The report compared Brandeis with six "peer institutions" in order to gain perspective on the institution's unique strengths and weaknesses. This comparison enabled the committee to identify those issues that were peculiar to Brandeis from those reflective of overall trends affecting similar institutions of higher education.

Reflecting on the recommendation to increase the number of undergraduate students, the report expressed concern that Brandeis maintain the high quality of its student body while it expanded its size. One way to appeal to a wider body of applicants, the report noted, was for the University to tone down the religious and cultural aspects of the institution. "The most serious handicap in attracting qualified students, Jewish as well as non-Jewish, is the mistaken impression that the university is not only sponsored by the Jewish community but is also intended mainly for the use of the Jewish community." One suggestion offered to broaden the character of the institution was "the

establishment of an International Kitchen facility." The ad hoc committee report endorsed President Handler's Strategic Plan, with the caveat that expansion proceed along with efforts to diversify and that changes would need to be "implemented carefully and successfully." The Brandeis Board of Trustees voted to accept and implement The Final Report, which came to be known as "The Ranis Report" after its principal author, trustee Gustav Ranis.

"International Cuisine"

In July, 1987 a sign appeared on the wall of Usdan Student Center that "international cuisine will now be available in the cafeteria of the Center." The Usdan Student Center is one of four dining facilities on the Brandeis campus. Shortly thereafter, bacon appeared among the breakfast offerings available for students.

With few students on campus during the summer, the first written reaction to the new menu items came from a member of the Brandeis faculty who wrote Evelyn Handler cautioning her that this was an extremely sensitive issue. At the first faculty meeting in the fall, President Handler explained that the menu change had not come out of nowhere, reminding the assembled group that she had tested this idea at a previous faculty meeting. In response, some faculty members said that the euphemism of "international cuisine" had gone over their heads. Two faculty members were then quoted in the Justice, the oldest and most widely read student newspaper on campus, as opposing the policy because of the symbolic value that the Jewish community attributes to these foods. The faculty members predicted that many Jewish alumni, donors, parents, faculty and students, even those who do not observe the religious dietary prohibitions, would be offended by the appearance of pork and shellfish on the Brandeis campus.

On September 14, 1987, a story appeared in the New York Times about the controversy surrounding the introduction of pork and shellfish at Brandeis. The story, "At Brandeis, Ham Steak and Shrimp," also mentioned that for the first time in thirty years the University calendar no longer mentioned the Jewish holidays, merely stating "no University exercises" on the dates of Rosh Hashonah and Yom Kippur. The press had been invited to announce Brandeis's initiatives regarding enhanced diversity; instead, the news story highlighted the divisions within the University community.

The reactions to the University menu change continued to grow in number and intensity. A large contributor in the Jewish community placed a full-page advertisement in the largest Jewish newspaper in New York which read, "Shame on you, Brandeis." Shortly thereafter, several Rabbis sermonized against the "de-

Judaization" of Brandeis. Four outstanding Jewish high schools in New York declared their intention to discourage their students from applying to Brandeis. Brandeis Women's Committees, philanthropic organizations created to lend support to the University, voiced dismay about the introduction of pork and shellfish. As the year progressed there were more stories in the New York Times, one quoting Abraham Sachar, Chancellor Emeritus and the founding president of Brandeis. Sachar disassociated himself from the decision, saying that President Evelyn Handler had begun "a quarrel...that will haunt our school's welfare for years to come."

In response to the attacks on the University, President Evelyn Handler launched a campaign she called "damage control." Part of her strategy was to explain the rationale for the menu change. In the October 6, 1986 edition of the campus newspaper, The Justice, President Handler commented, "Brandeis is...an institution founded on the basis of a conscious and deliberate desire to be open to all qualified men and women, and to provide a community in which individuals of all faiths, races, and backgrounds would feel comfortable and at home." Handler stated that "Brandeis can achieve this oneness to all while at the same time preserving its sensitivity to the community from which it draws its support. Given the diversity within the Jewish community on many issues, it is not always clear how this sensitivity should be expressed."

A Policy of "De-Judaization"?

Despite the President's remarks, The Justice continued its harsh criticism of the new menu and cited several other changes that the student editors believed were also "de-Judaization" policies, deliberate strategies designed to divest Brandeis of its Jewish trappings. The editors pointed to the removal of the mention of the Jewish holidays from the University calendar, the rumored plan to remove the Hebrew letters from the Brandeis logo, and the fact that, although Evelyn Handler herself was Jewish, almost all of the members of her senior cabinet were not. In the October 27 issue of The Justice, Vice President for Communications and Public Relations Sallie Riggs answered charges regarding changes in the Brandeis seal. She stated that the student editors had their facts wrong, concluding, "It is a shame to see that someone who is pursuing an education at an institution founded to pursue the truth is not working with the facts as he tries 'to prove a point.'" On the opposite page, Editor-in-Chief Jonathan Krasner retaliated by describing the difficulty he and other reporters, both those on campus and those from off-campus media, experienced in their search for "the facts." Many important events are shrouded in such secrecy that even key administrators don't know when they are being fed doctored information, he charged. Subsequent to this written exchange, attempts to bar Justice reporters from meetings of the

Brandeis Board of Trustees and from a meeting with leaders from the American Jewish community further incited the reporters' wrath and heightened their determination to "dig up those covered burrows."

While President Handler spoke privately about the need to make Brandeis "less parochial" and complained about professors who used Yiddish expressions in their classes, she initiated a number of activities designed to demonstrate the University's concern for its Jewish supports and to affirm its commitment to Jewish studies. During the 1987-88 academic year, she invited Chaim Herzog, the president of Israel, to speak at the Brandeis Convocation. She sponsored the publication of a book about Jewishness at Brandeis, expanded the Sherman Student Center and the campus's Kosher dining facility, and provided generous support for the Hornstein Program in Jewish Communal Services.

These initiatives were not reported by the national media; instead, the news stories covered the protests against the University. A small group of students organized themselves as "the Anti-de-Judaization group" and took responsibility for keeping the pork and shellfish issue in the public eye. In this effort, they were quite successful. A small-scale protest involving approximately fifty students, the erection of some structures called "Pig Town" in front of the administration building, was reported on the radio and in the New York Times the next day. The protesting students had powerful political support: Chancellor-emeritus Abraham Sachar. Sachar repeatedly argued in the press and at every speaking engagement he accepted that Brandeis should preserve its non-sectarian character by ensuring objectivity in the classroom and in research and not through any dietary offering. Some members of the University administration believed that Sachar's actions were motivated by his sincere disagreement with the University decision. Others were more cynical about his stance, pointing to Sachar's history of opposing every president who succeeded him and noting that he felt especially hostile to Evelyn Handler because she had insisted that the Board change his title from Chancellor to Chancellor-emeritus at the time of her appointment to the presidency.

Support for the Menu Change

But while the protests received national notice, the support for the menu change was quiet but significant. In October, the Brandeis Board of Trustees voted to reaffirm its endorsement of the Ranis Report (the Board also voted to revoke the new calendar). Both the Student Senate and the Alumni Council voted their support of the food policy. Although there was no faculty vote, even the opponents of the menu change acknowledged that approximately two-thirds of the faculty supported the decision. And the reaction of "students of color" was highly positive.

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September 14, 1987

At Brandeis, Ham Steak and Shrimp

By MATTHEW L. WALD

Special to The New York Times

WALTHAM, Mass., Sept. 11 — Something new is on the menu this fall at Brandeis University: ham steak with pineapple, shrimp tetrizzini and a renewed debate over what it means to be a Jewish-sponsored but secular university.

Leviticus and Deuteronomy forbid Jews to eat shellfish and pork, but the offering this fall of what the administration calls "international dining" — and what the Jewish chaplain refers to as "the pig issue" — is important mostly as a symbol, according to both proponents of the move and the small group of opponents.

Another symbol of change at Brandeis is the calendar, which this year lists four days on which no classes will be held but does not give the reason, that they are Jewish holidays. The idea is to make non-Jews feel more comfortable here.

Shyness About 'Its Jewish Soul'

Brandeis has "appeared, at least perceptually, to become parochial," according to the president, Evelyn E. Handler, and insensitive to the feelings of the non-Jews it wants to attract to diversify the campus. But the chaplain, Rabbi Albert S. Axelrad, said he worried that the college might be growing shy about "its Jewish soul."

Introduction of pork and shellfish for the first time since the university's founding in 1948 as well as the calendar change originated with the trustees, most of them Jewish and alumni. The practice of not labeling the Jewish holidays prevailed in the 1950's, according to faculty members.

"Perhaps the most serious handicap in attracting qualified students, Jewish as well as non-Jewish, is the mistaken impression that the university is not only sponsored by the Jewish community but also intended mainly for the use of the Jewish community," said a report by a trustee committee last March, whose chairman was Gustav Ranis, a member of the first graduating class.

"International" cuisine, it said, "will better serve Asian and other ethnic and religious groups' preferential tastes."

'Need a Proper Balance'

"We're not trying to be less explicitly Jewish," one trustee, Rena Blumberg, class of 1956, whose daughter graduated in '79, said. "We are trying to be more hospitably open," she said. "You cannot learn when there are only the same kind of people there; you need a proper balance."

The kitchen and calendar changes have provoked little specific opposition, even from Rabbi Axelrad, but there are broader worries. "A lot of students are afraid the Ranis report is going to make this place into another Tufts," said Joseph Troitz, a senior, referring to a university in another Boston suburb, of roughly equal academic reputation and undergraduate population. "I mean, Tufts is a good school, but it's bland," he said.

Only 300 of the 2,800 undergraduates have contracts for their meals at the kosher section of the cafeteria system. The kosher section will be unaffected by the change.

President Handler said that at a



The New York Times/Rick Friedman

Rabbi Albert S. Axelrad was concerned that, with current changes, Brandeis University might be growing shy about "its Jewish soul."



The New York Times

Evelyn E. Handler, the president of Brandeis University

spring with 300 students she asked for a show of hands who would object to serving pork and shellfish, and no one responded. "You could have bowled me over," she said.

In the midst of all this Jews are discussing sensitivity to religious minorities — from the majority side. "One of the issues is to be sensitive to the stranger in your midst," said Prof. Michael Fishbane, using a Biblical phrase.

Jewish vs. Secular

That issue, he argues, is an example of Brandeis's expressing "a Jewish character which is not a religious character." Dr. Fishbane, a professor of Jewish Religious History and Social Ethics, said the university must maintain its secular nature while still expressing Jewish concerns like recognition of the value of learning and of ethics in scholarship and other areas of

status quo issues," and concern for the elderly, sick and needy through its school of social work.

The university is now examining its level of Jewish enrollment and its attractiveness to non-Jews in order to assure a high-quality applicant pool. When Brandeis was founded, most Ivy League schools had severe quotas on Jewish enrollment, which gave Brandeis a captive market. But as the most prestigious American institutions have dropped quotas, they have drained from Brandeis Jewish applicants and probably donors and faculty as well.

Just how Jewish Brandeis is supposed to be is in dispute. "I don't think the prior administration set out to make it an exclusively, or even predominantly Jewish school," said Louis Perlmutter, a trustee and 1956 graduate, who said that Brandeis had to broaden its population base.

It is, but just how much so is a sensitive question. "I have no idea, and I have no interest," said the dean of admissions, David Gould, whose office sends out applications that ask race but not religion. "We recruit for diversity and select for quality, and we do our best to keep those separate," he said. One reason for seeking diversity, he said, is that 67 percent of students now come from New England and the Middle Atlantic states.

Other administrators indicate that the Jewish population is about two-thirds. Black, Asian and Hispanic students together make up 9.3 percent of the class that entered earlier this month, according to Mr. Gould; 7 percent are foreign students.

"International dining" may be only slightly related to the questions that gentiles have about putting themselves in the unaccustomed position of being in a minority, according to Brandeis officials. "No one ever said, 'I'm not coming to Brandeis because I can't get my clam roll,'" said Mr. Gould. And now that the cuisine has changed, he added, "We don't say at Brandeis you

'Pigtown' at Brandeis U. Protests Food Policy

WALTHAM, Mass., April 24 — A group of Brandeis University students who say that the serving of pork and shellfish in campus dining halls is an affront to Judaism staged a protest today in which they erected a cluster of shanties and called it "pigtown."

Brandeis is a secular university, but it was founded in 1863 by Jews as an alternative to colleges that placed quotas on Jewish applicants, and it depends largely on Jewish donors. Two-thirds of the students are Jewish.

The school began offering shellfish and pork in the cafeteria last fall as part of an effort to attract a more di-

verse student body and make non-Jews feel more comfortable here. Jews who observe kosher dietary laws do not eat those foods.

But most Jews at Brandeis and elsewhere in the United States do not strictly observe Jewish dietary laws, and the conflict over the new menu has underscored the friction within Brandeis over the extent to which Judaism should affect the character of the university.

Most Brandeis students agree with the decision to serve pork and shellfish, according to a poll by the student newspaper, but some students and faculty members say they feel deeply insulted

by the move. More than 50 students gathered in front of the school's administration building under cloudy skies today to debate the role Judaism should play in the life of the school and to unveil three shanties to represent the homes of the three little pigs in the children's fairy tale. The university has granted permission for the structures to stay up for a month.

Two Dining Halls

"Pork and shellfish have always been offensive symbols to the Jewish community," said Stuart Kolinsky, a junior from Baltimore, E. I., who is a member of the student organization

that sponsored the protest. "Through out the ages, Jews have taken torture and death rather than eating pork and shellfish," he said.

Ted Frank, a member of the Brandeis student senate, said that a majority of students dislike the move. "The general feeling is that we're not forcing them to eat pork and they shouldn't be forcing us to eat pork," he said. "Pork and shellfish are available in one of two campus dining halls, and are not prepared or served in the dining hall where kosher meals are offered to 2,500 undergraduates, 300 buy kosher meal plans."

When pork and shellfish were first served in the fall, their presence in the cafeteria sparked debates on campus and prompted some alumni to withhold contributions to the school. The issue has quieted since then. Administrators

said that donations from alumni have not diminished and that clam chowder has become one of the most popular items on the menu.

Anger at President

A survey by the campus newspaper last fall indicated that 65 to 75 percent of students were not bothered by the new foods.

Jonathan Krasner, editor of the student newspaper, The Brandeis Justice, estimated that 15 percent of the students are still angry with the administration, particularly with President Evelyn E. Handler, over the decision to alter the menu. "There is a feeling that the president is much less interested in promoting the Jewish image," he said.

A report issued a year ago by a trustee committee concluded that stressing the university's nonsectarian character

would help attract a more diverse student body. The report said an "international kitchen" would "better serve Asian and other ethnic and religious groups" and added, "no solution is viable which detracts from Brandeis' claim for the support of the American Jewish community."

Daniel Sokatch, a member of the campus Hillel organization, said that the new foods have made non-Jewish students feel more welcome. "I think it adds diversity to the school," he said. "It's not a detraction."

The students who protested today are also angry that some of this year's school calendars list four days on which classes are not held but do not give the reason, which is that they are Jewish holidays. The administration said that the omission of the names of the holidays was a printer's error.

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Revisiting the Case: Jewish Perspectives
Michael Rosenak

We shall look at some of the valuative issues that emerge in the case of the decision of Brandeis University's president to expand public support for Brandeis and lift the university above "parochialism" by introducing a kitchen with an international cuisine, including pork and shellfish.

Our discussion leads to an investigation of universal versus particularist approaches to Judaism; shifts in thinking about these poles under diverse circumstances, and the deliberation required to make one of several alternate decisions, each of which has a price tag attached to it, work. We shall suggest that leaders have to "move" their publics on the basis of an approach they consider worthy of implementation.

Among the texts we shall examine:

- Two thirsty people in the desert with one flask of water;
- What one "should die for" in normal times and in times of apostasy;
- Hillel's approach to three potential proselytes; and
- what God achieved and didn't achieve by "holding Mount Sinai over their heads" when He wished to give Israel the Torah.

פרק ראשון: אהבת הריע

במקורות

א. לא תקם ולא תטר את בני עמך ואהבת לרעך כמוך אני

ה' (א). ויקרא יב, יח

ב. ואהבת לרעך כמוך, רבי עקיבא אומר: זה כלל גדול

בתורה (ב). בן עזאי אומר: זה ספר תולדת אדם: זה כלל גדול

מזה (ג). כפרא קדשים פ"ד ה"ב

ביאורים

(א) הפסוק הזה פסבס את שורה הצווים בתהום היהסס שבין אדם להכרה המובאים בתהלת פרשת קדשים, ותוכן הדרישה המסכמת נעלה ביותר: ואהבת לרעך כמוך, אני ה'! פרס לשתי מצוות עשה — כיבוד הורים ומתנות עניים — המתחייבות להלקים כסוימים במערכת ההברה, מנוסחות כל שאר המצוות בצורה של איסורי לאוים. ככולן מקפידה התורה קודם כל על מניעת הרע מאת הזולת, ולכן היא מדגישה את אשר אין לעשות. יש ליהס אפוא כשמצוות מיוחדת לסיום הזה, המעלה אותנו לשיא המצוות שבין אדם לחברו, בלשון מצוות עשה: ואהבת!

(ב) המושג "כלל" טובא במשנה, כאשר המשפט המביע את ההלכה אינו מתיחס למקרה בוגד, כדרך רוב ההלכות, אלא יש בו משפט עקרוני כולל, ספמנו גובעים פרטים רבים בהלכה. הציון "כלל גדול" בא ללא ספק להדגיש את חסיבותו של המשפט בענין הנדון.

(ג) ראב"ד (רבנו אברהם בן דוד) מפרש: "שאילו מן הפסוק הראשון לא שמענו אלא כמוך: הרי שנהבזה הוא, או נתקלל הוא ונגזל ונחבל, יתבזה הברד עמו ויתקלל עמו ויהבל עמו? לכך נאמר: בדכות אלהים עשה אותו. את מי אתה בבוזה ואת כי אתה מקלל? דמות דיוקנו של מקום! זה הכלל

1 בראשית ה, א.

2 השנה בשנה שביעית פ"ח כ"א: "כלל גדול אמרו בסביעית". וכן שבת פ"ו כ"א: "כלל גדול אמרו בשבת". בגמרא שבת סז, א ניתן ההסבר: "כי גדול עונסו של שבת".

במקורות

ג. בן עזאי אומר: זה ספר תולדת אדם כלל גדול בתורה.
רבי עקיבא אומר ואהבת לרעך כמוך כלל גדול ממנו (ד).
שלא חאמר האיל ונתבזיתי יתבוזה חברי. אמר רבי תנחומא
אם עשית כן דע למי אתה מבזה. בדמות אלהים עשה אותו (ה).

בראשית רבה, סוף פרשה כז

ביאורים

גדול כן הראשון. בנושא שלפנינו מתכוונים שני החכמים לכצוא בתורה
הפסס כולל שממנו אפשר ללמוד הוראות רבות, כדי לקיים את המצוות
בכל החומי החיים. גם כאן בא התואר גדול לציין את חשיבותו של הכלל.
בכחינת האמת שבו, שסרסה עמוק והיקפה רחב ביותר.

(ד) יש לקבל את הנוסח בספרא לעומת הנוסח בבראשית רבה. כפי הנראה
הוקדם מאמרו של בן עזאי, מפני שרצו להסמך אותו אל הפסוק בספר
בראשית. שאליו מתייחס המדרש י. וכן ברור שהסברו של רבי תנחומא
אינו שייך כלל לדברי רבי עקיבא. אלא לדברי בן עזאי, ובניגוד לדעת
ר"ע י.

