



THE JACOB RADER MARCUS CENTER OF THE
AMERICAN JEWISH ARCHIVES

MS-763: Rabbi Herbert A. Friedman Collection, 1930-2004.

Series I: Wexner Heritage Foundation, 1947-2004.

Subseries 1: General Files, 1949-2004.

Box
61

Folder
2

Alumni Retreat and Faculty meeting. April 1991.

For more information on this collection, please see the finding aid on the
American Jewish Archives website.

**THE WEXNER HERITAGE FOUNDATION
FACULTY MEETING**

Thursday, April 25, 1991
Stone Mountain, Georgia

AGENDA

- ✓ I. Reports of the Faculty
- ✓ II. Future Plans of the Wexner Heritage Foundation
- ✓ III. Review of Program for Alumni Retreat
- ✓ IV. Communal Institutions & Values: A Curriculum Building Exercise
- V. Comments Regarding "Wexner Heritage Review"
- VI. Good & Welfare



ALUMNI RETREAT

Evergreen Conference Center - Atlanta

April 26-28, 1991

CRISIS AND LEADERSHIP

A crisis is usually thought of as one cataclysmic event - an earthquake, a bank failure, a presidential assassination - and leadership usually knows how to respond.

A much more deadly crisis is a historical trend - harder to perceive and analyze, not always recognized until serious damage is done, often impossible to repair, therefore irreversible.

The two most powerful Jewries in the world seem to be entering historical crises at the end of the 20th century - and the respective leaderships have not shown signs of meeting them adequately.

In America, the great wave of migration which started a little more than 100 years ago, bringing millions of Jews here, who were hovering at that time between a traditional form of life in the ghetto and shtetl, and the temptations of a more emancipated form of life in the new world - that migration has

brought you, the third generation, 100 years later, into a full-blown assimilation which some Cassandras predict will seriously threaten the very continuity of the Jewish population on this continent.

In Israel, we seem also to be entering a historical crisis, for after its 100 years, i.e. a half century of pioneering settlement, plus almost another half century of sovereign statehood, the nation has indeed created many miracles, but the present mood is one of confusion as to goals and systems in Israeli society, which has produced a government that is in disarray, and a people adrift, uncertain of itself, split into many movements offering different nostrums.

The Israeli crisis is one of failing to express Jewish values in the new condition of sovereignty and physical power. Peace, democracy, equal rights for all citizens, in other words, the creation of the model moral society - still elude the grasp of the government and citizens. The state has created an instrument of power which has successfully defended it against ferocious and continuous onslaughts, thank G-d for that - but a wonderful army is only a means, not an end in itself. The end is a particularistic Hebrew society envisioned by the Biblical prophets in which the needy are nourished, the rich are idealistic, the nation is dedicated to morality, thus serving as an example leading to a universal repair of the entire world - Tikkun Olam.

There is some impatience, even annoyance, on the part of diaspora Jewry that Israel, already 43 years old, has not yet achieved the desired moral goal. We want her to move faster toward that state of grace in which the brilliant theories will become practical realities. We want a steady stream of achievements and victories, for this is our image of her glorious potentiality - and we are alienated as we analyze her poor governmental performance or inflexibility when dealing with the pressing subjects of Arabs, Palestinians and peace. We forget that she wins the wars and absorbs the millions of immigrants. We should be appreciative of her progress, while at the same time reminding her that she should not remain rooted in a 19th century combination of shtetl politics plus fear of the outside world. She will never serve as a model for the world if she constantly operates under the paranoia that the whole world is against her because she is a Jewish state. How can she inspire what she considers to be an enemy?

Having said all this - we must leave it largely to her citizens to impress upon their leaders that this crisis, involving purpose, modalities, and destiny, demands solutions, and if the leadership comes up short, then changes must be sought in every sphere which influences society - namely, the government, the religious establishment, the universities, and many others.

The American Diaspora crisis is totally something else - having nothing to do with instruments of power, for we have none, but dealing rather with the voluntary self-determination of a large affluent community to remain linked to a future continuity as Jews. We have two choices - to maintain our strong sense of identity and peoplehood by all possible means, or to allow ourselves to drift off into the large sea of American permissiveness in which all barriers are down and we can disappear without trauma or difficulty. Our crisis is Shakespearean - to be or not to be - and the solution depends on our leaders and ourselves - no one else.