(ה) ההבדל בין שתי הדעות יובן על ידי בירור השאלה: מה צריך להיות
העקרון המנחה את האדם, ולפי איזה קנה מדה יפעל בכדי למנוע את הרע
ולעשות את הטוב בין איש לרעהו. לדעת ר"ע יבוא הדבר מתוך הכרת
ההזדהות עם הריע: העמד את עצמך במקומו! כשם שלעצמך אתה מבקש
את הטוב ומניעת הרע, כך תבקש גם את הטוב לרעך ותמנע ממנו את הרע.
פרצה זו במעגל האנוכיות הכרחית היא לבני אדם החיים ביהוד ובאים במגע
איש עם רעהו י. לאור דעה זו יש לתפש את קנה המדה של החיים המוסריים
באדם עצמו. בהכרת הסאיפות והחולשות שהן נחלת כל אדם י. לדעת בן
עזאי, ראוי יותר לבקש את הכלל הגדול ואת קנה המדה הטובע כמנו בכתוב:
זה ספר תולדות אדם — בדמות אלהים עשה אותו. ערך האדם הוא בהיותו
בעל צלם אלהים, וכל המבזה אותו מבזה גם את יוצרו. לעומת המוטיב של
ר"ע, שהוא לכאורה חברתי-תועלתי בלבד י, מעמיד בן עזאי מוטיב דתי

3 ראה בבראשית רבה, הנצאת תיאודור אלבק, עמ' 232 בהערות.

4 בהתאם לפירוש הראב"ד שהבאנו באות (ג).

5 זהו משמעות המלה "רעך" לפי פשוטו של מקרא. הבה שמות יא, ב.

6 וכך יתקשר גם סופו של הכתוב אל ראשו: "לא תקום ולא תסור את בני עמך
— ואהבת לרעך כמוך".

7 זהו לכאורה בלבד, וראה להלן בסיכום המחקר.

'You shall love your neighbor as yourself.' Rabbi Akiva says: This is the great principle of the Torah. Ben Azzai says: 'These are the generations of humanity: That is a greater principle than that one. (Sifra, Kedoshim IV)

Ben Azzai says: 'These are the generations of humanity' (is a) great principle of the Torah. Rabbi Akiva says, 'You shall love your neighbor as yourself' is a greater principle than that. So that you not say, because I was held in contempt, let my neighbor be held in contempt. R. Tanhuma said: If you did so, know Whom you have (actually) held up to contempt, for 'in God's image He made him.' (Genesis Rabbah XXIV)

Session II, Text No. 1

ture saith. [62a] {Take thou no usury of him, or increase: but fear thy God;} that thy brother may live with thee; [implying] return it to him, that he may be able to live with thee.

Now how does R. Johanan interpret. 'that thy brother may live with thee?'—He utilises it for that which was taught: If two are travelling on a journey [far from civilisation], and one has a pitcher of water, if both drink, they will [both] die, but if one only drinks, he can reach civilisation. The Son of Paṭura taught: It is better that both should drink and die, rather than that one should behold his companion's death. Until R. Akiba came and taught: 'that thy brother may live with thee:' thy life takes precedence over his life.⁴

An objection was raised: If their father left them usury money, though they know it to be usury, they are not bound to return it. [This implies.] But their father is bound to return it!⁵—In truth, their father too is not bound to return it: but because the second clause desires to state, 'If their father left them a cow, or a garment, or any distinguishable object [received as interest], they must return it for the sake of their father's honour,' the first clause too is taught with reference to them.⁶ But are they then bound to make restitution for the sake of their father's honour? [Why not?] apply here, *Thou shalt not curse a ruler of thy people*.⁷ [which means], only if he acts as is fitting for 'thy people'.⁸—It is as R. Phinehas [in another connection] said in Raba's name: If he repented, so here too, [we deal with a case] where he repented. But if he repented, how came it [the money] to be still in his possession?⁹—He died before he had time to return it.

An objection was raised: Robbers, and those who lend on usury, even when they have exacted it, must make restitution. Now, how can 'even when they have exacted it' apply to robbers? If it is robbed, it is robbed; and if not, can you call them robbers? But say thus: Robbers; and those meant thereby are those who

lend upon usury, even when they have exacted it, must make restitution!—It is a dispute of Tannaim. For it was taught: R. Nehemiah and R. Eliezer b. Jacob exempt the lender and the surety [from punishment],¹⁰ because they have a positive duty.¹¹ Now, what is meant by a 'positive duty'? Surely that we bid them, 'Arise and return [the usury];' from which it follows that the first Tanna maintains that they are not bound to make a return.¹² No! By 'positive duty' is meant [that they are bid] to tear up the bond [of indebtedness].¹³ But what is his¹⁴ opinion? If he maintains: A bond, which is destined to be exacted, is as though it were already exacted,¹⁵ they have [already] committed their transgression!¹⁶ Whilst if it is not as already collected, they have committed no wrong!¹⁷—In truth, in his view a bond, destined to be exacted, is not as though already exacted, and what he teaches us is that the [mere] 'putting on' [of usury] is a transgression.¹⁸ This also stands to reason. For we learnt: The following transgress the negative injunction: the lender, the borrower, the surety and the witnesses.¹⁹ Now, with respect to all, it is well, [since] they commit an action. But what have the witnesses done? Hence it surely must be that the [mere] 'putting on' [of usury] is a substantial act [and in this case, a transgression]. This proves it.

R. Saḥa said: Wherever by their law [i.e., non-Jewish law] exaction is made from the debtor for the creditor, restoration is made by our law from the creditor to the debtor; wherever by their law there is no exaction from the debtor to the creditor, there is no restoration by our law from the creditor to the debtor. Said Abaye to R. Joseph: Now, is this a general rule? Behold, there is the case of a *se'ah* [lent] for a *se'ah* which, by their law, the debtor is forced to repay the creditor, yet by ours it is not returnable from the creditor to the debtor!²⁰ He replied, They [regard it] as having come into his possession merely as a trust.²¹ R. Abin said to R. Ashi: But mortgages without deduction,²² which by their law is exacted

(4) With *that* implies that thy life takes first place, but that he too has a right to life after thine is assured. [For an excellent exposition of R. Akiba's dictum, v. Simon, Leon, *Essays on Zionism and Judaism by Achad Ha-am* (1912), pp. 236ff.] (5) Thus contradicting R. Johanan's ruling. (6) But the father himself cannot be compelled to make restitution. (7) Ex. XXII, 27: this is interpreted as a general injunction to safeguard another Jew's honour.

(8) I.e., righteously. But if a man took usury, his children are under no obligation to safeguard his honour. (9) For true repentance necessitates the restoration of that which was wrongfully taken. (10) The penalty of lashes attached to the injunction against interest. (11) Lit., 'because there is "arise and do" in their case.' The transgression of a negative command is punished by flagellation, but not if it can be remedied by a subsequent positive action. (12) The existence of another Tanna who disputes this is assumed, since this is stated in the name of particular teachers, instead of anonymously. (13) [And consequently the wrong they had committed cannot be remedied.] (14) I.e., having lent money upon interest, and drawn up a bond, it is the lender's duty to tear it up, thus rendering it invalid. [Where, however, payment was exacted, restitution effects no remedy of the offence.] (15) I.e., R. Nehemiah's and R. Eliezer b. Jacob's

(9) So that tearing up the bond is the equivalent of returning the interest. (10) [And if the tearing up of the bond is considered a remedial action, why should the return of the interest, where actually exacted, not be considered so?] (11) Who then can dispute that they are exempt from punishment?

(12) Cf. Ex. XXII, 24. For which, in the view of the first Tanna, punishment is incurred, whilst R. Eliezer b. Jacob and R. Nehemiah exempt them therefrom, because it may be followed by a positive action remedying it. (13) *Infra* 75b. (14) Jewish law prohibits the lending of a measure of wheat for the return of a similar measure, as the wheat may at the time of repayment stand at a higher price (v. *infra* 75a); by Gentile law, this transaction is permissible, and the debtor must repay it to the creditor. Yet though Jewish law forbids it, the debtor cannot demand its return after repayment, since it is only indirect interest. (15) I.e., in their view, it is not interest at all. A entrusts a *se'ah* to B, and then B returns it. But R. Saḥa referred to what the Gentiles recognised as interest, which by their code is permissible. (16) I.e., the debtor mortgages a field of which the creditor takes possession and enjoys the usufruct without deducting its value from the principal. This is prohibited; v. 67b.

אני והרובים בגנות מלך. אמרו לו: השלשן ביד המלך ולא נאה דקר למלך. מיד הלבישם בגדי ארגמן ונתן להם זקב על צווארם (חמור לג. לב).

ל פסע אחת אשר אלכסנדרוס מוקדון לחקכיו: רוצה אני לילך למדינת אפריקי. אמרו לו: אי אתה יכול לילך לשם. שפפסיקוס הרייחשך. אשר להם: שלא אלך אי-אפשר. ואני שואל מכם אלא מה אצטלה. אמרו לו: טול חמורים לבדים שבהלכים באפלה ותבא סקעות של תבלים וקשור הצד זה ובחוריתך תהא מחזיק בהם ותבא למקומך. עשה כך והלך. הגיע למקומי. מדינה שכלה נשים. בקש לעשות עמיהן מלחמה. אמרו לו: אם תהרג אותנו - יאמרו: נשים הרג: ואם נהרג אותך - יאמרו: סלך שהרגוהו נשים. אשר להן: הביאו לי לחם. הוציאו לו לחם של זקב ומפותים ורמונים של זקב על שלשן של זקב. אמר להן: וכי אינני זקב במדינתכן? אמרו לו: אם לחם היית מבקש, לא היה לך לחם במקומך. דעמדת ובאת לכאן?

כעניצא משם כתב על שער המדינה: אני אלכסנדרוס מוקדון וסלחן שוקה הייתי. ער שבאתי למדינת קרסגני ולפראי עצה מנשים (פס לב: ויקרי: כז: והנהג אמר).

ל הלך אלכסנדרוס מוקדון משם אצל מלך סצא. הראהו הרבה כסף וחב. אשר: לא לראות בספקם וזהבם באתי. אלא לראות דיניהם. עד שהם יודעים באו שני בני-אדם לדון לפני המלך. אמר אחד: אדוני המלך, הרבה לקחתי ממך זה וגרפתיה ונמצא מסמון בתוכה. ואמרתי לו: טול מסמון שלך. הרבה לקחתי. מסמון לא לקחתי. ואמר אחד: מה אתה מתירא סעש גול - אף אני כך: התרבה וקל-מה שבתוכה מביתי לך - סתהום ארץ עד רום רקיע. קרא המלך לאחד מהם ואמר לו: יש לך בן זכר? אמר לו: הן. קרא לשני ואמר לו: יש לך בת? אמר לו: הן. אמר להם: ולכו וינצא זה לזה ויהא המסמון לשניהם. התחיל אלכסנדרוס תפס. אמר לו: מה אתה תפס. וכי לא יפה דנתי? אמר לו: הן. אמר לו: אלו בא לסניף דין זה במדינתכם. מה היית עושה בו? אמר לו: הייתי חותך ראשו של זה וראשו של זה ותפסמון ירד לבית המלך. אמר לו: ותמה מאירה לכם? אמר לו: הן. וגשמים יורדים עליכם? - הן. אמר לו: שקא יש במדינתכם בהמה דקה? אמר לו: הן. אמר לו: תפח רוחו של אותו האיש? בוכות בהמה דקה תפחה מאירה לכם והגשמים יורדים עליכם...

ל אלכסנדרוס מוקדון בקש לעלות לירושלים. הלכו הכותים ואמרו לו: הנהר, שאינם מניחים אותך לכנס לבית קדש-הקדשים שלכם. כן שהרגיש גביעה בן-קיסם. הלך ועשה לו שתי אנפילאות ונתן בהן שתי אבנים טובות שוות שני רבאות של כסף. כן שהגיע לטר-הבית. אמר לו: אדוני המלך: שלך מנעליך ונעל לך אלו שתי אנפילאות שהרצתה תלך. שלא תחליק ונלך. כן שהגיע לבית קדש-הקדשים אמר לו: עד כאן יש לנו רשות לכנס. מכאן ואילך אין לנו רשות לכנס. אמר לו: לכשאצא אני משנה לך את-גביעתך. אמר לו: אם אתה עושה כן, רופא אמן תבא וסער הרבה תטול (כד טא: ויקרי: חיי סה כה).

ל אצרה דברים שאל אלכסנדרוס מוקדון את-דגני הנגב. אמר להם: מן השמים לארץ רחוק או סמוך לפעריב? אמרו לו: סמוך למצרב. מדע. שהרי תהא סמוך הכל ססמליון בה. תהא באמצע רקיע אין הכל ססמליון בה.

אמר להם: שמים נבראו תחלה או הארץ? אמרו לו: שמים נבראו תחלה. שנאמר: בראשית ברא אלהים את השמים ואת הארץ.

אמר להם: אור נברא תחלה או חשך? אמרו לו: דבר זה אין לו פיתרון.

(ויאמרו לו: חשך נברא תחלה. שנאמר: והארץ היתה תהו ובהו וחשך - ואחר-כך: ויאמר אלהים יהי אור ויהי-אור. וזו. בסבורים היו, שמה יבא לשאול מה-לפעלה ומה-לספה. מה-לפנים ומה-לאחור).

אמר להם: איזהו חכם? אמרו לו: הראה את-הגולד. אמר להם: איזהו גבור? אמרו לו: הובש את-יצור. אמר להם: איזהו עשיר? אמרו לו: העמם בחלקו. אמר להם: ומה-יעשה אדם ויהיה? אמרו לו: ימית עצמו.

מה-יעשה אדם וימות? - ימיה את-עצמו.

אמר להם: מה-יעשה אדם ויתקבל על הבריות? אמרו לו: יסנא מלכות ושלשן. אמר להם: של טוב משלכם - יאמרו מלכות ושלשן ויעשה טובה עם בני-אדם.

אמר להם: בים יפה לדור או ביבשה? אמרו לו: ביבשה יפה לדור. שהרי כל-יורדי הים אין זעתם מתיעשת עד שעולים ליבשה.

אמר להם: מי מכם חכם יותר? אמרו לו: כלנו שוים כאחד. שכל-דבר שאמרנו לנו פתחנו לך באחד. אמר להם: מה אתם מתריסים כנגדי? אמרו לו: הששן נצח. אמר להם:

1 נובחיה ח. ב. 2 סס טא. ג. 3 סס טא. ד.

לנכון. כל שפרי ידועה ודחיקי. (לב) גביעה בן-קיסם - הוא גביעה בן-סיסא. אנפילאות - בתי רגלים של לבדים. עומקשות: סאמר להבנס להר הבית במעלות. הובין למלך אנפילאות יסרה כזו להבנס. גביעתך - חסודתה שעל גבך. שוביטה היה גבך. והמלך אמר לו דוד שחוק. (ג) מן השמים לארץ וכו' - כלר היה רחוק יותר. הכל ססמליון - כגבול שהיה רחוק ביותר. מה לפנים וכו' - מה שהיה קודם הבראה ומה שהיה בסוף; ואלו הם מן הדברים שאמרו לחדש בהם. את הגולד - טראשית אחרית. ימית עצמו - כלר לא יתנה הרבה מן הטורח. יחיה את עצמו - יתעבב בזהויה. ויתקבל - יהא רצוי. סלי - כזה סלי. ויעשה טובה עם בני אדם - יסוק בצרכי צבור. מתריסים כנגדי - מליים דמי ביחאמי; ורי אנו המרובים ואתם בידעו. הששן נצח - כלוב. אין השלשון ראה על צמחית הראתם. ולא נאה שער למלך - שהספח שלא יעשה סם רב. (לו) אי אעשר - שרצה אני לילך ודק. לובים - על סס סקובם. (לז) וגרמחיה - גרמחי ומייתי את אבני העזובת. תפח רוחו וכו' - לשון קללה כלל אלכסנדר. בוכות בהמה דקה וכו' - שאתם אינכם ראויים לכך.

A midrashic teacher relates that once Alexander the Great paid a visit to a certain king in the land of "Katzia" {6} because he wished to see how that king "at the ends of the earth" dispensed justice. On the particular day of his visit, two people came before the king to present their dispute for adjudication. One had sold a dunghill to his neighbour; the other had bought it, and found a treasure within it.

The buyer claimed: 'I bought a dunghill, not a treasure' whereas the seller declared, 'I sold a dunghill and whatever is within it.'

The king asked one of the two: Do you have a son? He answered him, 'Yes.' He asked the other one, 'Do you have a daughter?' He answered, 'Yes.' He (the king) said to them,, 'Let them be married to each other and the treasure will be theirs.

Alexander watched the proceedings, bemused, and when the King of Katzia asked how he would have judged such a case, the Great One replied:

We would have killed both (the men) and taken the treasure for ourselves. He (the king) asked: Does it rain in your country?..Does the sun shine there? He (Alexander) said, 'Yes.' He asked, Do you have domesticated goats and sheep (behema dakka) in your country? He said, Yes. He (the king of Katzia) said to him, May that man (i.e., you!) be blasted (Tipah ruho shel oto ish). Not by your merit does it rain in your country, or does the sun shine there but for the sake of the animals, as it is written 'Man and beast You save, O Lord (Psalms XXXVI:7); You save humans for the sake of the beasts (Genesis Rabbah XXXIII:1).

את הקהל הזה; סמא לרפוס, זה יצחק, שנאמר: (בראשית כו. א) 'ותכהין עיניו מראת'; נתן קטדיקי לאבדהם, שנאמר: (שם טו. יג) 'ידע תדע כי גר יהיה ורעף'; קרב קיסין על יעקב: (שם לב. לב) 'והוא צלע על ירכו'. כשדאה איוב אמר: בבקשה ממך, שכור הייתי, שנאמר: (איוב יט. ד) 'ואף אמנם שגיתי אתי תלין משונתי'. וכל כך למה, שלא היו יודעין כחו של דין, הוי: מבלי משים לנצח יאבדו.

יב. דבר אחר: ואלה המשפטים — הקדא הוא דכתיב: (תהלים קמו. יט) 'מגיד דבריו ליעקב', פעם אחת אמר לו עקילס לאדריונוס המלך: רוצה אני להתגיר ולהעשות ישראל. אמר לו: לאמה זו אתה מבקש?! כמה בוייתי אותה, כמה הרגתי אותה! לירודה שבאמות אתה מבקש להתערב?! מה ראית בהם שאתה רוצה להתגיר? אמר לו: הקסן שבהם יודע היאך ברא הקדוש ברוך הוא את העולם, מה נברא כיום ראשון ומה נברא ביום שני, כמה יש משנברא העולם, ועל מה העולם עומד, ותורתן אמת. אמר לו: לך ולמד תורתן ואל תמול. אמר לו: אפלו חכם שבמלכותך וחקן בן מאה שנה אינו יכול ללמד תורתן אם אינו מל, שכן כתוב: 'מגיד דבריו ליעקב חקיו ומשפטיו לישראל לא עשה כן לכל גוי, ולמי לבני ישראל'.

יג. דבר אחר: ואלה המשפטים — הקדא הוא דכתיב: (מסלי כט. ד) 'מלך במשפט יעמיד ארץ', זה הקדוש ברוך הוא, שברא את עולמו

פין הדרש

יב. א. פי' גיסין גיר ב', פי' יא א', תחומא כאן ס' ה', ילקי תהלים ר' תחפית.
יג. א. ביר פי' א' ונסבן כס.

פירוש

(אבות פ"ב מ"א) 'והיה הדין במצוה קלה כבמורה, שאין אתה יודע מתן שכרן של מצוות'. ופי' ב"ר פכ"ו ר' במירש — ד"ה 'אפילו נח שנשחית וכו' ותמצא פשוטו של הכתוב: 'מבוקר לערב יוכתו וגו'.

יב. אמר לו עקילס וכו' בכמה מקומות הנקראים בשין הדרש 'מכנה אותו 'אונקלוס'. ונראה ששמו היה 'עקילס', ואילו 'אונקלוס' היה כשין תואר של שם מוצא והשוב, שאדריונוס היה דודו אחי אמו. 'אונקלוס' — onkelos — בלשנית דוד אחי ואם. ודרש כאן מ"ס: 'ואלה המשפטים אשר חסים לפניכם' — לפניכם ולא לפני אומות העולם, אומות העולם אין בידן לעמוד על עומקם של המשפטים האלה. ראה את תורה ישראל עומדת למעלה ממנה שמקבל להיקרא חכמה, ויש צורך בשינוי ביולוגי כח להשיג השגה מלאה את חכמת התורה. וקרב לזה מ"ס: (איכ"ר פ"ב פסוק ט') 'אם יאמר לך אדם: יש חכמה בגויים, תאמן וכו' יש תורה בגויים, אל תאמן'. יג. שברא את עולמו בדין יעמיד ארץ — יתן עמידה לארץ; הקדוש ברוך הוא ברא את העולם לפי מידת הדין —

יעקב; הצליח את יעקב. 'קרב קיסין על יעקב', היינו כס את רגליו בסד. היינו סדר — סדן — היינו קיסא, כול פץ. 'קיסין' — כולי פץ, ופי' ב"ר פכ"ו ר'. רואה את יעקב כמיוססר — magister, ראש — באשר היה ראשם של בית ישראל. ואף אכנס שירתי וגו' היינו שיכור היינו, לפי מ"ס: (ישעיה כח. ו) 'כין שנו וגו' שנו בשכר'. שלא היו יודעין כחו של דין וכו' כל אלה הנדולים והנדיקים נעשו באשר לא ידעו כחש של דין. והיינו מ"ס: 'מבלי משים לנצח יאבדו', אבדו באשר לא עמדו כל עומקם כל המשפטים, שאומר בהם: 'אשר חסים'. ומלמד אותנו לא להקל ראש אפילו בדבר שלכאורה נראה כמקובל וצודק, אלא יש לבדוק אם הדבר צודק באמת — צודק אפילו לגבי תת ההכרה; צודק אפילו בעיניו של הקדוש ברוך הוא. הקדוש ברוך הוא מקמיד גם על דברים שהאדם רואה אותם בלא חכמים, כמו כאומר רש"י עה"ת על הכתוב (דברים ו, יג) 'זהה עקב חכמתך את המשפטים האלה' — 'אם המצוות קלות כגוד דכ בעיניו חכמתך'. בדרך כלל לא על האדם לקבוע מהו מצוה קלה ומהו מצוה חמורה, כמ"ס:

Let us look again at the five statements that do not explicitly deal with the relationships between language and literature, to further explore their educational-philosophical uses. (We shall deal with the first two in the following chapter.) In doing so, we shall use the terminology of the language itself. Our five topics of language and literature are:

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"We Shall Do and We Shall Hear"

A fascinating *midrash* on Exodus 21:1 relates the following exchange between the Emperor Hadrian and his brother-in-law, Aquilas, a renowned second-century proselyte:

Now these are the ordinances (which you shall place before them) (Exodus 21:1). It is written, "He declareth His word unto Jacob ..." (Psalms 147:19) Aquilas once said to the Emperor Hadrian, "I wish to be converted and become an Israelite." He replied: "... After this people do you hanker? See how I have degraded it, and how many of them I have slain (after the war of Betar and the defeat of Bar Kokhba). You wish to ally yourself to the lowliest of peoples; what do you see in them that you now wish to be converted?"

He (Aquilas) replied: "The least among them knows how God created the world and what was created on the first and second day and how long it is since the world was created and on what the world is founded. Moreover their law is one of truth." He then said to him, "Go and study their law but do not be circumcised." To which he retorted, "Unless he be circumcised, even the wisest in thy kingdom and even a grey beard of a hundred years old cannot study their Torah for so it is written: 'He declareth His word unto Jacob, His statutes and His ordinances unto Israel, He hath not dealt so with any (other) nation and has not made known His ordinances to them ...'"

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This is an amazing story in several ways. Hadrian has warred against the Jews and brutally subdued them because they revolted against him and his decree forbidding circumcision. He cannot understand why a Roman nobleman would wish to join the vanquished and humiliated enemy of Rome. Aquilas's answer is that not only do they have a moral law of truth, but, and this he mentions

את הקהל הזה; סמא לרפוס, זה יצחק, שנאמר: (בראשית כז. א) 'ותכהין עיניו מראת'; נתן קטדיקי לאבדהם, שנאמר: (סמט. יג) 'ידע תרע כי גר יהיה ורעף'; קרב קיסין על יעקב: (סמ. לב. לב) 'והוא צלע על ירכו'. כשראה איוב אמר: בבקשה ממך, שכור הייתי, שנאמר: (איוב יט. ד) 'ואף אמןם שגיתי אתי תלין משונתי'. וכל כך למה, שלא היו יודעין כחו של דין, הוי: 'מבלי משים לנצח יאבדו'.

יב. דבר אחר: ואלה המשפטים — הקרא הוא דכתיב: (תהלים קמז. יט) 'מגיד דבריו ליעקב', פעם אחת אמר לו עקילס לאדריונוס המלך: רוצה אני להתגבר ולהעשות ישראל. אמר לו: לאמה זו אתה מבקש?! כמה בוייתי אותה, כמה הרגתי אותה! לירודה שבאמות אתה מבקש להתערב?! מה ראית בהם שאתה רוצה להתגבר? אמר לו: הקסן שבהם יודע היאך בקרא הקדוש ברוך הוא את העולם, מה נברא ביום ראשון ומה נברא ביום שני, כמה יש משנברא העולם, ועל מה העולם עומד, ותורתן אמת. אמר לו: לך ולמד תורתן ואל תמול. אמר לו: אפלו חכם שבמלכותך ונקן בן מאה שנה אינו יכול ללמד תורתן אם אינו מל, שכן כתוב: 'מגיד דבריו ליעקב חקיו ומשפטיו לישראל לא עשה בן לכל גוי, ולמי לבני ישראל'.

יג. דבר אחר: ואלה המשפטים — הקרא הוא דכתיב: (משלי כט. ז) 'מלך במשפט יעמיד ארץ', זה הקדוש ברוך הוא, שברא את עולמו

פין הדרש

יב. א. פי' גיטין ב"ד ב', פי' י"א א', תחומא כאן ס' ה', ילקי תהלים ר' חמשת. יג. א. ב"ר פ"ד א' ונסבן ספ.

פירוש

(אבות פ"ב מ"א) 'זהו חזר במצוה קלה כבתורה, שאין אתה יודע מהן שכרן של מצוות'. ופי' ב"ר פכ"ד ר' בשירש — ד"ה 'אפילו נח שנשחית וכו' ותמצא פשוטי של הכתוב: 'מבקר לערב יוכתי וגו'.

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מספר פרטים נחשף / ואף שלא היה מקשה הערות בפרטים, אבל מכאן היו עשרה מיושבים שראו כיצד נעשה לבית המלך (ירמיהו). יש שמוציא כי בכלל פרטים היה הכתוב שנקשה הדבר בסוף עשרת מיושבים, אבל ששערת מיושבים ידועים בדבר זה (מאירין). יש מוסיף שבכלל הם איש ואשה ימים אחד בזה כי כלל בשערת פרטים (משי"ד, עמוד).

It is obvious that Jews are required [for this publicity], for it is written. *But I will be hallowed among the children of Israel.*⁷ R. Jeremiah propounded: What of nine Jews and one Gentile?—Come and hear: For R. Jannai, the brother of R. Hiyya b. Abba learned: An analogy is drawn from the use of *tok* ('among') in two passages. Here is written, *But I will be hallowed among [be'tok] the children of Israel*; and elsewhere, *separate yourselves from among [mi-tok] this congregation*;⁸ just as there the reference is to ten, all Jews, so here too—ten, all Jews.⁹ But did not Esther transgress publicly?¹⁰—Abayed answered: Esther was merely natural soil.¹¹ Raba said: When they [sc. the persecutors] demand it for their personal pleasure, it is different.¹² For otherwise, how dare we yield to them [sc. the Parsees or fire worshippers] our braziers [or fire bellows]

grass on the Sabbath for the cattle, and if not I will slay thee'. Let him cut it, and not be killed: 'Cut it and throw it into the river', he should rather be slain than cut it. Why so?—Because his intention is to force him to violate his religion.

It was asked of R. Ammi: Is a Noachide bound to sanctify the Divine Name or not?—Abaye said, Come and hear: The Noachides were commanded to keep seven precepts.¹³ Now, if they were commanded to sanctify the Divine Name, there are eight. Raba said to him: Them, and all pertaining thereto.¹⁴

What is the decision?—R. Adda b. Ahabah said: The disciples of Rabi said: It is written, *In this thing, the Lord pardon thy servant, that when my master goeth into the house of Rimmon to worship there, and he leaneth on my hand, and I bow myself in the house of Rimmon.*¹⁵ And it is

(6) When religion itself is persecuted even the most insignificant religious custom or habit must be defended at all costs, having regard to the higher principle at stake. [The shoe latches worn by Jews were white, those worn by heathens black. V. Nacht. /QR. (N.S.) VI, p. 12.] (7) Lev. XXII, 32. (8) Num. XVI, 21; v. Meg. 13b. A further analogy is there drawn from the use of congregation ('edah עדה) in two passages; one, just quoted, and the second, *How long shall I bear with this evil congregation* ('edah) Ibid. XIV, 27. 'Congregation' there refers to the Spies sent out by Moses. As Joshua and Caleb had dissociated themselves from their evil report, ten were left, all Israelites, cf. *supra* Mishnah l.i. (9) Therefore one is not called upon to suffer martyrdom if bidden to transgress in the presence of nine Jews and one Gentile. (10) By permitting a Gentile—Ahasuerus—to take her to wife. (11) Which is tilled, i.e., she was only the passive object of his embraces. (12) And not as a measure of religious persecution. (13) The passage is obscure. The interpretation here is that of Levy, who adopts the reading *והי קקק ידעתי ודע ידעתי*. This refers to the Guebres, who permitted no fires in private dwellings on the festival days, and forced the Jews to give up to them their braziers (or bellows)

and coal shovels, and themselves sit in darkness. On this interpretation, *קקק* is derived from *קק*, the sound made by blowing up a fire. The Munich edition reads *והי קקק ידעתי ודע ידעתי*, or *ידעתי ודע ידעתי* (another reading). bears a strong resemblance to *dominica*: now, *dies dominica* (the Lord's Day) signifies Sunday, and *ardus dominica* signifies church; *קקק*, for which an alternative reading is *קקק*, may be a Greek word (*κυριακή*) also meaning church. In Raba's time there were Christian communities in Persia, observing their Sunday as strictly as the Jews observed the Sabbath, who therefore arranged for the Jews to hear their churches on that day, as they probably did a similar service for the Jews on the Sabbath (M. Jast. in REJ 1894, pp. 277ff.) (14) I.e., they do not demand the fire as a religious act, whereby the Jew shall associate himself in idolatrous worship, but merely desire its warmth in their churches. (15) Ahasuerus made her transgress for his personal pleasure, not because he desired her to violate her religion.

(1) V. *supra* 56a. (2) I.e. sanctifying the Divine Name by observing their seven precepts is not a separate precept, but included therein. (3) V. *supra* 57a, n. b7. (4) II Kings V, 18.

R. Papa said: This refers to seduction [not outrage], and therefore agrees with all.¹ Abaye said: This applies where she could have been saved at the cost of one of the limbs [of the violator],² and agrees with R. Jonathan b. Saul. For it has been taught: R. Jonathan b. Saul says: If one was pursuing his fellow to slay him, and he could have been saved³ by maiming a limb [of the pursuer] but did not thus save himself [killing him instead], he is executed on his account.⁴

What is R. Jonathan b. Saul's reason?—Because it is written, *If men strive [and hurt a woman . . .] he shall be surely punished . . . and pay as the judges determine. And if any mischief follow, then thou shalt give life for life.*⁵ Whereon R. Eleazar said: The verse refers to attempted murder,⁶ for it is written, *And if any mischief follow, then thou shalt give life for life;*⁷ and yet the Divine Law states, *If no mischief follows, he shall surely be punished.* Now this is correct if you say that where the pursued can be saved at the cost of one limb [of the pursuer] the latter may not be slain: hence it is conceivable that he shall be punished [by paying monetary compensation]. But if you maintain that he may be slain, how is it possible for him to be punished?⁸ Perhaps it is different here, because his liability to death is incurred on account of one person, but his monetary obligation on account of another?⁹—That makes no difference. For Raba¹⁰ said: If a man was pursuing after his fellow [to slay him], and broke some utensils, whether of the pursued or of some other person, he is free from liability. Why so? Because he is liable to be killed. If the pursued broke some articles: if they belonged to the pursuer, he is not liable for them; if to someone else, he is. 'If they belonged to the pursuer he is not liable',—
a because his property is not more precious than his own person.¹¹ But 'if to someone else, he is',—because he saved himself at his neighbour's expense. But if one pursuer was pursuing another pursuer to save him [the latter's victim] and broke some utensils, whether of the pursuer, or the pursued, or of any other person, he is not liable for them. This should not be so in equity,¹² but if thou wilt not rule thus, no man will save his neighbour from a pursuer.¹³

BUT HE WHO PURSUES AN ANIMAL [TO ABUSE IT].

It has been taught: R. Simeon b. Yohai said: An idolater may be saved [from sin] at the cost of his own life. This is deduced by reasoning from the minor to the major: If the dishonouring of a human being¹⁴ must be averted even at the cost of [the violator's] life, how much more so the dishonouring of the All-Highest.¹⁵ But can we punish¹⁶ as a result of an *ad majus* conclusion?—He maintains that we can.

It has been taught: R. Eleazar, son of R. Simeon, said: He who desecrates the Sabbath may be saved [from sin] by his own life. He agrees with his father, that punishment is imposed as a result of an *ad majus* conclusion, and then he deduces the Sabbath from idolatry by [a *gezerah shawah* based on the use

b of] *profanation* in connection with the Sabbath.

R. Johanan said in the name of R. Simeon b. Jehozadak: By a majority vote, it was resolved in the upper chambers of the house of Nithza in Lydda¹⁷ that in every [other] law of the Torah, if a man is commanded: 'Transgress and suffer not death' he may transgress and not suffer death, excepting idolatry, incest, [which includes adultery] and murder.¹⁸ Now may not idolatry be practised [in these circumstances]? Has it not been taught: R. Ishmael said: Whence do we know that if a man was bidden, 'Engage in idolatry and save your life', that he should do so, and not be slain? From the verse: [*Ye shall therefore keep my statutes and my judgments; which if a man do, he shall live in them;*¹⁹ but not die by them. I might think that it may even be openly practised, but Scripture teaches, *Neither shall ye profane my holy name; but I will be hallowed;*²⁰—They²¹ ruled as R. Eliezer. For it has been taught: R. Eliezer said: *And thou shalt love the Lord thy God with all thy heart and with all thy soul, and with all thy might.*²² Since 'with all thy soul' is stated, why is 'with all thy might' stated? Or if 'with all thy might' be written, why also write 'with all thy soul'? For the man to whom life is more precious than wealth, 'with all thy soul' is written;²³ whilst he to whom wealth is more precious than life is bidden, 'with all thy might' [i.e., substance].²⁴

Incest and murder [may not be practised to save one's life].—even as Rabbi's dictum. For it has been taught: Rabbi said, *For as when a man riseth against his neighbour, and slayeth him, even so is this matter.*²⁵ But what do we learn from this analogy of a murderer? Thus, this comes to throw light and is itself illumined. The murderer is compared to a betrothed maiden: just as a betrothed maiden must be saved [from dishonour] at the cost of his [the ravisher's] life, so in the case of a murderer, he [the victim] must be saved at the cost of his [the attacker's] life. Conversely, a betrothed maiden is compared to a murderer: just as one must rather be slain than commit murder, so also must the betrothed maiden rather be slain than allow her violation. And how do we know this of murder itself?—It is common sense. Even as one who came before Raba²⁶ and said to him, 'The governor of my town has ordered me, "Go and kill so and so; if not, I will slay thee"'. He answered him, 'Let him rather slay you than that you should commit murder: who knows that your blood is redder? Perhaps his blood is redder.'²⁷

When R. Dimi came,²⁸ he said in R. Johanan's name: This was taught only if there is no royal decree,²⁹ but if there is a royal decree, one must incur martyrdom rather than transgress even a minor precept. When Rabin came, he said in R. Johanan's name: Even without a royal decree, it was only permitted in private; but in public one must be martyred even for a minor precept rather than violate it. What is meant by a 'minor precept'?—Raba son of R.

(1) For if she is seduced of her own consent, she may not be saved at the cost of her seducer's life; nevertheless, the fine is imposed. (2) Without killing him. (3) Here Rashi explains, either by the pursued, or by another person. On 57a he states, 'by the pursued'. (4) Hence, in such circumstances the violator is not liable to death, and consequently liable to the fine. (5) Ex. XXI, 22ff. (6) I.e., he who injured the woman was striving to kill his opponent. (7) Ibid. The extreme penalty, though the murder of the woman is unintentional, is explicable only on the above assumption. (8) V. supra 72a, n. 61. (9) I.e., he is liable to be slain because he seeks to slay his combatant; but the monetary liability arises through his injury to the woman. Where, however, these liabilities are incurred on account of two different persons it may be that the one does not cancel the other. (10) In B.K. 117b the text is Rabbah. (11) And just as he would not have been punished had he killed him, so he is not liable for destroying his property. (12) For if he who saves himself at another's expense is liable for the damage, how much more so when one saves another at a third party's expense. (13) Lest in doing so he causes damage for which he will have to pay. Hence reverting to the subject under discussion, in the case of one man striving to kill another and injuring a woman, it must be assumed that he was not liable to be slain, and this is only possible if his

opponent could be saved by a limb of the murderer, which proves R. Jonathan b. Saul's assertion. (14) Viz., that of a betrothed maiden. (15) Idolatry, by recognising a divine power in addition to God's, dishonours Him, conceding to another that which is His alone. (16) In this case, indemnify his slayer.

(17) The Sabbath: *Everyone that profaneth it shall surely be put to death* (Ex. XXXI, 14); idolatry: *And thou shalt not let any of thy seed pass through the fire to Moloch, neither shalt thou profane the name of the Lord thy God.* (Lev. XVIII, 21). (18) A town in South Palestine (Roman name Diospolis). (19) According to Graetz, *Geschichte*, IV, p. p. 155 and 428ff this took place during the Hadrianic persecutions consequent upon the failure of the revolt of Bar Cochba 132-135 C.E. [According to Halevy *Darsh* i.e., p. 371, before the fall of Bether]. (20) Lev. XVIII, 5. (21) Lev. XXII, 32. (22) The Sages that met at the house of Nithza. (23) Deut. VI, 5. (24) I.e., even to give thy soul (life) in His service. (25) This proves that one must incur a martyr's death rather than practise idolatry, for 'and thou shalt love the Lord thy God' means that we must not worship any other in His place.