The Jewish mass in America is undoubtedly moving into a crisis phase - there are many signs of it - many people who feel it. Arthur Hertzberg's latest book ends on a pessimistic and distressed note regarding the future of the American Jew. His last paragraphs state: "In fact, the mass of American Jews are only 50 years out of the ghetto ... and it is already possible in this new age of America to evaporate out of being Jewish without making a decision to be anything else ... They remain proud to be Jews but they are less and less likely to live their lives within the ethnic community...Jews who cared about being Jewish knew, if only in their bones, that they had to turn to religion, and most did not know how to begin ... Most Jews could not accept the fundamentalism of the Lubavitcher rebbe, the most striking leader of the Orthodox revival. If a spiritual revival does not

happen, American Jewish history will soon end and become a part of American memory as a whole."

Nothing drastic will happen in the U.S. The American democratic tradition will not self-destruct and turn this country into some monstrous military dictatorship which will swallow up its Jews. Rather the permissiveness, which enables anyone who strives hard enough to reach any heights, envelops the Jews in an embrace so seductive as to cause a loss of specifically Jewish identity. We have as much to fear from death by a kiss of equality as death by some murderous genocide. It is so easy in America to forget one's Judaism, cease practicing it, grow lazy about passing on the tradition to our children that, almost without our realizing it, the ethnic ties that bind lose their power, memory of the Holocaust fades, the special tug of Israel weakens as we take it for granted - and we slide into living like single-identity Americans instead of double-identity American-Jews.

Given two generations of such a life-style, the crisis phase, so discernible now in the high intermarriage rate, lowering conversion rate and low knowledge base, will no longer be discernible because the crisis will have passed, and the patient will have entered that pleasant comatose state whose end will be the disappearance of most Jews by immersion in the vast majority, leaving behind a nucleus of far-right religious people and a centrist secular group caring for some communal

infrastructure capable of sustaining a minimal Jewish existence. Two generations of active indifference will be sufficient to create the conditions for a gentle reduction of the Jewish community into almost zero.

Contemporary thinkers and scholars take this crisis feeling very seriously, and seek nostrums and solutions. Recently, one of the major theologians, Rabbi Eugene Borowitz of the H.U.C.- J.I.R., who edits a journal called Sh'ma, wrote an essay stating his premise that the twin themes of Holocaust and Israel are not enough any longer to retain a sense of Jewishness for American Jews. What is needed, he says, is a "new priority" - namely, religion and faith. Only these are strong enough to buttress our sense of identity. Ethnicity is not enough, and "The Holocaust-Israel symbols, for all their remaining potency, have lost their recent authority."

His argument runs as follows: "The American economic boom transformed us into the country's wealthiest ethnic group; the Ivy League colleges gladly accepted our kids almost without discrimination; and Jews disproportionately enlivened American culture...We now belonged, only to discover that equality gave us so much personally that it made our Jewishness comparatively superfluous...Israelocentrism no longer can be the engine driving American Jewish life, keeping us ahead of the assimilation threatening to overtake us.

Belief is now our major priority...I don't think that Jewish education without believing teachers and parents will help us much. More than ever, the key issue is religious. Are we Jewish 'Unitarian' Americans or devoutly Jewish Jews who are also humanitarian Americans? Our community's answer to this question will determine its future Jewish vitality."

Borowitz invited a number of people to respond to his premise, and their replies were published in subsequent issues of Sh'ma.

1. Rabbi Harold Schulweis of California said that not ideology, but chavurot, were necessary, to bring Jews together, and thus unite them in determination to survive.
2. Tom Dine of AIPAC said that Israel is not dead, still claims the hearts of American Jews, and in supporting Israel the American Jews will rejuvenate their own community.
3. Rabbi Walter Wurzberger believes that what really matters to American Jews is their life-cycle events (birth, marriage and death) and participation in rituals such as Seder or Chanukah candles. "The real challenge confronting our religious leadership is to devise strategies to employ...Jewish ethnic loyalties as the foundation for building an imposing structure of Judaic values."

4. Jonathan Woocher of JESNA, author of "Sacred Survival", says that pulling away from Israel won't help, that the issue is religious, and that we must believe (in some mysterious way) that we are a special people with a special way of life which, for us, is supremely rewarding, and for the world is part of the slow process of redemption.
5. Professor Lawrence Hoffman of HUC-JIR believes that ethnicity alone no longer guarantees Jewish survival. He agrees with Borowitz that "Jews will have to find their way to God, not just peoplehood, or they may...abandon both." He also believes that "we require as well a reassertion of the ethical mandate which has been called prophetic Judaism." A combination of these elements - reform of worship by spirituality, peoplehood and ethical conduct - will sustain us into the 21st century.
6. Rabbi Michael Berenbaum, of the U.S. Holocaust Memorial, says that the old Emancipation slogan "Be a Jew at home and a universal man in the street" must now be reversed. Many American Jews are "Jews in public" but their private lives are devoid of Jewish content. "American Jews will either choose high intensity Jewish identities, or their identity will wither away."
7. Rabbi Balfour Brickner of the Stephen Wise Synagogue in New York agrees with Borowitz that a religious revival is necessary, but is worried about who will do it.