(26) Deut. XXII, 16. (27) Var. le., Rabbah. (28) I.e., you have no right to murder him to save yourself: his life is no less valuable than your own. (29) V. supra 57a, n. 61. (30) Forbidding the practice of Judaism, the actum being by an individual.

came and spoke unto Moses, and to Eleazar the priest, and unto the princes of the congregation, saying: 3. 'Ataroth, and Dibon, and Jazer, and Nimrah, and Heshbon, and Elealeh, and Sebam, and Nebo, and Beon, 4. the land which the Lord smote before the congregation of Israel, is a land for cattle, and thy servants have cattle.' 5. And they said: 'If we have found favour in thy sight, let this land be given unto thy servants for a possession; bring us not over the Jordan.' 6. And Moses said unto the children of Gad and to the children of Reuben: 'Shall your brethren go to the war, and shall ye sit here? 7. And wherefore will ye turn away the heart of the children of Israel from going over into the land which the Lord hath given them? 8. Thus did your fathers, when I sent them from Kadesh-barnes to see the land. 9. For when they went up unto the valley of Eshcol, and saw the land, they turned away the heart of the children of Israel, that they should not go into the land which the Lord had given them. 10. And the Lord's anger was kindled in that day, and He swore, saying: 11. Surely none of the men that came up out of Egypt, from twenty years old and upward, shall see the land which I swore unto Abraham, unto Isaac, and unto Jacob; because they have not wholly followed Me; 12. save Caleb the son of Jephunnah the Kenizzite, and Joshua the son of Nun; because they have wholly followed the Lord. 13. And the Lord's anger was kindled against Israel, and He

במדרב משות לב

משל ואל-אלקעך הכהן ואל-נשיא
העדה לאמר: עטרות וריבן ויעזר
ונמרה וחשבון ואלעלה ושכם ויבו
ויבון: הארץ אשר הבה יהוה לפני
עבד ישראל ארץ מקנה הוא ואלעבדך
מקנה: ויאמרו אם-
מצאנו חן בעיניך יתן את-הארץ הזאת
לעבדך לאחזה אל-תעבדנו את-
הנדר: ויאמר משה לבני-גד ולבני
ראובן האחיהם יבאו למלחמה ואם
תשובו פה: ולמה תנואון את-לב בני
ישראל מעבר אל-הארץ אשר-נתן
להם יהוה: כה עשו אבתיכם בשלתי
אתם מקדש ברנע לראות את-הארץ:
ונעלו עד-נחל אשכול ויראו את-
הארץ ויביאו את-לב בני ישראל
לבלי-בא אל-הארץ אשר-נתן
להם יהוה: ויחר-אף יהוה בינם
ההוא וישבע לאמר: אם-ייראו
האנשים העלים ממצרים מן עשרים
שנה ומעלה את האדמה אשר נשבעתי
לאבותם ליתחם וליצחק וליעקב כי לא-
מלאו אתרי: בלתי בלב בן-יפנה
הקנזי ויהושע בן-נון כי מלאו אתרי
יהוה: ויחר-אף יהוה בישראל וינעם

ד. תיאון ק

action they might strike terror into the hearts of the people as did the spies; the same disaster would be repeated and the whole generation perish in the wilderness (R, N).

7. wherefore will ye turn away. Moses suspected that the real motive behind their request was fear to take part in the war against the inhabitants of Canaan. Therefore he warned them that by their

captains of hundreds, came near unto Moses; 49. and they said unto Moses: 'Thy servants have taken the sum of the men of war that are under our charge, and there lacketh not one man of us. 50. And we have brought the Lord's offering, what every man hath gotten, of jewels of gold, armlets, and bracelets, signet-rings, ear-rings, and girdles, to make atonement for our souls before the Lord.' 51. And Moses and Eleazar the priest took the gold of them, even all wrought jewels. 52. And all the gold of the gift that they set apart for the Lord, of the captains of thousands, and of the captains of hundreds, was sixteen thousand seven hundred and fifty shekels.—53. For the men of war had taken booty, every man for himself.—54. And Moses and Eleazar the priest took the gold of the captains of thousands and of hundreds, and brought it into the tent of meeting, for a memorial for the children of Israel before the Lord.

CHAPTER XXXII

1. Now the children of Reuben and the children of Gad had a very great multitude of cattle; and when they saw the land of Jazer, and the land of Gilead, that, behold, the place was a place for cattle, 2. the children of Gad and the children of Reuben

50. armlets. R renders by 'anklets.'

54. a memorial for the children of Israel. From the gold were made vessels dedicated to the service in the Sanctuary (N).

CHAPTER XXXII

2. the children of Gad and the children of Reuben. Whereas in the preceding verse the children of Reuben are named first

המנאות: ויאמרו אל-משה עבדך
נשאו את-ראש אנשי המלחמה אשר
בידנו ולא-נפקד ממנו איש: ונקרב
את-קרבו יהוה איש אשר מצא בלי-
זהב אצבעה וצמיד טבעת עגיל וכומץ
לכפר על-נפשתינו לפני יהוה: ויקח
משה ואלעזר הכהן את-הזהב מאתם
כל בלי מעשה: ויהי כל-זהב
התרומה אשר הרימו ליהוה ששה
עשר אלף שבע-מאות וחמשים שקל
מאת שרי האלפים ומאת שרי המאות:
אנשי הצבא בןו איש לו: ויקח משה
ואלעזר הכהן את-הזהב מאת שרי
האלפים והמאות ויבאו אתו אל-אהל
מועד וקדו לבני-ישראל לפני
יהוה: פ עשי (סליחי כשהן מורב)

לב

1 ומקנה רב היתה לבני ראובן ולבני-גד
עצום מאד ויראו את-ארץ יעזר ואת-
ארץ גלעד והנה המקום מקום מקנה:
2 ויבאו בני-גד ובני ראובן ויאמרו אל-

in order of tribal seniority, in all the succeeding negotiations the children of Gad are mentioned first. The reason is, the children of Gad conceived the idea of settling on the east side of the Jordan; they were the spokesmen who presented the case to Moses; and because they were mighty warriors superior to the Reubenites, they were not afraid to settle away from the remainder of the people (N).

you for a possession before the Lord. 23. But if ye will not do so, behold, ye have sinned against the Lord; and know ye your sin which will find you. 24. Build you cities for your little ones, and folds for your sheep; and do that which hath proceeded out of your mouth.'

25. And the children of Gad and the children of Reuben spoke unto Moses, saying: 'Thy servants will do as my lord commandeth. 26. Our little ones, our wives, our flocks, and all our cattle, shall be there in the cities of Gilead; 27. but thy servants will pass over, every man that is armed for war, before the Lord to battle, as my lord saith.'

28. So Moses gave charge concerning them to Eleazar the priest, and to Joshua the son of Nun, and to the heads of the fathers' houses of the tribes of the children of Israel. 29. And Moses said unto them: 'If the children of Gad and the children of Reuben will pass with you over the Jordan, every man that is armed to battle, before the Lord, and the land shall be subdued before you, then ye shall give them the land of Gilead for a possession; 30. but if they will not pass over with you armed, they shall have possessions among you in the land of Canaan.' 31. And the children of Gad and the children of Reuben answered, saying: 'As the Lord hath said unto thy servants, so will

24 וְכִבְּדוּ אֶת הַלִּבָּיִם לִפְנֵי יְהוָה: וְאִם-לֹא תַעֲשׂוּן כִּן הִנֵּה חָטֵאתֶם לַיהוָה וְרַעוּ תַמְאֲחֻכֶם אֲשֶׁר תִּמְצָא אַחֲכֶם: בְּנוּ-לָכֶם עָרִים לְמִשְׁכְּכֶם וּגְרָת לְצֹאֲנֵכֶם וְהִצַּא מִפִּיכֶם תַּעֲשׂוּ: וַיֹּאמֶר בְּנֵי-נָדָב וְרַאוּבֵן אֶל-מֹשֶׁה לֵאמֹר עֲבָרִיהֶם יַעֲשׂוּ כַּאֲשֶׁר אָרְצָה מִצְוָה: טַפְּנוּ וְנִשְׁנוּ מִקְנֵנוּ וְכָל-בְּהֶמְתָּנוּ יְהוּ-שָׁם בְּעָרֵי הַגִּלְעָד: וְעֲבָרִיהֶם יַעֲבְרוּ כָל-חֲלוּץ צָבָא לִפְנֵי יְהוָה לְמִלְחָמָה כַּאֲשֶׁר אָרְצָה דָּבָר: וַיֵּצֵאוּ לָהֶם מֹשֶׁה אֶת אֶלְעָזָר הַכֹּהֵן וְאֶת יְהוֹשֻׁעַ בֶּן-נּוּן וְאֶת-רָאשֵׁי אֲבוֹת הַבְּנוּטוֹת לְבְנֵי יִשְׂרָאֵל: וַיֹּאמְרוּ מֹשֶׁה אֲלֵהֶם אִם-יַעֲבְדוּ בְנֵי-נָדָב וְרַאוּבֵן וְאַחֲכֶם אֶת-הַיַּרְדֵּן כָּל-חֲלוּץ לְמִלְחָמָה לִפְנֵי יְהוָה וְנִבְבְּשָׁה הָאָרֶץ לִפְנֵיכֶם וְנִתְּתָם לָהֶם אֶת-אֶרֶץ הַגִּלְעָד לְאֻחֻזָּה: וְאִם-לֹא יַעֲבְדוּ חֲלוּצִים אַחֲכֶם וְנִאֲחֲזוּ בְּחֻכְכֶם בָּאָרֶץ בְּנֵעֻן: וַיַּעֲנוּ בְנֵי-נָדָב וְרַאוּבֵן לֵאמֹר אֵל אֲשֶׁר דִּבֶּר יְהוָה אֶל-עֲבָרִיהֶם בִּגְשָׁה:

v. 26. סבירין ויאמרו

generation, that had done evil in the sight of the Lord, was consumed. 14. And, behold, ye are risen up in your fathers' stead, a brood of sinful men, to augment yet the fierce anger of the Lord toward Israel. 15. For if ye turn away from after Him, He will yet again leave them in the wilderness; and so ye will destroy all this people.'

16. And they came near unto him, and said: 'We will build sheepfolds here for our cattle, and cities for our little ones; 17. but we ourselves will be ready armed to go before the children of Israel, until we have brought them unto their place; and our little ones shall dwell in the fortified cities because of the inhabitants of the land. 18. We will not return unto our houses, until the children of Israel have inherited every man his inheritance. 19. For we will not inherit with them on the other side of the Jordan, and forward, because our inheritance is fallen to us on this side of the Jordan eastward.'

20. And Moses said unto them: 'If ye will do this thing: if ye will arm yourselves to go before the Lord to the war, 21. and every armed man of you will pass over the Jordan before the Lord, until He hath driven out His enemies from before Him, 22. and the land be subdued before the Lord, and ye return afterward; then ye shall be

14 וְהַיָּדוֹן וְעֵשָׂה דָרַע בְּעֵינֵי יְהוָה: וְהִנֵּהוּ קָמָתָם תַּחַת אֲבֹתֵיכֶם תַּרְבוֹת אֲנָשִׁים חַטָּאִים לְסַפּוֹת עוֹד עַל-חֲרוֹן-אַף-יְהוָה 15 אֶל-יִשְׂרָאֵל: כִּי תִשְׁוּבוּ מֵאַחֲרָיו וְיֹסֶף עוֹד לְהַנִּיחָם בַּמִּדְבָּר וְשַׁחֲתָם לְכָל-הָעָם הַזֶּה: 16 וַיָּבֹאוּ אֵלָיו וַיֹּאמְרוּ וְגֵרָת צֹאן נִבְנֶה לְמִקְנֵנוּ פֶּה וְעָרִים לְטַפְּנוּ: וְאֲנִינֵנוּ נִהְיֶה חֲשִׁים לִפְנֵי בְנֵי יִשְׂרָאֵל עַד אֲשֶׁר אִם-הִבִּיאֲנָם אֶל-מִקְוָמָם וְיָשִׁב טַפְּנוּ בְּעָרֵי הַמִּבְצָר מִפְּנֵי יֹשְׁבֵי הָאָרֶץ: לֹא נָשׁוּב אֶל-בְּתִינוּ עַד הַתְּנַחַל בְּנֵי יִשְׂרָאֵל אִישׁ נִחְלָתוֹ: כִּי לֹא נִנְחַל אִתָּם מֵעַבְד לַיַּרְדֵּן וְהִלָּאָה כִּי בָאָה נִחְלָתָנוּ אֵלֵינוּ מֵעַבְד הַיַּרְדֵּן מִזְרָחָה: פ סָבִיעִי (רַבִּיעִי כְּשֶׁהָן מִזְרָח) 20 וַיֹּאמְרוּ אֲלֵיהֶם מֹשֶׁה אִם-תַּעֲשׂוּן אֶת-הַדָּבָר הַזֶּה אִם-תִּסְתַּחֲלְצוּ לִפְנֵי יְהוָה לְמִלְחָמָה: וְעַבְד לָכֶם כָּל-חֲלוּץ אֶת-הַיַּרְדֵּן לִפְנֵי יְהוָה עַד הִדְרִישׁוּ אֶת-אֹיְבָיו מִפְּנֵינוּ: וְנִבְבְּשָׁה הָאָרֶץ לִפְנֵי יְהוָה וְאַחֲרָיָם תָּשִׁבוּ וְהָיִיתֶם נֹקִים

25. the children of Gad . . . spoke. The Hebrew verb is in the singular to indicate that they were unanimously agreed to observe the condition imposed upon them by Moses (R).

29. then ye shall give them the land of Gilead. They received only a few cities

in Gilead which they fortified for settling there their families and their flocks. The whole land of Gilead was promised them if and when they took part in the campaign against Canaan (N).

31. so will we do. They repeated their promise to demonstrate their sincerity (E).

16. sheepfolds here for our cattle. They were apparently more concerned with the safety of their property than with the welfare of their children, because they made reference to their cattle before their little ones. Moses corrected them by saying, (first) build you cities for your

little ones and (afterwards) folds for your sheep (verse 24) (R).

17. to go before the children of Israel. They offered themselves to form the vanguard in the campaign against Canaan, because the Gadites were mighty warriors (R).

we do. 32. We will pass over armed before the Lord into the land of Canaan, and the possession of our inheritance shall remain with us beyond the Jordan.'

33. And Moses gave unto them, even to the children of Gad, and to the children of Reuben, and unto the half-tribe of Manasseh the son of Joseph, the kingdom of Sihon king of the Amorites, and the kingdom of Og king of Bashan, the land, according to the cities thereof with their borders, even the cities of the land round about. 34. And the children of Gad built Dibon, and Ataroth, and Aroer; 35. and Atroth-shophan, and Jazer, and Jogbchah; 36. and Beth-nimrah, and Beth-haran; fortified cities, and folds for sheep. 37. And the children of Reuben built Heshbon, and Elealeh, and Kiriathaim; 38. and Nebo, and Baal-meon—their names being changed—and Sibmah; and gave their names unto the cities which they builded. 39. And the children of Machir the son of Manasseh went to Gilead, and took it, and dispossessed the Amorites that were therein. 40. And Moses gave Gilead unto Machir the son of Manasseh; and he dwelt therein. 41. And Jair the son of Manasseh went and took the villages thereof, and called them ¹Havvoth-jair. 42. And Nobah went and took Kenath, and the villages thereof, and called it Nobah, after his own name.

¹That is, *The villages of Jair*.

33. and unto the half-tribe of Manasseh. Originally only the children of Gad and Reuben asked for a possession in Transjordan. But when it was found that the land was too extensive for the two tribes, part of it was offered to any other tribe. A portion of the tribe of Manasseh accepted the offer (N).

38. their names being changed. The two cities Nebo and Baal-meon were renamed because they bore the names of heathen gods (R).

41. called them *Havvoth-jair*. Because Jair was childless, he perpetuated his name in the captured places (R).

במדבר מטות לב

32 נָחֵנוּ נֵעְבֹד חֲלוּצִים לִפְנֵי יְהוָה אֶרֶץ
בָּנֵנוּ וְאֶתְנוּ אֶחָת נִחְלָתָנוּ מֵעֶבֶד
לַיהוָה: וַתֵּן לָהֶם אֱלֹהִים לְבִנְיָמִן
וְלְבִנֵי רְאוּבֵן וְלַחֲצִי אֶשְׁכֵּם וּמְנַשֶּׁה
בְּנֵי-יוֹסֵף אֶת-מַמְלַכְתָּהּ סִיחֹן מֶלֶךְ
הָאֱמֹרִי וְאֶת-מַמְלַכְתָּהּ עֹג מֶלֶךְ הַבָּשָׁן
הָאֶרֶץ לְעֶרְיָהּ בְּגִבְלֹת עַרְבֵי הָאֶרֶץ
סָבִיב: וַיִּבְנוּ בִנְיָמִן אֶת-דִּיבּוֹן וְאֶת-
עַטְרֹת וְאֶת עֲרֹעֵר: וְאֶת-עַטְרֹת שׁוֹפָן
וְאֶת-יֶעֶזֶר וַיְגַבְּהָהּ: וְאֶת-בֵּית נִמְרָה
וְאֶת-בֵּית הַחֲרוֹשׁ עַרְבֵי מִבְצָר וְגִדְרֹת צֹאן:
וּבְנֵי רְאוּבֵן בָּנוּ אֶת-חֶשְׁבּוֹן וְאֶת-
אֶלְעָלָא וְאֶת קִרְיַתַּיִם: וְאֶת-נֶבֹז וְאֶת-
בָּעַל מַעֲוֹן מִיִּסְכָּת שֵׁם וְאֶת-שִׁבְמָה
וַיִּקְרְאוּ בְשֵׁמָה אֶת-שְׁמוֹת הָעָרִים אֲשֶׁר
בָּנוּ: כַּפְסִיר וַיִּלְכְּוּ בְנֵי מַכִּיר בֶּן-מְנַשֶּׁה
וַיִּלְעָדָה וַיִּלְבָּדָה וַיִּזְרַשׁ אֶת-הָאֱמֹרִי
אֲשֶׁר-רָבָה: וַתֵּן מֹשֶׁה אֶת-הַנִּלְעָד
לְמַכִּיר בֶּן-מְנַשֶּׁה וַיֵּשֶׁב בָּהּ: וַיֹּאמֶר
בֶּן-מְנַשֶּׁה הִלָּד וַיִּלְכָּד אֶת-חֲנוֹתֵיהֶם
וַיִּקְרָא אֹתָם הֵלֹת יֹאדִד: וַיִּנָּבֵחַ הִלָּד
וַיִּלְכָּד אֶת-קֶנֶת וְאֶת-בְּנֹתֶיהָ וַיִּקְרָא
לָהּ נֹבַח בְּשֵׁמוֹ:

42. v. 42.

[illegible]

that two men [310] made a wager with each other, saying, He who goes and makes Hillel angry shall receive four hundred zuz. Said one, 'I will go and incense him.' That day was the Sabbath eve, and Hillel was washing his head. He went, passed by the door of his house, and called out, 'Is Hillel here, is Hillel here?' Thereupon he robed and went out to him, saying, 'My son, what do you require?' 'I have a question to ask,' said he. 'Ask, my son,' he prompted. Thereupon he asked: 'Why are the heads of the Babylonians round?'^a 'My son, you have asked a great question,' replied he: 'because they have no skilful midwives.' He departed, tarried a while, returned, and called out, 'Is Hillel here, is Hillel here?' He robed and went out to him, saying, 'My son, what do you require?' 'I have a question to ask,' said he. 'Ask, my son,' he prompted. Thereupon he asked: 'Why are the eyes of the Palmyreans^b bleared?' 'My son, you have asked a great question,' replied he: 'because they live in sandy places.' He departed, tarried a while, returned, and called out, 'Is Hillel here, is Hillel here?' He robed and went out to him, saying, 'My son, what do you require?' 'I have a question to ask,' said he. 'Ask, my son,' he prompted. He asked, 'Why are the feet of the Africans [negroes] wide?' 'My son, you have asked a great question,' said he: 'because they live in watery marshes.' 'I have many questions to ask,' said he, 'but fear that you may become angry.' Thereupon he robed, sat before him and said, 'Ask all the questions you have to ask.' 'Are you the Hillel who is called the nasi^c of Israel?' 'Yes,' he replied. 'If that is you,' he retorted,

'may there not be many like you in Israel.' 'Why, my son?' queried he. 'Because I have lost four hundred zuz through you,' complained he. 'Be careful of your moods,' he answered, 'Hillel is worth it that you should lose four hundred zuz and yet another four hundred zuz through him, yet Hillel shall not lose his temper.'

Our Rabbis taught: A certain heathen once came before Shammai and asked him, 'How many *Torah's* have you?' 'Two,' he replied: 'the Written Torah and the Oral Torah.'^d 'I believe you with respect to the Written, but not with respect to the Oral Torah; make me a proselyte on condition that you teach me the Written Torah [only].'^e [But] he scolded and repulsed him in anger. When he went before Hillel, he accepted him as a proselyte. On the first day^f he taught him, *Alef, beth, gimmel, daleth*;^g the following day he reversed [them] to him. 'But yesterday you did not teach them to me thus,' he protested. 'Must you then not rely upon me?' Then rely upon me with respect to the Oral [Torah] too.'^h

On another occasion it happened that a certain heathen came before Shammai and said to him, 'Make me a proselyte, on condition that you teach me the whole Torah while I stand on one foot.' Thereupon he repulsed him with the builder's cubit which was in his hand.ⁱ When he went before Hillel, he said to him, 'What is hateful to you, do not to your neighbour;^j that is the whole Torah, while the rest is the commentary thereof; go and learn it.'

(9) Insolently, without the courtesy of a title.

a (1) Hillel himself was a Babylonian. (2) V. *supra* 21b, n. 28. (3) Hence their feet must be wide to enable them to walk there, just as ducks' feet are webbed. (4) Patriarch, the religious head of the people. (5) Torah, pl. *Toroth*, is generally, though incorrectly, translated 'law'. It means rather a system of teaching; v. R. T. Herford, *The Pharisees*, pp. 53ff. (6) The Written Torah is the Pentateuch; the Oral Torah is the whole body of Rabbinical and traditional teaching thereon. This was originally not committed to writing (for the reasons v. Weiss, *Doz.* 111, 24b; and Kaplan, *Redaction of the Talmud*, ch. XIX), and hence designated the

Oral Torah. Weiss, *op. cit.* I, p. 1, n. 1, observes that Hillel was the first man to whom the use of the term *halakha* 'Oral Law' is found ascribed.

b (1) Of teaching him. (2) The first four letters of the Hebrew alphabet. (3) As to what the letters are. (4) There must be a certain reliance upon authority before anything can be learnt at all. Cf. M. Farbridge, *Judaism and the Modern Mind*, chs. VII and VIII. (5) Rashi: a cubit to measure off the amount of work done by a builder. (6) The golden Rule; cf. Lev. XIX, 18: *but thou shalt love thy neighbour as thyself*. V. Hertz, *Leviticus*, pp. 220-223, and cf. R. T. Herford, *Talmud and Apocrypha*, p. 148.

◁ For the continuation of the English translation of this page see overleaf.

SESSION II: TEXT NO. 7

Continuation of translation from previous page as indicated by <

On another occasion it happened that a certain heathen was passing behind a Beth Hamidrash, when he heard the voice of a teacher reciting, *And these are the garments which they shall make; a breastplate, and an ephod.*⁸ Said he, 'For whom are these?' 'For the High Priest,' he was told. Then said that heathen to himself, 'I will go and become a proselyte, that I may be appointed a High Priest.' So he went before Shammai and said to him, 'Make me a proselyte on condition that you appoint me a High Priest.' But he repulsed him with the builder's cubit which was in his hand. He then went before Hillel, who made him a proselyte. Said he to him, 'Can any man be made a king but he who knows the arts of government? Do you go and study the arts of government!' He went and read. When he came to, *and the stranger that cometh nigh shall be put to death,*⁹ he asked him, 'To whom does this verse apply?' 'Even to David King of Israel,' was the answer. Thereupon that proselyte reasoned within himself a fortiori: if Israel, who are called sons of the Omnipresent,¹ and who in His love for them He designated them, *Israel is my son, my firstborn,*² yet it is written of them, *'and the stranger that cometh nigh shall be put to death';* how much more so a mere proselyte, who comes with his staff and wallet! Then he went before Shammai and said to him, 'Am I then eligible to be a High Priest; is it not written in the Torah, *'and the stranger that cometh nigh shall be put to death?'*' He went before Hillel and said to him, 'O

gentle Hillel; blessings rest on thy head for bringing me under the wings of the Shechinah!' Some time later the three met in one place; said they, Shammai's impatience sought to drive us from the world, but Hillel's gentleness brought us under the wings of the Shechinah.⁶

Resh Lakish said, What is meant by the verse, *and there shall be faith in thy times, strength, salvation, wisdom and knowledge?*⁷ 'Faith' refers to the Order of Seeds; *thy times*, the Order of Festivals; *strength*, the Order of Women; *salvation*, the Order of Nezikin;⁸ *wisdom*, the Order of Sacrifices; *and knowledge*, to the Order of Purity.⁹ Yet even so *the fear of the Lord is his treasure.*¹⁰

Raba said, When man is led in for judgment¹¹ he is asked, Did you deal faithfully [i.e., with integrity], did you fix times for learning, did you engage in procreation, did you hope for salvation, did you engage in the dialectics of wisdom, did you understand one thing from another.¹² Yet even so, if *'the fear of the Lord is his treasure,'* it is well; if not, [it is] not [well]. This may be compared to a man who instructed his agent, 'Take me up a kor of wheat in the loft,' and he went and did so. 'Did you mix in a kab of humion?'¹³ he asked him, 'No,' replied he. 'Then it were better that you had not carried it up,' he retorted. The School of R. Ishmael taught: A man may mix a kab of humion in a kor of grain, and have no fear.¹⁴

Rabbah b. R. Huna said: Every man who possesses learning

(7) Lit., 'a scribe'. (8) Ex. XXVIII, 4.

c (1) The laws appertaining to the functions of a High Priest. (2) Num. I, 51. (3) Deut. XIV, 1. (4) Ex. IV, 22. (5) V. Glos. (6) From these stories it would appear that proselytes were eagerly accepted by Hillel; v. Kid., 61b, n. 3. (7) Isa. XXXIII, 6. (8) V. n. 9. (9) These are the six orders into which the Talmud is divided. Faith is applied to Seeds, because it requires faith in the Almighty to sow with the assurance of a crop (J.T.); 'times' as meaning Festivals is self-explanatory; *heson*, here translated 'strength', is derived by Rashi from a root meaning to inherit, and thus identified with the Order of Women, because heirs are created through women; *Nezikin* treats of civil law, knowledge of which saves man (i.e., brings him 'salvation') from encroaching

upon his neighbour's rights or allowing his own to be filched away; the last two Orders are very intricate and require deep understanding, and are therefore identified with wisdom and knowledge. (10) Ibid. Learning without piety is valueless. (11) In the next world.

d (1) That is Raba's interpretation of the verse; he too translates '*heson*' as inheritance, and thus applies it to procreation (v. preceding note), and understands 'knowledge' as the process of inferring the unknown from the known. (2) *Jast*: a sandy soil containing salty substances and used for the preservation of wheat. (3) Of dishonesty, when he sells the whole as grain, because that proportion is necessary for its preservation. One kab = one hundred and eightieth of a kor.

defective; [88a] in that of the Rabbis, eight months were declared defective.)

Come and hear: For it was taught in the Seder 'Olam: 4 As to the Nisan in which the Israelites departed from Egypt, on the fourteenth they slaughtered their Passover sacrifices, on the fifteenth they went out, and that day was the Sabbath eve. Now, since the first of Nisan was the Sabbath eve, the first of Iyar was on a Sunday, and [the first of] Siwan on a Monday. This is a difficulty according to R. Jose?—R. Jose answers you: This agrees with the Rabbis.

Come and hear: R. Jose said: On the second day Moses ascended and descended; 5 on the third he ascended and descended; 6 on the fourth he descended and ascended no more. 7 But since he did not go up, 8 whence did he descend?—Rather [say,] on the fourth he ascended and descended; on the fifth he built an altar and offered a sacrifice thereon; [but] on the sixth he had no time. Surely that was on account of [the giving of] the Torah? 9—No: it was on account of the preparations for 10 the Sabbath. 11

A certain Galilean lectured before R. Hilda: 12 Blessed be the Merciful One who gave a three-fold Torah 1 to a three-fold people 2 through a third[-born] 3 on the third day 4 in the third month. With whom does this agree? With the Rabbis. 5

And they stood under the mount; 6 R. Abdimi b. Hama b. Hasa said: This teaches that the Holy One, blessed be He, overturned the mountain upon them like an [inverted] cask, and said to them, 'If ye accept the Torah, 'tis well; if not, there shall be your burial.' R. Aha b. Jacob observed: This furnishes a strong protest against the Torah. 7 Said Raba, Yet even so, they re-accepted it in the days of Ahasuerus, for it is written, [the Jews] confirmed, and took upon them [etc.]; 8 [i.e.,] they confirmed what they had accepted long before. Hezekiah said: What is meant by, Thou didst cause sentence to be heard from Heaven; The earth feared, and was tranquil; 9 if it feared, why was it tranquil, and if it was tranquil, why did it fear? But at first it feared, yet subsequently it was tranquil. 10 And why did it fear?—Even in accordance with Resh Lakish. For Resh Lakish said: Why is it written, And there was evening and there was morning, the sixth day; 11 What is the purpose of the additional 'the'? 12 This teaches that the Holy One, blessed be He, stipulated with the Works of Creation and said thereto, 'If

Israel accepts the Torah, ye shall exist; but if not, I will turn you back into emptiness and formlessness.' 13

R. Simai lectured: When the Israelites gave precedence to 'we will do' over 'we will hearken,' 14 six hundred thousand ministering angels came and set two crowns upon each man of Israel, one: a reward for 'we will do,' and the other as a reward for 'we will hearken'. But as soon as Israel sinned, 15 one million hundred thousand destroying angels descended and removed them, as it is said, And the children of Israel stripped themselves of their ornaments from mount Horeb. 16 R. Hama son of R. Hanina said: At Horeb they put them on and at Horeb they put them off. At Horeb they put them on, as we have stated. At Horeb they put them off, for it is written, And [the children of Israel] stripped themselves, etc. R. Johanan observed: And Moses was privileged and received them all, for in proximity thereto it is stated, And Moses took the tent. 17 Resh Lakish said: [Yet] the Holy One, blessed be He, will return them to us in the future, for it is said, and the ransomed of the Lord shall return, and come with singing unto Zion; and everlasting joy shall be upon their heads; 18 the joy from of old 19 shall be upon their heads.

R. Eleazar said: When the Israelites gave precedence to 'we will do' over 'we will hearken,' a Heavenly Voice went forth and exclaimed to them, Who revealed to My children this secret, which is employed by the Ministering Angels, as it is written, Bless the Lord, ye angels of His: Ye mighty in strength, that fulfil His word, That hearken unto the voice of His word; 20 first they fulfil and then they hearken?

R. Hama son of R. Hanina said: What is meant by, As the apple tree among the trees of the wood, [So is my beloved among the sons]; 21 why were the Israelites compared to an apple tree? To teach you: just as the fruit of the apple tree precedes its leaves, 22 so did the Israelites give precedence to 'we will do' over 'we will hearken'.

There was a certain Sadducee who saw Raba 23 engrossed in his studies while the finger[s] of his hand were under his feet, and he ground them down, so that his fingers spurted blood. 'Ye rash people,' he exclaimed, 'who gave precedence to your mouth over your ears: ye still persist in your rashness. First ye should have listened, if within your powers, accept; if not, ye should

(2) So there was a difference of three days, not four, that year consisting of three hundred and fifty-three days, which makes the first of Siwan fall on a Sunday. (3) Hence the year consisted of three hundred and fifty-two days, and the first of Siwan fell on a Monday. (4) The Seder 'Olam is the earliest extant post-exilic chronicle in Hebrew, and is a chronological record extending from Adam to Bar Kochba's revolt during the reign of Hadrian. Most scholars are agreed in assigning its authorship to R. Halafta, a Tanna of the first century, on the strength of a statement by R. Johanan in Yeb. 82b. V. J.E., art. Seder 'Olam Rabbah. (5) Hearing, 'and ye shall be . . . a kingdom of priests' and telling it to the people. (6) Being given the order to set boundaries. (7) Until the Revelation. (8) On the fourth. (9) Which supports the Rabbis that the Torah was given on the sixth of the month. (10) Lit., 'trouble of'. (11) The sixth of the month being Friday, the eve of the Sabbath. (12) In the public lectures or sermons the scholar sat and whispered his statements to a speaker, who conveyed them to the people; this Galilean was probably R. Hilda's speaker (generally referred to as 'amru'gman'). (13) I.e., the Torah (Pentateuch), Prophets and Hagiographa. (14) Israel consisting of Priests, Levites, and Israelites. (15) St. Moses, born third after Miriam and Aaron. (16) Of their separation from their wives. (17) For according to R. Jose it was on the fourth day of their separation, Moses having added a day (Yoma 87a). (18) Ex. XIX, 17. The translation is literal. E.V. neither part. (19) It provides an excuse for non-observance, since it was forcibly imposed in the first

place. (20) Euth. IX, 17. (21) Ps. LXXVI, 9. (22) It feared lest Israel would reject the Torah, and became tranquil when Israel accepted it. (23) Gen. I, 31. (24) In the case of the other days it is simply stated, a second day, a third day, etc., 'a' being altogether unexpressed in Hebrew. (25) He thus translates homiletically; and the continuance of morning and evening was depended on the sixth day, i.e., of Siwan, when Israel was offered the Torah. The general idea is: Without law and order as exemplified by the Torah the world must lapse into chaos and anarchy. (26) (1) V. Ex. XXIV, 7. Thus they promised to obey God's commands even before hearing them. (2) Lit., 'corresponding to'. (3) Through the Golden Calf. (4) I.e., which they had received at Mount Horeb. Ibid. XXXIII, 6. E.V. 'from mount onwards'. (5) Ibid. 7. The reference is not clear. V. Rashi. (6) Isa. XXXV, 10. (7) The verse may be translated thus. (8) Ps. CIII, 20. (9) Cant. II, 11. The two lovers in this poem were regarded as God and Israel. (10) Tosaif. observes this is untrue of the apple tree, which grows like all other trees; consequently refer this to the citron tree. As the citron remains on the tree from one year to the next, at which time the tree sheds its leaves of the previous year, the fruit may be said to precede the leaves. (11) There were no Sadducees in Raba's time, and the word is probably a censor's substitute for Gentile. In J.E. X, 631 bottom it is suggested that he was probably a Manichean. (MS.M. Mis (v. Glou)).

X

MEN OF ENLIGHTENMENT

IN the present chapter we shall go beyond the boundaries of time and space within which we have moved hitherto. We shall also encounter a new type of personality in R. Menahem Ha-Me'iri.¹ Ha-Me'iri was active in Provence, at the turn of the fourteenth century.² He belonged to the group of rationalists who maintained the philosophical tradition derived from Spanish-Jewish sources. Ha-Me'iri took up a position in defence of philosophy during the controversy about Maimonides' teaching, which arose for the second time in the first decade of the fourteenth century.³ It will not be surprising to find that his exceptional attitude towards other religions is connected with his philosophical outlook.

In spite of these facts, the teachings of Ha-Me'iri are not extraneous to our main theme. For whatever might have been the impulse which prompted him to conceive his theory of religious tolerance, both its application and its justification had to be achieved on the basis of the Halakhah. As a halakhist, Ha-Me'iri undoubtedly belongs to the Ashkenazi school, whose method had captivated the minds of the talmudists of Spain and Provence some hundred years before he was born.⁴ Ha-Me'iri himself added to this method of interpretation some individual features of elucidation and paraphrase. Fundamentally, however, Ha-Me'iri follows

¹ I have treated the subject of this chapter in an article in *Zion*, xviii, 1953, pp. 15-30.

² For the biography of Ha-Me'iri see S. K. Mirsky, *Toledoth Rabbi Menahem Ha-Me'iri u-Sefarad*, which appeared as a preface to Ha-Me'iri's *Klibbur Ha-Teshuvah*, ed. A. Schreiber, New York, 1950; M. N. Zobel, 'Qeṣath Peratim le-Toledoth Ha-Rav Ha-Me'iri', S. A. Horodezky Jubilee volume (*Eder Ha-Yegar*), Tel Aviv, 1947, pp. 88-96.

³ The date of Ha-Me'iri's death is contested; see Zobel, *op. cit.*, pp. 93-96, who supports the year 1315.

⁴ Grätz, *Geschichte der Juden*, and edn., vii, pp. 239-50; F. Y. Baer, *Toledoth Ha-Yahudim bi-Sfarad Ha-Nojarith*, pp. 191 ff.; J. Sarachek, *Faith and Reason, the Conflict over the Rationalism of Maimonides*, 1935, pp. 167-201.

⁵ See I. H. Weiss, *Der Dor we-Dorethau*, v, pp. 3-5.

the method of the tosaphists. Like them, he strives to arrive at a harmonization of the sources; and, in determining the Halakhah, he endeavours to reach conclusions which are not at variance with accepted practice.¹ We shall find both tendencies corroborated by many instances relating to our special problem. In contrast, however, to this correspondence with the tosaphists' aims and methods, we shall find that in evaluating contemporary Christianity and Islam Ha-Me'iri developed an attitude deviating from that of other halakhists down to his own generation.

Ha-Me'iri's personal view can best be summarized thus: he held that the exclusion of Christians and Moslems from the category of the idolatrous—an exclusion which had been suggested purely casuistically by earlier halakhists—was to be acknowledged as a firm and comprehensive principle. At first sight, the opinion of other halakhists and that of Ha-Me'iri might be taken as identical. Modern scholars, affected by an apologetic bias of their own, have read into the Ashkenazi halakhists' views the theory held by Ha-Me'iri.² It may, however, be possible to demonstrate the uniqueness of his attitude by several arguments.

1. *Verbal usage.* Ha-Me'iri, when he wished to differentiate between the nations of talmudic times and contemporary Gentiles, coined a new term, as was already observed by D. Hoffmann.³ He called his contemporaries 'ummoth ha-geduroth be-darekhey ha-dathoth', 'nations restricted by the ways of religion', and those of talmudic times 'nations not delimited by the ways of religion'.⁴ We shall have to consider later the theological implications of this definition. It is, however, certainly not without significance that Ha-Me'iri expresses the exclusion of Christians from the category of idolaters not only in negative, but also by a definition in positive, terms. In this way he granted them a positive religious status. Indeed, the kind of expression used by Ha-Me'iri is different from

¹ Ha-Me'iri's standing with halakhists of recent generations is shown by the fact that they were the first to publish most of his works. An analysis of his method has not yet been attempted.

² D. Hoffmann, *Schulchan Aruch*, pp. 4-7. More explicitly H. Albeck in his introduction to *Mishnah*, *A.Z.*, p. 322.

³ *Op. cit.*, p. 7.
⁴ *Beit Ha-Behirah* on *Avodah Zarah* (henceforth *B.H.-A.Z.*), ed. A. Schreiber, 1944, pp. 46, 591, also p. 39. Other slight variations in *B.H.*, *Bava Qamma*, ed. K. Schlesinger, p. 320, and other passages quoted below.

that of the other halakhists, even when he has recourse to negative terms. 'We have already explained that all these things were said at the time [i.e. that of the talmudic sages] when those Gentiles were cleaving to their idolatry, but now idolatry has disappeared from most places. . . .'¹ No such clear-cut statement is to be found in the writings of other halakhists.

2. *The unqualified nature of the consequences.* The straightforward language of Ha-Me'iri is the unhesitating expression of an unqualified attitude. As we have seen in the first chapters of this book, other halakhists discarded the talmudic precepts under pressure of circumstances only, and as a concession to accepted usage. Contrary to this, Ha-Me'iri is almost glad to notice the obsolescence of the talmudic precepts. 'In our days nobody heeds these things, neither *Ga'on*, Rabbi, Disciple, *Hasid*, nor would-be *Hasid*.'² This exuberant and almost jubilant language is well in accord with the view expressed here. For in contrast to the other halakhists, who could give their assent to the disregarding of the talmudic precepts with reluctance only, Ha-Me'iri could do so whole-heartedly, since in his opinion it was not a concession but a clear case, based upon a firm principle.