Rabbis don't have audiences; academics don't get paid to share their knowledge; writers could perhaps be commissioned to write dramatically on issues of belief; Christians could help by asking curious questions, thus forcing Jews to focus on their beliefs. Our continuity is not in question, only the quality of our self-identification.

8. Professor Ellen Umansky of Swarthmore College believes that "the hierarchical model of leadership that still dominates much of Jewish communal life must be altered. Leaders should not lead through control, but should be facilitators, helping their congregants or members to get involved in lay committees for creating programs and new rituals; also welcoming those "minimal Jews" who stay out of organized community because they are uncomfortable or non-conformist.
9. Professor Henry Feingold of CUNY says that modern secular Jews can no longer be great believers. There is a conceit in proposing that a religious elite can lead Jews back to Judaism in a secular age. But the secular can become a saving remnant. Look at the fascinating amalgam between religious and secular in Israel where the whole nation observes the religious calendar which enriches secular life. In America we may yet see a Judaization of the secular mind-set. That is far more likely than a forced march back to religion.

From all the above it is clear that savants and scholars are far from agreeing on a diagnosis of and prescription for the disease which might lead to disappearance. While they argue, let us look once more into the magic of Israel, to make certain that we do not dismiss too lightly the luminous incandescent power of her miraculous presence.

I don't agree with Borowitz that Israel has lost its magnetic attraction. I think we haven't even begun to plumb the possibilities Israel has for awakening spirit and determination in American Jewry. I think we must solve the twin historical crisis for both Jewries by linking them more closely together, and having each help solve the crisis of the other. A stronger connection with Israel can help strengthen American Jews, by giving them a greater pride in a truly Jewish Israel, if that very Israel overcomes its inadequacies and achieves the state of moral height which is her true potential. What I am describing is a mobius knot, in which the intertwining could bring each of the two elements into an unbreakable and mutually supportive condition, beneficial to both.

American Jews must learn to relate to Israel in a much deeper fashion - beyond slogans, occasional tourist trips, admiration for military prowess and willingness to accept all immigrants who come, whatever the difficulty. These are aspects which provide thrill and pleasure at the display of sovereign power, but in many ways they are superficial.

We must understand the deeper meanings - that Israel is the vehicle of supreme Jewish identity, the container carrying the message of redemption for the whole world. We have to dig into that concept - really to grasp it, internalize it, live with it without embarrassment, call it by its right name - the mission of the chosen people and the chosen land.

If we look for this in Israel's soul, we can find it in the secular heart of the kibbutz farmer, the intensity of the fighter pilot, the dedication of the business man who has remained and not emigrated out. We can find it in the religious heart of the modern Orthodox. We can find it in the astounding cultural level of a high civilization, embracing music and art and science and literature.

Our dissatisfactions with Israel are legitimate - for there is an unnecessary discrepancy between ideals and actions in the areas of peace-making, political process, religious freedom, civil rights, to mention only some of the issues which irritate and confound us.

But on balance the inspirational aspects of Israel far outweigh its shortcomings - and in the words of the song we should accentuate the positive.

YOU'VE GOTTA ACCENTUATE THE POSITIVE
ELIMINATE THE NEGATIVE
LATCH ON TO THE AFFIRMATIVE
DON'T MESS WITH MR. IN-BETWEEN.
YOU GOTTA SPREAD JOY UP TO THE MAXIMUM
BRING GLOOM DOWN TO THE MINIMUM
HAVE FAITH OR PANDEMONIUM'S
LIABLE TO WALK UPON THE SCENE.
TO ILLUSTRATE - MY LAST REMARK
JONAH IN THE WHALE - NOAH IN THE ARK
WHAT DID THEY DO
JUST WHEN EVERYTHING LOOKED SO DARK
MAN THEY SAID WE'D BETTER.....

Further, we deepen the manner in which we seek to obtain
more insights, to understand the inner definitions. More of us
must:

Learn the Hebrew language;
Live there for periods of time;
Send our children for periods of education;
Develop a new tool to improve Israeli society - i.e.
citizen voluntarism, replacing the tradition of
expecting the government to solve all problems.
Do everything possible to move Israel from being the
last Bolshevik society on earth to a free-market
economy;
Assist in Israel's industrial development, which will

create employment and stimulate exports.