3. *The exclusive application of the exemption.* The limited importance which was attached by the ordinary halakhist to the distinction between the nations of old and his Gentile contemporaries is apparent in the way use was made of this idea. As we have observed in the analysis of Rabbenu Gershom,³ the distinction was used by him (as by other halakhists) as one of many casuistic devices to justify the disregarding of certain specific talmudic laws. Not so with Ha-Me'iri. He acknowledges the distinction as the only answer which could account for the contradiction between the law and accepted practice. Consistently, he renounces all the other ways of harmonizing them which had been put forward in halakhic literature down to his own time. After discussing the merits of these devices on logical considerations, he discards all of them as being neither useful nor necessary. For, having accepted the distinctions between the idolaters of old and the *'ummoth ha-geduroth*, 'you have no need of the forced justifications which you

¹ B.H.-A.Z., p. 28.

² Ibid., p. 3.

³ See *supra*, Chap. III.

will find in the talmudic commentaries and the *Tosafoth*.⁴ These can only be the expressions of someone who is convinced of the truth of the one solution, validity of which entails the repudiation of all others.

4. *The extent to which this distinction is applied.* Even more conclusive is the extent to which Ha-Me'iri, in contrast to other halakhists, applied this rule. When a question arose concerning the halakhic justification of the making of gifts by Jews to Gentiles, which was prohibited in talmudic law, the halakhists had to resort to the implicit concession in the circumstance that some talmudic sources had, as they found, made an exception if the Gentile was a good friend.⁵ Ha-Me'iri can dispense with this circumvention, and remarks: 'But in so far as we have to deal with nations which are restricted by the ways of religion and which believe in the Godhead, there is no doubt that, even if he [the Gentile] is not a friend, it is not only permitted, but even meritorious to do so.'⁶ The tosaphists also had to find casuistic justification for disregarding the precept laid down in the Mishnah (A.Z., I. 8): 'One should not let a house to a Gentile.'⁷ Ha-Me'iri states simply: 'This prohibition applies fundamentally only to those idolaters who kept their idols in their house, and sacrificed to them there.'⁸ The Mishnah forbade Jews to commit beasts to the care of Gentiles, who were suspected of perverted sexual practices. Once again the tosaphists had to account for the ignoring of this precept by their Jewish contemporaries.⁹ Ha-Me'iri finds this disregard justified by his comprehensive distinction: 'It has been already stated that these things were said concerning periods when there existed nations of idolaters, and they were contaminated in their deeds and tainted in their dispositions . . . but other nations, which are restricted by the ways of religion and which are free from such blemishes of character—on the contrary, they even punish such deeds—are, without doubt, exempt from this prohibition.'¹⁰

Finally, Ha-Me'iri used his principle to escape the moral

⁴ B.H.-A.Z., p. 28.

⁵ *Tosafoth*, A.Z., 20a, cf. *Pisqey Tosafoth* on the same passage, and *Haggahoth Ha-Rosh*, A.Z., I. 19.

⁶ B.H.-A.Z., p. 46.

⁷ *Tosafoth*, A.Z., 21a.

⁸ B.H.-A.Z., p. 48.

⁹ *Tosafoth*, A.Z., 22a.

¹⁰ B.H.-A.Z., p. 53.

embarrassment which some talmudic passages had caused Jewish religious leadership for many a generation. We have noticed what means the other halakhists had adopted to neutralize reprehensible sentiments which seemed to require lower standards of morality in relation to Gentiles.¹ Ha-Me'iri could once again deal with the whole problem comprehensively and as a matter of principle. For all the instances in which, according to the Talmud, Gentiles were not on the same legal and moral footing as the Jews applied to peoples of remote times only, who deserved no better treatment. 'But everyone who belongs to the *'ummoth ha-geduroth* . . . is not included in this, and is to be regarded as a full Jew in respect of all this.'²

There is, therefore, no doubt that Ha-Me'iri elevated the idea of the distinction between the peoples of old and the Christians and Moslems of his time into a principle applicable whenever and wherever it was needed.

In endowing the distinction between the peoples of the two periods with the character of a principle, Ha-Me'iri definitely transcended the conventional methods of halakhic thinking. It was implicit in this method, as we have seen above, to avoid committing oneself to consistency. The question therefore arises, what had prompted Ha-Me'iri to introduce into the halakhic discussion a line of argument which was alien to it, and did not serve any practical purpose? For, as we shall see later, Ha-Me'iri did not intend to abolish any precepts concerning the relationship between Jews and Gentiles which were not already disregarded in practice and had not been justified by other halakhists. The difference between the two ways of justification was a theoretical one. While the other halakhists arrived at their arguments casuistically and piecemeal, Ha-Me'iri attained the same object with one simple maxim. But there is no doubt that the evolution and presentation of the maxim occasioned Ha-Me'iri a personal—one might say a spiritual—satisfaction.

¹ See *supra*, Chap. V.

² B.H., *Bava Qamma*, p. 320; see also p. 120. Some passages relating to the problem of morality were already known before the publication of Ha-Me'iri's major work. They were, significantly, quoted by Bezalel Ashkenazi, *Shifrah Mequbbelet* on *Bava Qamma*, 38a, 113b.

Obviously, the concept of *'ummoth ha-geduroth*, which is Ha-Me'iri's main intellectual instrument in the achievement of his purpose, originated outside the province of Halakhah, in the sphere of philosophical and theological thinking. On the basis of Ha-Me'iri's exegetical and philosophical writings, we are fortunately able to describe the system of thought which served as a background to the evolution of this concept.

As mentioned above, Ha-Me'iri belongs to the 'rationalistic' school of the post-Maimonidean period. In accordance with the exponents of this school, he held that the ultimate destiny of man was intellectual insight into the essence of God.³ In the field of practice, i.e. of the moral and ritual commandments, he would have been able to discover some parts of the revealed religion for himself.⁴ Other doctrinal and practical elements of religion were, however, vouchsafed to man by revelation only. The intellectual aim of religion is to be valued more highly than the practical one.⁵ But in point of temporal succession, practice has to precede the intellectual insight; and 'the latter is the fruit of the former, and is derived from it'.⁶

Every student of medieval Jewish philosophy will recognize in this train of thought the reflection of the ideas of Maimonides.⁷ Ha-Me'iri was not only a champion of Maimonides in the controversy over his teaching; he also became his popularizer. But as regards the evaluation of other religions, he took up a stand independent of that of Maimonides, and indeed in diametrical opposition to it. Maimonides appraised the achievement of the two other monotheistic religions, Christianity and Islam, as historical extensions of Judaism, and conceived their historic task to be the dissemination of Jewish ideas in preparation for the messianic era, when the pure monotheistic doctrine of Judaism would be

³ *Hibbur Ha-Teshuvah*, p. 540; cf. his commentary on Proverbs (Fürth, 1844), chap. 1 *ad fin.*, where he classifies man in a Platonic fashion. Some human beings are capable of manual work only, others also of social and moral achievement. A third category is capable of grasping the truth. In this, 'the purpose of Creation is fulfilled'.

⁴ *Hibbur Ha-Teshuvah*, p. 256.

⁵ *Ibid.*, p. 540.

⁶ *Ibid.*

⁷ See *The Guide for the Perplexed*, 3. 54, and the *Eight Chapters* (introduction to Mishnah, *'Avoth*), chap. 5.

Managing the Change Process
Karen Barth

Everyone who has been involved with attempting the work of transformational change knows that it can be frustrating, devastatingly difficult, take much longer than ever envisioned and in the end produce disappointing results. Yet, it can also be an exhilarating and incredibly positive and productive enterprise. This session will examine what it takes to lead a successful process of transformational change: how to get ready for change; how to make it happen; how to avoid common stumbling blocks.

Presentation material to be handed out at the end of the session.

Recommended Reading:

John P. Kotter, "Leading Change: Why Transformation Efforts Fail," in Harvard Business Review (Cambridge, MA: Harvard Business School Publishing, March-April, 1995, pp. 59-67).

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Interviews with the following faculty at Mercy High School, Baltimore, MD: Pegeen D'Agostino, Amy R. Gibson, Elizabeth Lambertus, Mary Louise Merida, Tona A. Riggio, Joyce Rizzi, Joanne P. Simmons. September 1995.

Miller, Jean Baker. "Women and Power." *In Women's Growth in Connection* by Judith V. Jordan, Alexandra G. Kaplan, Jean Baker Miller, Irene P. Stiver, and Janet L. Surrey. New York: The Guilford Press, 1991.

Newslink. A Publication of Eastern Mercy Health System, Radnor, Pennsylvania, Summer, 1995.

Pritchett, Price. *The Employee Handbook of New Work Habits for a Radically Changing World*. Dallas, Texas: Pritchett & Associates, Inc., no copyright date given.

Profiles. Institute for Social Research Newsletter, April 1995, vol. 19, no. 2.

Reid, Russ. Presentation of "The Heart of the Donor" (Study/Report of the Russ Reid Company and Barna Research Group, January 1995), DMA Conference, Washinton, D.C., January 24, 1995, unpublished paper.

Ruffing, Janet, RSM. "Enkindling the Embers: The Challenge of Current Research on Religious Life." Address to the Leadership Conference of Women Religious Assembly, Dallas, Texas, August 14-18, 1993.

Toffler, Alvin. *Powershift: Knowledge, Wealth, and Violence at the Edge of the 21st Century*. New York: Bantam Books, 1990.

Educational Leaders in Jewish Schools

by

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Leadership in all schools is complex and challenging, encompassing numerous roles. However the context of leadership in Jewish schools, as well as in other religious schools, has some unique dimensions. The obvious distinction is that Jewish schools have cultural, religious and moral goals as well academic goals. Thus, the image of a school leader in a religious context may include spiritual, religious and moral responsibilities (Grace, 1995). These roles have been explored in Catholic school settings. For example, Bryk, Holland, and Lee (1993) have suggested that educational leadership in Catholic schools is viewed by incumbents as "a vocation to serve," rather than an individual career. Similarly, in a study of Catholic headteachers in England, Grace (1995) found that an ethic of 'serving others' was central to their leadership roles.

Terms such as 'spirit' and 'servant' are not new to the discourse on effective leadership (Depree, 1989). Recently, writers in the field of leadership in the business world have been exploring spirituality and servant leadership (Spears, 1995; Bolman and Deal, 1995). Many businesses facing new pressures, are 'awakening' to a different type of leadership, leadership that "addresses real human values, including the quest for meaning, and congruence with one's innermost source of power" (Renesch, 1992, p. ix). These writers suggest that leaders in the 21st century must lead with a new sense of commitment and spirituality.

These ideas are beginning to make their way into school settings as well (Sergiovanni, 1995). All of these writers, however, caution that they are not trying to bring religion into the workplace.

The purpose of this article is to stimulate discussion about preparing leaders for Jewish educational institutions. What types of professional preparation programs can be developed for these roles? The first part of the article will present the context of Jewish schooling as a framework for analyzing educational leadership in Jewish schools. The second part of the article will report on the results of a survey done among leaders in Jewish education. The purpose of this survey was to identify certain demographic data regarding the leaders in the study and ascertain their reasons for entering the field of Jewish education.

Context of Jewish Education

It is estimated that 80% of Jews in North America receive Jewish education sometime during their lifetime (Rossel & Lee, 1995). Formal Jewish education typically occurs in three types of settings or schools: day, supplementary and pre-schools. Jewish day schools are independent private schools. These schools are full-day programs. Most Jewish day schools are accredited by their state or regional accrediting bodies. These schools typically have two parallel curricula and consequently two sets of teachers, those who teach the academic subjects, and those responsible for Judaic Studies (Hebrew, Bible, Prayer, Customs and Ceremonies). It is estimated that approximately 18% of Jewish children attending some type of Jewish school are enrolled in Jewish day schools (Jewish Education Service of North America, 1992, p. 5; Commission on Jewish Education in North America, 1990).

Supplementary or congregational schools, are part-time schools usually formally connected to synagogues. By far, the largest number of Jewish children receive their Jewish education in supplementary schools. Students come to supplementary schools after regular school, and/or Sunday mornings. Supplementary schools meet for a minimum of 2 hours a week to a maximum of 9 hours a week. The curriculum focuses only on Jewish Studies. These schools, despite their limited hours, are usually operated as traditional

schools. The schools are headed by educational directors or principals who often report or work in concert with the Rabbi of the congregation. Teachers are usually part-time teachers, many whom are referred to as "avocational" teachers (see Aron, Lee, and Ossel, 1995).

Jewish pre-schools include both full and part time programs that work with pre-kindergarten children. They are usually associated with synagogues or Jewish community centers. Most pre-schools have a formal director or principal typically called an Early Childhood Director. The staff of Jewish pre-schools do not follow the day school model with two sets of teachers. In contrast teachers in pre-schools are responsible for all aspects of the curricula.

Most Jewish schools are not part of a larger bureaucratic educational system as are public schools. However, Jewish schools are part of larger religious communities and institutions, which may include synagogues, community centers or religious movements. Thus, school leaders are connected to a broad intersection of communal institutions. There are few external licensing demands placed on teachers and administrators in Jewish schools. Therefore individual schools are relatively free to hire personnel in an unregulated manner.

Most of the three types of schools are affiliated with one of three denominations: Orthodox, Conservative and Reform Judaism. In addition, some schools are community schools, bridging across all three denominations.

Across these complex settings of Jewish education, it is very difficult to generalize and to articulate the goals of Jewish education. In its simplest sense, one could state that "...Jewish education serves the function of making Jews Jewish..." (Prell, 1995, p.141). Others have stated the goals of Jewish education in terms of developing strong Jewish identity. In a broader sense, goals for Jewish education include acquiring the knowledge base and cultural, religious and historical understandings rooted in the Jewish religion. Therefore, teachers and leaders in Jewish schools have both cognitive and affective objectives which include serving as role models for Jewish children.

Methodology

A survey of educational leaders was conducted in three Jewish communities in the Southeastern, Midwestern, and Northern United States. The three communities were chosen because they are engaged in a project that is aimed at reforming Jewish education. The survey was administered to all directors of formal Jewish educational institutions, including day schools, supplementary school, and pre-schools. Other supervisors and administrators in these schools, such as vice-principals and directors of Judaic Studies, were also included. A total of 100 surveys were administered, and 77 persons responded. As additional support for the survey analyses, data from in-depth interviews with 58 educational directors from the three communities are included. The interviews concerned educators' backgrounds, training, work conditions, and professional opportunities (Interviews were designed and conducted by Roberta Louis Goodman, Claire Rottenberg, and Julie Tammivaara. All quotations in this report come from those interviews (see Gamoran, et. al., 1996)).

Educational Leaders in Jewish Schools

Most of the educational leaders (77%) who respond to the survey are principals or directors of their schools. The remaining 33% hold administrative or supervisory positions below the top leadership positions in their school. Thirty-six percent of the educational leaders work in day school, 43% in supplementary schools, and 21% in pre-schools.

Thirty-one percent of the educational leaders work in Orthodox schools. Twenty-two percent work in schools affiliated with the Conservative Movement and the same percentage are with schools connected to the Reform Movement. Eleven percent of the respondents are leaders in schools that are designated as community schools, while 7% indicated that their schools are traditional, and 4% reported their schools are located within Jewish Community Centers. The remaining 4% stated that their schools are independent or have no affiliation.

Seventy-eight percent of the educational leaders indicated that they are employed full-time

as Jewish educators. Ninety-six percent of day school educational leaders reported being employed full-time, as did 81% of pre-school educational leaders. In contrast, only 61% of educational leaders working in a supplementary setting work full-time in Jewish education. Of the supplementary school leaders who work part-time, half would rather be working full-time in Jewish education, while the other half prefer their part-time status.

Two-thirds of the educational leaders surveyed are women, including all the pre-school directors, 61% of supplementary school leaders, and 52% of day school administrators. Ninety-five percent of the educational leaders are married, and their median age is 44. The educational leaders are predominately American-born (88%). Only 7% were born in Israel, and 5% in other countries.

Most of the educational leaders of the three communities have worked in the field of Jewish education for a considerable length of time. Seventy-eight percent of the educational leaders have been working in Jewish education for more than 10 years. Thirty percent have been employed in Jewish education for over 20 years, while only 9% have 5 years or less experience. Thus, for example, one educational director began his career in Jewish education by tutoring Hebrew at the age of 14. From tutoring, he moved on to teaching in a congregational school while in college. A rabbi suggested that he pursue a seminary degree, which he did. Upon graduation he spent 14 years as educational director of various supplementary schools. Now he directs a day school.

The educational leaders in the three communities have less experience in positions of Jewish educational leadership than they have in Jewish education overall. Pre-school leaders have the least amount of experience in leadership positions, with only 12% having worked as educational leaders for more than 10 years. Thirty-seven percent of supplementary leaders and 28% of day school leaders have more than 10 years of experience as leaders in Jewish schools.

The large majority of educational leaders (78%) plan to remain as administrators or supervisors in the same school in which they are currently employed. In total, only 6% plan to become educational leaders in a different school.

None of the educational leaders want to work in another type of Jewish educational institution (such as a central agency), and only one percent plans to leave the field of Jewish education. Nine percent of education leaders are unsure about their future plans. The remaining 5% plan to pursue avenues such as returning to teaching and retirement.

In summary, the educational leaders in Jewish schools have widespread experience in the field of Jewish education and plan to remain working in their current settings. Despite the part-time nature of many Jewish schools, many leaders work full-time.

Attraction to Jewish Education

Educational leaders in the three communities enter the field of Jewish education for a variety of reasons. A theme of service to the Jewish community and developing Jewish identity in children do seem to permeate the leaders' responses. Intrinsic issues, such as working with children (83%), teaching about Judaism (75%), and serving the Jewish community (62%), were rated as very important motivating factors by the highest percentage of educational leaders.

As one educational director commented, "I have a commitment. I entered Jewish education because I felt that I wanted to develop [the children's] souls. My number one priority is to develop their love for who they are Jewishly." Another educational leader explained that he was attracted to "the idea of working, seeing children develop and grow. It's something special to be at a wedding of a child that you entered into kindergarten. It does have a special meaning to know you've played a role or to have students come to you years later, share with you that they remember your class, the role you played in their lives."

Other factors that have strong intrinsic value, such as working with teachers (43%) and learning more about Judaism (49%), were considered by almost half of the educational leaders as very important motivating factors for entering Jewish education.

In contrast, extrinsic factors were rarely considered as important. Only 25% of the educational leaders said the full-time nature of the

profession was a very important reason for entering the field. The level of income was considered by only 7% of educational leaders to be a very important reason for entering Jewish education and by 59% as unimportant. Finally, the status of the profession was rated as very important by only 9%, while 66% of the educational leaders considered it to be unimportant.

The religious affiliation of the school (62%) was mentioned as the most important factor in making the decision to work in the school in which they are currently employed. Among educational leaders who work in schools affiliated with a religious movement (i.e., Orthodox, Traditional, Conservative, Reform), almost all the educational leaders have a personal affiliation that is either the same or more observant than the affiliation of the school where they work.

In summary, the educational leaders in the three communities were attracted to Jewish education first and foremost as a way to serve the Jewish community through teaching. They are extremely committed to their work in Jewish education as evidenced by their overall long tenure in the field of Jewish education, diversity of past experiences in both formal and informal Jewish education settings, and their future plans to remain in their current positions.

Given their future plans, and the fact that 95% of the educational leaders consider Jewish education to be their career, it seems that these leaders want to work with Jewish children as a way of serving their religious community. These findings are consistent with the research on principals in Catholic schools that found that these principals, as compared to their public school counterparts, have a spiritual, communal attachment to their roles (Bryk et al, 1993).

Professional Preparation

This section describes the formal training backgrounds and the professional development activities of the educational leaders in the three communities. Ninety-seven percent of all of the leaders have college degrees, and 70% have graduate degrees. Day school educational leaders are the most likely to hold graduate degrees, followed by supplementary school leaders. Almost two-thirds of the leaders (65%) hold

university degrees in education and 53% of the leaders are certified as teachers in general education. In addition, 61% of all leaders have previous experience in general education settings.

Very few educational leaders are formally trained in Jewish studies or Jewish education. Only 37% of all leaders are certified in Jewish education, and only 36% hold degrees in Jewish studies. Although supplementary and day school leaders are the most likely to hold certification and/or degrees in Jewish education, only forty-four percent of day and 48% of supplementary school leaders are certified in Jewish education, and similar numbers hold degrees in Jewish studies. No pre-school educational leaders hold degrees in Jewish studies, and only 12% are certified in Jewish education.

Educational leaders in Jewish schools have very little formal preparation in the areas of educational administration, leadership or supervision. We define formal preparation in administration as either being certified in school administration or holding a degree with a major in administration or supervision. Only 25% of all the leaders are certified or licensed as school administrators and only 11% hold degrees in educational administration. Day school educational leaders are the most likely to have formal preparation in educational administration.

Preparation for Leadership Positions

To fully explore the background of educational leaders it is important to consider simultaneously training in 1) general education, 2) Judaic subject matter, and 3) educational administration. Looking first at those who are trained in both general education and Judaica, the results indicate that only 35% of the educational leaders have formal training in both education and Judaic studies. Another 41% are trained in education only, with 14% trained only in Jewish studies. Eleven percent of the educational leaders are not trained: they lack both collegiate or professional degrees in education and Jewish studies.

Training in educational administration is an important complement to formal preparation in education and Judaic content areas. Looking at those who are trained in all three components,

general education (pedagogy), Judaica, and educational administration, the results indicate that 16% of educational leaders are very well trained, that is, they hold professional or university degrees in education, Jewish studies and educational administration. An additional 10% are trained in educational administration and either Jewish studies or education, but not all three. Thus, looking at the three components of leadership preparation, a total of 84% are missing one or more parts of their formal preparation for leadership positions.

An important qualification to these findings is that they emphasize formal schooling and credentials. Jewish content and leadership skills are not only learned in formal settings. Focusing only on formal preparation thus underestimates the extent of Jewish knowledge and leadership abilities among the educational leaders. Nonetheless, the complexities of educational leadership in contemporary Jewish settings demand high standards which include formal preparation in pedagogy, Jewish content areas, and administration.

Professional Growth

What sort of professional growth activities do the educational leaders undertake? Overall, the survey results show little sign of extensive professional development among the educational leaders in these communities. The educational leaders reported attending few inservice workshops: on average, they attended 5.1 over a two year period. Supplementary and pre-school administrators attended more workshops than did the day school leaders. If we assume a workshop lasts 3 hours on average, 5 workshops over a two year periods come to approximately 37.5 hours of workshops over 5 years, far short the 100 hours required for example, by the State of Georgia.

Besides workshops, about one-third of the respondents said they attended a class in Judaica or Hebrew at a university, synagogue, or community center during the past year. Notably, three-quarters reported participating in some form of informal study, such as a study group or reading on their own.

Other opportunities for professional growth include participation in national conferences, and

organizations. Some educational directors belong to national organizations and attend their annual meetings, such as Jewish Educators Assembly (Conservative); Torah U'Mesorah (Orthodox), and National Association of Temple Educators (Reform). Other educational leaders are members of general education professional organizations such as Association for Supervision and Curriculum Development (ASCD) and The National Association for Education of Young Children (NAEYC).

An additional type of professional growth is achieved through informal and formal networking with other educational leaders in the same community. Some leaders participate in their local principal's organization as a mechanism to share ideas, network, learn about resources, and brainstorm. However, even with these organizations, some educational leaders reported infrequent help and support from their colleagues within their communities. Supplementary school educational leaders indicate the highest level of collegial support and pre-school leaders report the lowest.

Although they attend few in-service workshops, many respondents generally think their opportunities for professional growth are adequate. Over two-thirds (68%) said that opportunities for their professional growth are adequate or very adequate, including 74% of day school administrators, 59% of supplementary school leaders, and 75% of pre-school directors.

Some educational leaders are not as satisfied with their professional growth opportunities. They specifically expressed a desire for an evaluation process that would help them grow as professionals and provide them with constructive feedback. For example, two pre-school education directors each stated that they would like a peer, someone in the field, who would comment on their work. In describing this person and elaborating on their role, one director said, "They would be in many ways superiors to myself who have been in the field, who understand totally what our goals are and who can help us grow."

Another educational director stated similar desires: "I'd like to be able to tell people what I consider are strengths and weaknesses. I'd like to hear from them whether I'm growing in the areas

that I consider myself weak in. And I'd like to hear what areas they consider that there should be growth."

In summary, the educational leaders have solid backgrounds in general education, but very few are well-trained overall. Most educational leaders have inadequate background in Judaic content areas. There is also a lack of preparation in the areas of school administration. Supplementary school educational leaders are better prepared than their counterparts in other settings while pre-school educational directors have the greatest need for further training. The pre-school educational leaders are notably weak in the area of Jewish studies.

Despite the limited formal training of many educational leaders in Jewish schools, they do not participate in widespread professional growth activities, even though the majority of educational leaders work full-time, in one school, and are committed to a career in Jewish education. Their level of participation in workshops is far below standards required of most educational leaders in public schools.

Discussion

These findings suggest a great challenge awaits the field of Jewish education. Jewish educational leaders are committed to serving their profession and the wider Jewish community. They come to the field of Jewish education with a commitment of service. However, the leaders have relatively little formal preparation for their roles. Most of the educational leaders have training in the field of general education, but only half have collegiate and professional background in Judaic content areas. Furthermore, the majority of educational leaders do not have formal training in school administration, supervision or leadership.

One possible conclusion could be that the field should be upgraded by increasing participation in existing pre-service and in-service programs in school administration. Furthermore, educational leaders in Jewish schools can be encouraged to participate in ongoing, systematic professional development activities. Professional network can be developed or expanded so leaders can benefit from senior colleagues who could observe

university degrees in education and 53% of the leaders are certified as teachers in general education. In addition, 61% of all leaders have previous experience in general education settings.

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Training in educational administration is an important complement to formal preparation in education and Judaic content areas. Looking at those who are trained in all three components,

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An important qualification to these findings is that they emphasize formal schooling and credentials. Jewish content and leadership skills are not only learned in formal settings. Focusing only on formal preparation thus underestimates the extent of Jewish knowledge and leadership abilities among the educational leaders. Nonetheless, the complexities of educational leadership in contemporary Jewish settings demand high standards which include formal preparation in pedagogy, Jewish content areas, and administration.

Professional Growth

What sort of professional growth activities do the educational leaders undertake? Overall, the survey results show little sign of extensive professional development among the educational leaders in these communities. The educational leaders reported attending few inservice workshops: on average, they attended 5.1 over a two year period. Supplementary and pre-school administrators attended more workshops than did the day school leaders. If we assume a workshop lasts 3 hours on average, 5 workshops over a two year periods come to approximately 37.5 hours of workshops over 5 years, far short the 100 hours required for example, by the State of Georgia.

Besides workshops, about one-third of the respondents said they attended a class in Judaica or Hebrew at a university, synagogue, or community center during the past year. Notably, three-quarters reported participating in some form of informal study, such as a study group or reading on their own.

Other opportunities for professional growth include participation in national conferences, and

them at work to help develop a shared professional community that could provide a framework for continued renewal and feedback.

Given the unique goal of Jewish educating institutions, however, it is important to ask, what type of preparation programs should be developed for *these* principals? It is not clear that models from general education really "fit" the Jewish educational context. On the one hand, it would be appropriate to say that Jewish educational leaders should embrace many of the same qualities as those in general education settings: they should be instructional leaders, transformational leaders, change agents and developers of a moral culture supporting inquiry.

On the other hand, Jewish educating institutions have goals that are deeply rooted in Jewish content and Jewish meaning. It is not clear how to best help leaders become prepared to embark on the moral, ethical and value commitments necessary for Jewish educational settings. How can they be prepared to best "serve" the Jewish community? This is extremely difficult in the present context of American Jewish life, where many competing cultures face Jewish youth.

We suggest that serious learning in Jewish studies is crucial. Rich study of Torah, traditional texts and Jewish history could make a difference. Gerald Grace states, "the rhetoric of the qualities which headteachers and school principals should display, especially on matters to do with values, is becoming part of the check-list culture of education management studies" (Grace, 1995, p. 157). The field of Jewish education could go beyond checklist to infuse real Jewish content into values, symbolism and spirituality.

The uniqueness of religious educational settings requires a complete marrying of academic studies (in this case Judaic studies) and the cultivation of Jewish identity, morals and values. There should be no difference in Jewish schools between academic learning (the core technology of teaching and learning) and religious identity. The academic learning is the content needed to develop Jewish identity.

With the prevalence of writing about servant leadership and spirituality, little is discussed about how to provide frameworks for leaders to embrace

these ideas. It is clear that more thinking is needed about how to prepare leaders to cultivate values. It seems like discussions around these questions would be beneficial to all educational leaders.

References

- Aron, I., Lee, S., and Rossel, S. (eds.), *A Congregation of learners: Treanforming the synagogue into a learning community*. NY: UAHC Press.
- Bolman, L. and Deal, T. (1995). *Leading with soul*. San Francisco: Jossey-Bass.
- Bridges, E., and Hallinger, P. (1992). *Problem Based Learning for Administrators*. Eugene, OR: ERIC.
- Bryk, A. S., Lee, V. E., and Holland, P. B. (1993). *Catholic schools and the common good*. Cambridge, MA: Harvard University Press.
- Commission on Jewish Education in North America (1990). *A Time to Act*. NY: University Press of America.
- Depree, M. (1989). *Leadership is an art*. NY: Doubleday.
- Gamoran, A., Goldring, E., Robinson, B., Tammivaara, J., Goodman, R. (1996). *Teachers in Jewish schools: A study of three communities*. NY: Council for Initiatives in Jewish Education. (unpublished manuscript).
- Grace, G. (1995). *School leadership*. London: Falmer Press
- Jewish Education Service of North America (1992). *Trends* 16.
- Murphy, J. (1992). *The landscape of leadership preparation*. Newbury Park, CA: Corwin Press.
- National Council for Accreditation of Teacher Education (1996). *Proposed NCATE Curriculum Guidelines*. Advanced Programs Curriculum Directors and Supervisors.

Vocation and Avocation:
A Case Study of the
Relationship
Between Jewish Professionals and
Volunteer Leaders
in
Jewish Education

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LITERATURE REVIEW

INTRODUCTION

Volunteer leader- Jewish professional relations in the Jewish educational setting is a topic in need of both empirical study and analysis. Very little has been written to deepen the theoretical understanding of the complexities and nuances of the subject. There are five bodies of literature which bear relevance to this research: the non-profit institutions literature, independent school literature, Catholic school literature, Jewish communal service literature, and Jewish education literature.

NON-PROFIT INSTITUTIONS LITERATURE

The area most replete with research-based and anecdotal literature is the non-profit sector. The enormous growth of the nonprofit sector in recent years has spawned new literature as well as a research based institute, the Program on Non-Profit Organizations (PONPO) at Yale University which is devoted exclusively to research on non-profit organizations. Non-profit organizations are struggling to define themselves in a clearer fashion than merely by what they are not: i.e. not for profit. A more useful definition of a non-profit institution is that it is characterized by the following features: an institution with a service mission which is organized as not-for-profit, a governance structure including an unpaid board of trustees and an executive

often, although not necessarily, employed full-time, and exemption from paying federal tax (Wolf 1984).

The literature identifies four distinct characteristics which highlight the successful relationships between professionals and volunteer leaders in non-profit institutions: commitment to the institution, clarity of roles, confluence of vision, and communication.

Commitment to Institution

Peter Drucker, a preeminent theoretician on organizational leadership, describes the non-profit institution as an organization which exists to bring about a change in individuals and in society and which articulates this goal through its mission (Drucker 1990). Drucker also argues (similar to what Bernard Reisman posits in his analysis of Jewish voluntarism) that volunteers are drawn to serve on boards because they are looking for challenge, responsibility, and a chance to make a real difference. They are not looking to be “rubber stamps” for the professional. They want ownership in the decision-making process. They have a stake in the future of the organization in which they serve (Drucker 1989).

Clarity of Roles

Most non-profit institutions share a common structure: each has an unpaid board and a paid professional. The simplistic formula is that board members set the policy and the administrators execute it (Carver 1990). Yet the problem with this

statement, as several theoreticians and practitioners have noted, and as this case study corroborates, is that the adage ignores the complexities of governance (Drucker 1990, Wolf 1990, Elkin 1992). Executives make policy recommendations to the board and educate the board as to what is needed for a sound policy decision (Elkin 1992). Glen and Conrad call the relationship one of "dynamic tension" (1976). The relationship and division of responsibility is much more dynamic than static and much more open to question than what might be written in the constitution of such an institution.

Moreover, it is important to note the developmental stages of institutional life. Although a fully mature, well-staffed organization might be equipped with enough staff power to assume all operations, no institution begins that way (Ostrowski 1989, p.185). Roles which are considered appropriate for volunteers to fill at an early stage in an institution's development, such as fundraising, office work, or even volunteering in the classroom, are often considered to be inappropriate tasks for volunteers in a later stage in the non-profit's history.

Although many theoreticians argue that circumscribing the role of the volunteer board to policy-making is too limiting in terms of the ideal, Unterman and Davis found that most trustees do not have the time to fulfill even such a limited role. Similar to research found on independent schools (Kane 1991), Unterman and Davis' empirical study of more than 100 non-profit institutions indicates that board members do not have the time necessary to fulfill the role of policy-making (1982, pp.35-6). Although board members agree in principle that policy-making is a critical part of their responsibility, they lament a lack of time to fulfill their responsibilities.

Likewise, the widely held partnership theory of interdependence in the non-profit literature between the professional (the term "executive", is more often used in this body of literature), and the board member is merely a myth according to several theorists (O'Connell 1976; Trecker 1970 and Weber 1976). Kramer argues that this theory is based on a metaphor which assumes consensus and collaboration between equal partners. He claims that the metaphor breaks down when one realizes that many partnerships are often silent, limited, and junior partnerships (Kramer 1985).

Similarly, Argyris and Schon (1974) posit that partnership is the "espoused theory," but that the "theory in use" of most executives, i.e., the practical concepts they use in perceiving their roles and relationships and that guide their behavior, are more complex, and involve elements of power, dependency, and even conflict. The concept of partnership is too limited in scope and does not adequately reflect the broader range of conditions under which there is not only collaboration but also disagreement between boards and executives. These collaborations and disagreements often require different roles, strategies, tactics, and resources (Brager and Holloway 1978, pp.131-4). This theory poses a challenge to Reisman's second model of partnership.

Perhaps the following two citations best reflect the distinction between prescription and description found among many of the authors whose works are reviewed in this section. On the one hand, Brian O'Connell, arguing that volunteers leading should be the norm, writes:

Staff exists to help the volunteer do the work of the organization. The greatest sinner is often the president

statement, as several theoreticians and practitioners have noted, and as this case study corroborates, is that the adage ignores the complexities of governance (Drucker 1990, Wolf 1990, Elkin 1992). Executives make policy recommendations to the board and educate the board as to what is needed for a sound policy decision (Elkin 1992). Glen and Conrad call the relationship one of "dynamic tension" (1976). The relationship and division of responsibility is much more dynamic than static and much more open to question than what might be written in the constitution of such an institution.

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who far too often gives over responsibility to the executive director. Staff is hired to assist the volunteers to do their citizen jobs in fulfillment of the voluntary agency's mission (1976, Chapter 25, p.7).

On the other hand, Tulipana and Herman (1983, p.57) conclude, after much research of non-profit organizations, that in reality, the more effective organization is one with "strong" executive directors and "that the influence of the board of directors is not very important." Indeed, the later literature reflects a growing appreciation of the centrality of the professional as the primary educational leader in the equation of "executive-board relations." Several years after the publication of the study cited above, Robert Herman studied the effectiveness of executives, and found that the executives perceived as "highly effective" provided substantially more leadership for their boards than the comparison group. Herman defined leadership as exhibiting proactive attempts to influence the board rather than merely being reactive to the board's demands and/or requests (Herman 1991).

Melissa Middleton examines several factors that can theoretically influence the dynamic interaction between a nonprofit board and its chief executive. One relevant factor is the disparity in socioeconomic status. Middleton claims when executives feel "awed, overwhelmed, and impotent," it is likely that the board will dominate the executive. A second factor (and often interrelated with the first) is the professional credentials of the executive. When the executive has professional status and the board members represent different professions, the executive is likely to dominate the board. The third factor that Middleton notes is the life cycle of an organization. She argues

that a board is most likely to dominate in an organization's early stage.

Middleton also argues that often in an organization's midlife cycle, there is an identity crisis involving consolidation, merger, or expansion which pushes the board into a role of dominance as board members' resources and influence in the community are crucial (1983). Although much of Middleton's analysis is valuable and well defined, it can be critiqued for its language of "dominance" without clearly defining what is meant by the term.

Peter Drucker (1990) addresses this conundrum of role clarity decisively when he describes the most effective and best managed non-profit institutions in this country. He argues that these organizations have clear and functioning governance structures and do not dwell on the difference between policy and operations, or the relevance of partnership models. Executives in the best managed non-profit institutions talk about work and results and determine which segment of the organization will achieve the desired results. The institutions have clear missions, a clear definition of the desired results, and strong, effective boards as well as strong executives both of whom are accountable for their performance.

If Drucker is correct, much of the argument as to where to draw the policy/operations line in the non-profit institution is purely a semantic one. Drucker believes that getting mired in the language of role clarity serves as a distraction to an effective organization. It remains unclear whether role clarity is an ideal to strive towards in organizational life as Kramer and others suggest, or if the Drucker model of outcomes and results is more relevant to this study.

One critique of Drucker's perspective on the partnership model is that it does not adequately take into consideration the age of the institution. Middleton's analysis of the developmental stages of the life of the non-profit institution adds a valuable dimension to the discussion. Perhaps Drucker's model is most appropriate for a "mature" organization (or at least after the executive has been serving an organization for a considerable amount of time) after much of the role delineation has been negotiated. Even Drucker (1990a) argues that the two types of leaders are colleagues who perform complementary tasks. He also suggests that while it is preferable for the chair of the board to assume some responsibility for the effective governance of the organization, in actuality, the only successful model that he has seen is for the chief executive to assume this responsibility.

Drucker suggests that the term "volunteer leader" is perhaps "no longer quite the right word. These people are different from the paid workers in that they are not paid. There is less and less difference between the work they do and that done by the paid workers"(1990b). In fact, in a poignant moment of tribute to the volunteer fire departments in Suffolk County in the aftermath of the "East End Fires" in September 1995, Suffolk County Executive Robert Gaffney noted at a parade honoring the fire fighters, "To me, you're not volunteers. You're unpaid professionals."

Confluence of Vision

Although Peter Senge does not write for the non-profit world, but rather for corporate America, his understanding of organizations is generalizable to the non-

profit world in general and to the Jewish educational setting in particular. Senge argues for the need to articulate a "shared vision" in order to be a successful organization. When Senge uses the term "shared vision" he is generally referring to all the constituent groups who work in a particular organization. The "shared vision" in Jewish educational settings is understood as the commonality of vision among the volunteer leaders and professionals and not just among the staff of the institution. In fact, Senge's term for a successful organization is "the learning organization" (Senge 1990).

Senge argues that without a vision, no organization can move forward. Without a shared vision, an organization lacks a *raison d'être*. A shared vision answers the question: What do we want to create? (Senge 1990). Senge argues that one of the reasons people seek to build shared vision is their desire to be connected to an important undertaking. This concurs with Huberman (1987) and Reisman (1992) cited above. Articulating a personal vision for a particular Jewish educational setting can serve as an entry point for the volunteer into personal Jewish meaning. If a personal vision derives its power from an individual's deep concern, shared vision derives its power from a common goal.

Shared vision provides the focus for an organization. In its absence, "organizational pettiness" prevails. Lacking an overarching vision to focus the conversation of an organization, discussion is easily reduced to the parochial concerns and narrow interests of the individuals involved in the decision-making process. In non-profit institutions, this often translates into squabbling between the executives and

the volunteers.

Senge explains that an organization needs to develop “governing ideas” for itself. These include: the mission, the vision, and the core values. The mission (or purpose) answers the question, “Why does the institution exist?” The vision answers the question, “What picture of the future do the members of the institution seek to create?” The core values answer the question, “How do members of the institution want to act, consistent with the mission along a path toward achieving the vision?”

Personal visions must be translated into a shared vision if an organization is to succeed. This is what Senge and many others call “leadership.” Most relevant to this research is Senge's explanation of the underlying desire of members of an organization to create “shared vision.” He argues that “one of the deepest desires underlying shared vision is the desire to be connected to a larger purpose and to one another” (1990). This spirit is fragile and is undermined whenever individuals lose respect for one another.

This literature underscores the importance of investigating the role that personal vision plays within Jewish educational institutions and among Jewish educational leaders. It is critical to investigate in the case study whether the personal visions are translated into shared vision and if so, by what process this occurs; what role does the Jewish professional play in facilitating this process of vision articulation; and what is the quality of involvement of volunteers in the Masoret Day School. Do the volunteers feel that their time is “well-spent” within the institution? Do the professionals feel as though they are working with a committed group of volunteer leaders, or do they feel

that they are working in an environment of adversarial interactions?

Communication

Peter Drucker (1992) argues that because of the complexities of the nonprofit institution, communication of the organizational goals with all constituent bases is critical. The communication between the executive and the board is especially critical because the board must not feel as if something is being hidden from them. The board members should serve as the public emissaries of the institution to the outside community and work to improve it from the inside. They will not serve either role well if they are suspicious that their credibility might be undermined by information of which they are unaware about the institution . Communication builds allies and supporters on the board and in the community.

Most of the literature argues that without good communication between professionals and volunteer leaders of nonprofit institutions, it is extremely difficult to successfully pursue the vision of the institution. Poor communication breeds distrust, suspicion and personal attacks. There is wide agreement on the critical value of good communication.

In sum, there is evidence of four salient dimensions in the non-profit world which prescribe, and in some cases, describe the relationship between professionals and their board members. One particularly valuable descriptive piece of literature for the purpose of this research is Profiles of Excellence (Knauff, Berger, and Gray

1991) in which a study was conducted of more than nine hundred non-profit institutions. It best corroborates the findings of the nonprofit literature and augments the research of Drucker, Senge and others. Authors of the study identified "four major hallmarks of excellence which differentiated the great nonprofits from the rest."

1. A clearly articulated sense of mission and its primacy among the leadership.
2. The presence of an effective leader who enables and motivates the institution to fulfill its mission.
3. An involved and committed volunteer board that relates dynamically with the chief officer and provides a bridge to the larger community.
4. An ongoing capacity to attract sufficient financial and human resources (Knauff, Berger and Gray 1991).

This study shows that commitment to the institution, the clear articulation of the mission of the institution, and effective executive and board leadership are critical for success in non-profit institutions.

INDEPENDENT SCHOOL LITERATURE

The Masoret Day School is a Solomon Schechter Day School. Jewish day schools share several characteristics with independent schools. Both types of schools have a self-governance structure, self-selected students, self-selected faculty, and are relatively small when compared to the public school system (Kane 1992). Self governance requires investment of resources, time and commitment of both the professionals and the volunteers of these institutions. Research about effective boards

of trustees and principals within independent schools offers some guidance. Three challenges facing the independent school movement today which inform our research include commitment, composition and role definition.

The old model of the board members who “gave much and demanded little” is outmoded. In John McPhee’s The Headmaster, the story of Frank Boyden (the headmaster of the Deerfield Academy for sixty-six years), the school trustees’ roles and the role of the headmaster are richly described. Board members arrived with their checkbooks when summoned. The trustees gave money and ceded authority of school governance to their charismatic headmaster (Kane 1991).

Board members today are expected to give not only their money, but also their time and expertise. A recent study shows that the amount of time that board members must devote to school affairs has increased by thirty-five percent in the last ten years. In fact, the study claims that most boards need more time from their members than members are prepared to give. (Ledyard 1987).

The composition of independent school boards further confuses clear role definition. Many board members are not steeped in the culture of the institution. Many did not experience this type of education as students when they were growing up. Many fail to understand that their role, described in the nonprofit literature as “boundary spanners,” is to serve as advocates of the school in the general community and responsible spokespersons internally within the school (Cole 1994).

An additional problem currently facing independent schools is that board members often relinquish their sense of corporate responsibility and behave with only

self interest in mind. This is often a problem when a board has a preponderance of parents with children in the school. These “single issue” board members become major impediments to constructive board meetings (Kane 1991, p. 26). The challenge is to fashion a board which represents diverse interests, concerns, and strengths within the school community. Board orientation and training, evaluation, and recruitment are critical to maintaining diverse composition while strengthening board effectiveness.

A good place to explore role definitions is to look at the various publications of the NAIS– the National Association of Independent Schools. NAIS publishes many tapes, books, and pamphlets on strategies to improve governance structures in independent schools. Much of its literature is prescriptive. For example, in a speech at the March 1995 NAIS convention, Kathleen Edwards suggested that “heads should devote thirty percent of their time to board members and board issues” (Edwards 1994). Another of its publications, The Independent School Trustee Handbook, has been revised several times. Again, its statements suggest an ideal and are not descriptive accounts of the current reality. The 1974 edition described the division of responsibilities between the head and board in a statement directed to the head of school,

The board sets the purpose and policy of the school, you operate the school so as to carry out that purpose and policy. Each complements the other but neither wanders uninvited into the other’s backyard (Parkman and Springer 1974 p.3).

Contrast that statement to the 1989 (sixth) edition.

Defining the responsibilities of board and head is more

complicated than the usual distinction between policy and administration. The relation between an independent school board and its head is a *more even partnership* than is the case in other not-for-profit institutions (Stanton 1989, pp.2-3) [emphasis added].

Stanton's claim notwithstanding, there is a great deal of ambiguity regarding the role definitions and power bases of the heads of school and the board. Even he acknowledges that although the head is considered the leader when it comes to all educational decisions, the board has the power to hire and fire the head of school (Stanton 1989). Certainly this debate mirrors the partnership discussion which is found in the non-profit literature.

The findings within the independent school literature also parallel the realities of the relationship between volunteer leaders and Jewish professionals in Jewish educational settings with respect to specific issues of the composition of board members, commitment to the institution and role clarity. Witness the recent phenomenal growth of the Solomon Schechter Day School movement; schools are growing at rates which often outstrip their physical capacities (Abramson 1995, personal interview, May 10, 1995). Few current board members themselves attended Solomon Schechter Day Schools. Many are not intimately familiar with the distinctive ethos of the Jewish day school. They may need to be educated to develop a commitment to this type of Jewish educational setting and a full appreciation of its distinctive culture.

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CATHOLIC SCHOOL LITERATURE

The similarities in governance structure between Jewish day schools and other private religious schools are striking. Both are schools with religious missions which are coupled with academic goals. The professionals have expertise and specific skills in the educational and religious domain of the school. Therefore, the third topic in this section is the Catholic school literature, since this is the largest religiously affiliated school sector and has a relatively strong research base.

The Catholic schools share many features in common with the Jewish day school. Since Vatican II, church communities have undergone radical changes in the structure of their educational system. The Catholic schools became venues to build community and to encourage charity (Bryk, Lee, Holand 1993, p.51). The church awarded opportunities to the laity to form local governing boards of individual Catholic schools. It encouraged the formation of local advisory boards (Bryk, et al. p.149). The development of local school boards was an attempt to include the volunteer leaders in the articulation of the mission of the church and its educational institutions. Although the religious orders continue to play a significant role in the mission of the local Catholic schools, the role has been dramatically shifted from “ownership” to “sponsorship” (Bryk et al p.157).

Church leaders are keenly aware that the development of local, volunteer-driven boards poses new challenges. As Hughs and Barnds explain, the structure of central authority remains.

This evolution to a more collaborative or partnership organizational style does not imply the elimination of

authority, but a more discerning use of authority. It does not suggest a blurring of the difference and rights in roles and responsibilities, but an increased respect and understanding of each, and a greater openness brought to the planning and decision-making process by those who are affected by the decisions. A partnership style does not promise an absence of conflict, but invites increased wisdom, respect and grace in resolving it (1989, p.5).

Although both Jewish day and Catholic schools are similar in their commitment to intensive religious education, there are also many differences between the Jewish day school and the Catholic school model. To be sure, the differences of the two religious traditions and their respective attitudes toward authority is a factor. Minimally, there is no central office of authority to which a local Jewish day school must report. Although there is a national Solomon Schechter Association, it serves in only advisory and resource capacities, and each school is an independent institution.

Nevertheless, there are enough parallels to make this literature relevant. The Catholic school is a religious institution seeking to perpetuate its religious ideology through education. The head of the school must articulate that mission and embody its values. The principal is often seen as the religious leader of the school. Especially in those Solomon Schechter schools where the principal is also an ordained rabbi, there is an espoused value that the head serves as both the educational and spiritual head of the institution.² That added dimension may influence the power distribution and role definition of the lead professional.

Approximately twelve of seventy current Solomon Schechter Day school principals are ordained rabbis.

Again, the literature is prescriptive in nature rather than descriptive of actual institutions. The handbooks preach what "ought to be" the relationship between the priest and the board. The most recent edition of the Catholic School Principal Handbook acknowledges— perhaps unwittingly— the complexity and ambiguity of the role:

The principal is the leader of the board, initiator of educational policy, the teacher of the board, the motivator of the board to inspire and challenge board members to growth in the sense of the mission of Catholic education— and employee of the board (Drahmann 1989, p.37).

In an institutional analysis of Catholic high schools (Bryk, Lee, Holland 1993, pp.154-5), three sets of concerns are identified as the primary foci of the principal's time and energy: managing operations and personnel, building personal relations, and fostering community and spiritual leadership.

JEWISH COMMUNAL SERVICE LITERATURE

Although the largest body of literature in Jewish research which addresses the topic of the relationship between the Jewish professional and the volunteer leaders is the Jewish communal service literature, this literature does not shed a great deal of light on the research question at hand for two reasons. First, the culture and historical context of the Jewish communal service world is quite different from the Jewish education model. It is only recently that "Jewish continuity"³ has become prominent

Jewish Continuity as a planning priority within the organized Jewish community can be defined as the allocation of resources to improve the quality of Jewish educational experiences to foster Jewish identity development.

on the Jewish communal agenda, leading the Jewish communal service world to speak the language of Jewish education. Second, much of the discourse has been on a very unsophisticated and prescriptive level. Nevertheless, the discrete articles which have relevance to the topic of this research are reviewed in the fourth section of this literature review.

The Jewish communal service world has a longer history of dealing with the issue of volunteer- professional relations than do the educational and religious arenas of Jewish life. The Journal of Jewish Communal Service has a plethora of articles dating back as far as 1957 devoted to the topic. A few describe the state of affairs, but most offer prescriptions and strategies for improving relations and many lament the need for a more systematic approach to studying the relationship. Most of the literature focuses on “board-executive relations” in the Jewish Federation world. There are very few empirical studies that are available on the subject. One study was commissioned by the American Jewish Committee entitled American Jewish Leadership in Jewish Federations and conducted by Jacob Ukeles in 1991. Although Ukeles did not exclusively address the subject of this research, he did conduct focus groups to discern the relationship of “volunteer leader- professional staff relationships in the Jewish communal enterprise.” He found:

1. Approximately half of the volunteer leaders and professional staff saw serious negative dimensions in the existing board-staff relationship.
2. There is enough concern to justify substantial effort to clarify the division of responsibility between the

volunteer leader and professional staff (Ukeles 1991).

Gerald Bubis and Steven Cohen are currently planning a national quantitative study of the relationship between Jewish communal service directors and the lead volunteers in these settings. Although this study will make a contribution to communal service field, the researchers intend to address only the Jewish communal service setting and not Jewish education (Personal interview with Gerald Bubis, April 28, 1995).

The debate in much of the non-profit literature as to whether partnership is the correct metaphor for the relationship under question can also be found in the literature from the Jewish communal service sector. There is great debate in this literature as to which model best describes the relationship between boards and executives. "Lay participation- but not dominance" (Berenbaum 1988), "team but not partners" (Cardin 1989), "team leading and team building" (Bubis 1995) are a few of the wide array of models. Even as far back as 1964, Louis Goldstein called the "partnership of executive and board" both "reality and myth." He perceptively noted that:

The validity and myth of partnership are often in tension. The actual state of affairs and the true nature of the relationships will appear in situations of disagreement or serious conflict (Goldstein 1964).

The most recent literature points towards a need for a greater sense of collegiality, partnership, relationship building, role definition (Feinstein 1994) and accountability of the board (Solomon 1995). There is also a growing appreciation of the role of the Jewish professional as the primary educator of the volunteer leadership.

If the board is not knowledgeable or invested in Jewish concerns, more experts acknowledge that it is the responsibility of the lead professional to educate the board accordingly (Dubin 1992).

Perhaps the most valuable lesson which can be gleaned from the Jewish communal service literature is a reminder by Jeffrey Solomon of the need to distinguish between involvement of many different stakeholders within an institution and the governance of that institution. He cautions that a desire to involve key people often straps Jewish professionals with boards that lack the "skills, seriousness and commitment to fulfill this sacred trust [of governance] properly" (Solomon 1995).

JEWISH EDUCATION LITERATURE

Last, the scant literature in Jewish education which addresses the research question is reviewed. There are no empirical studies in Jewish educational literature of the relationship we are seeking to understand.

We can say that the working relationships between lay and professional leaders in day schools and, for that matter, in all of Jewish education, have attracted little attention. For the most part, professionals meet their lay counterparts within a context marked by severe lack of reflection. When a productive working relationship does seem to exist, energy rarely exists to think systematically about the components contributing to that positive collaboration. Few, if any, case records, exist which document successful working relationships such that someone could analyze them in the future and derive some useful guidelines for others (Elkin 1992).

Although Elkin and others cited above consider the relationship between

volunteer leaders and Jewish professionals in need of study and improvement for a variety of reasons, there is meager quantitative, ethnographic, or case study data. Only a few prescriptive papers have been written. While there are case studies of Jewish educational settings, most are ethnographic studies of the total school culture and do not directly or exclusively address the topic of this study (Cohen 1992, Heilman 1976, Heilman 1992, Lipnick 1976, Schoem 1989, Stern 1993, Wolfson 1974).

Although the relationship between the Jewish professional and the volunteer leaders is not the focus of any of the studies, Schoem's ethnographic study of a Jewish supplementary school within a synagogue setting briefly addresses the problems surrounding the lack of trust which he found in varying degrees among the parents, principal, rabbi, faculty and the school board (Schoem 1989). Burton Cohen's Case Studies in Jewish School Management describes six Jewish schools and offers recommendations for improvement for each school (Cohen 1992). While it is a useful and needed study in the Jewish educational literature, it does not specifically address the research question of this paper.

The most relevant research is Stern's Ten Studies of Jewish Schools. Stern evaluates seven Jewish day schools (the remaining three are supplementary religious schools) and highlights the problems found in each setting. Two cases, in particular, analyze the relationship between the volunteer leadership and the Jewish professional leadership. One is entitled: "SCITLOP: A case of failed lay- leadership." Stern argues that a lack of clarity of authority and responsibility of the head of school's role results in much confusion and poor governance. Stern uses the other case, "TAMA:

They mean well, but these laymen don't know where to stop" to outline three types of governance structures available to Jewish day schools.

1. The Proprietary Model: The board selects an administrator who is left largely on her own. The board's function is solely to judge whether the administrator is serving a proper proprietary- entrepreneurial role, as judged by the "bottom lines" of enrollment and budget.

2. The Leadership Model: The board engages an administrator from whom it expects educational initiatives, which initiatives [sic] are supported by the board after some discussion but minimal fact- finding. The administration's effectiveness is judged in bottom line terms, matched against goals which have been previously been agreed upon. The administrator is never judged in operational terms.

3. The Managerial Model: The board determines all policy and guides much of the operation, delegating through the administrator the managerial function of carrying out board directives. The administrator's effectiveness is judged by her operational follow through of board decision (Stern 1993, p.40).

Stern argues that different schools require different governance models.

Unfortunately, since these studies were written for the purpose of program and structural evaluation and not for research or process evaluation purposes, in each case the reader is provided with scant description. Reisman's analysis (1992) described above offers a theoretical model of partnership, but does not offer pragmatic suggestions for shifting the paradigm.

H.A. Alexander grapples with some of the practical struggles in the volunteer leader-professional relationship in a provocative fictional conversation constructed among three people: a veteran professional in Jewish education, a Jewish college

student, and a volunteer leader in a local synagogue and school board. Although it is sparse on detail, and not useful as research based literature, it can be used in an educational setting to generate discussion among different leaders as to the appropriate role distinctions between the two groups of leaders (Reimer 1987, pp. 51-61).

Joshua Elkin (1992) argues persuasively for the need to take the professional-board relationship more seriously than Jewish education has in the past. He offers a prescription for improving the relationship: collaboration, improved communication, goal setting, board evaluation. Yet he also states that there is a great need for case studies to help all Jewish educational institutions develop strategies for success. Despite all of the attempts to improve relations, the Jewish community is still struggling to find the best means to achieve the goal.

LESSONS FROM THE LITERATURE REVIEW

The most valuable lessons from the relevant literature is that successful non-profit institutions must be mission-driven and must generate a clearly articulated common vision. In addition, all of the literature emphasizes the need to make the work of the board member real, authentic, and substantive. There is also a consensus on the need for clear role delineation between the professional and the volunteer leaders. All of the literature acknowledges the critical importance of communication among the different types of leadership within an institution. Each body of literature also reflects a range of opinions on the partnership continuum as to what the ideal relationship constitutes. Some of the different opinions are purely semantic in nature; others

represent very different understandings of the nature of the balance of power within an organization. Perhaps most significantly, most of the literature is prescriptive. Very few empirical studies directly address the nature of the relationship between the Jewish professional and the volunteer leader in Jewish education.

Nevertheless, several qualities emerge from the research literature as most significant in understanding the nature of the relationship between professionals and volunteer leaders in Jewish education. Four frames emerge through which the volunteer-professional relationship is best analyzed: clarity of roles, confluence of vision, commitment to the institution, and communication. The case study, therefore, is divided into four distinct chapters guided by the dimensions identified through the literature review. The case study explores these four dimensions through an analysis of the handling of conflict, the decision-making process, the expressions of commitment to the school and the utilization of channels of communication by all members of the school community.

This study examines the importance of the four dimensions in a particular Jewish educational setting: commitment, confluence of vision, clarity of roles, and communication. The analysis investigates how volunteer leaders express their commitment to an institution and assesses the importance of commitment to the success of the institution; the extent to which the school's mission drives the institution is reflected in it; whether there is a strong confluence of vision and, if so, who serves as the primary articulator of that vision. The analysis further explores the clarity of the roles of both the volunteer leadership and the professional leadership;

existing channels of communication in light of the assumption that good communication is essential to the success of any organization.

Additional issues raised in the literature which are explored in this case study include the role that the head of school plays in serving as the “educational leader and facilitator” of the board; policy vs. implementation as an operative distinction; receptivity to the spiritual leadership of the head of school among the school community the school; and last, whether the partnership metaphor seems to be the best term to describe the nature of the relationship between the professionals and the volunteer leaders at Masoret Day School. In sum, this study reveals whether the dimensions identified in the literature as confluence vision, clarity of roles, communication, and commitment to the Jewish educational institution emerge as critical factors in understanding of the dynamics of the head- volunteer leader relationship in the school.

The richness of detail of a case study facilitates moving beyond the theoretical and prescriptive models to an understanding of how they operate within a “real life” setting. Thus, better understanding of the factors which influence the volunteer leader-Jewish professional relationship can be achieved.