I have one idea linked to Israel, which could achieve the objective of combatting assimilation among American Jews and instilling a fierce determination toward continuity. This plan could at the same time restore Israel's faith in itself, and restore her to a central place in the Diaspora's soul. In other words, this plan could avert the historical crisis in both centers of Jewish life with subsequent similar effect throughout the entire Diaspora. This idea requires your acceptance of a basic premise - namely, that you can more easily learn your Judaism by living for a time in the Jewish state where you will have every variety of experience at your fingertips. Living in Israel, even for a period as short as one year, will produce startling results, if your time is properly programmed, in a specially crafted educational environment.

I am proposing an International Family Village on its own campus with all facilities for housing, feeding, socializing, recreating, studying - all the physical features which are often unsatisfactory and overly expensive when one family tries to create such a total environment all by itself. Each arriving family can move into the pre-arranged housing and the very next day begin living and learning instead of trying to get organized for living. Solve the logistics in advance. Avoid the aggravations of dealing with lots of mechanical problems. To avoid creating an American ghetto, make arrangements to

incorporate tens of Israeli families to come live in your village and study with you. There are Israeli candidates galore, your peers in age, experience and outlook, who are also ignorant of and hungry for Judaic knowledge. Lastly, you have an enormous source of power with which to create this campus. Counting all the alumni of Wexner, plus all the Young Leadership programs, started by the UJA and replicated in hundreds of federations, over 30 year period, you have a corps of thousands of persons who are potential contributors of money, expertise and experience. I think the Family Village is exciting and easily doable.

Before going into the details of how the campus would be constructed, we must first establish the premise I referred to a moment ago. You must believe in the value of spending that year in Israel, and you must plan for it long in advance. Planning is easier or harder depending on the ages of your children and your personal financial status. The older you are - the easier. Children are grown and away on their own. Your financial condition is more secure. The younger you are - the harder. Children's needs must be considered. You would have to arrange a leave of absence from job or profession; older kids could be enrolled in an Israeli university; younger kids could be gathered into an elementary school to be organized right on the campus. You pick the right time in your life, preparing for it several years in advance, and making a reservation for a house at a time best suited for your family.

Once you move in you are no longer a tourist. You will enter into the very bloodstream of the nation. You will learn Hebrew - enough to read the headlines in the afternoon paper Maariv, not enough to follow the news on TV; enough to handle the shopping, the bank and the post office, not enough to follow a play at the theater. You will go to the great public ceremonies on Independence Day or Holocaust Memorial Day in the midst of streams of people who walk to the stadium or the cemetery or the parade - not sitting in special reserved sections which the UJA has arranged for you, but mixed in with the masses. You will spend Friday evenings at Israeli friends' homes, worrying with them about their kids in the army and talking about the chances of the next war. You will stand in the lines created by uncaring bureaucrats and figure out how to beat the system. You will thrill to the magic of the sudden sunset in Jerusalem or witness the huge red globe slipping into the Mediterranean while walking on the beach in jeans and sneakers instead of looking at it through the windows of the tourist's hotel.

Taste the land, smell it, love it, hate it - but live in it, from listening to the morning radio news to walking the midnight watch in the civil guard. This is the only way you will ever come to feel that it is really yours in a hard, true practical fashion, rather than just admiring it in some distant sentimental manner.

Not only will this be better for you, but also for the country, because, as you live the problems, you will itch to solve them. And only by staying there, for a while at least, will you make a dent. Through your American experience in creating voluntary organizations and making things happen, you will establish a similar tradition in Israel. Most Israelis think in conservative and centralized patterns. They believe that if there is a problem, the government should solve it. There are only the primitive beginnings of citizens' organizations trying to take things in their own hands. What is a century-old practice in the United States has yet to take root in Israel - but it can be done. Waves of you, coming year after year, for a decade or two, will help voluntarism to catch on.

Really major matters, like religion-state relationships, racial and ethnic suspicions between population groups, civil rights, women's rights, electoral reform, religious pluralism are all waiting for solutions or at least improvements. These can come about, slowly but surely, if there is a constant turn-over of people like you, coming into the country, sensing the problems, seeking change, and creating movements for improvement.

I am not talking about the heavy portentous matter of "making aliyah" for the rest of your life. I am talking about a new kind of aliyah - organizing your life in the United States to enable you to come to Israel for a year, even two - with the double purpose of acquiring knowledge of your Judaic heritage,

for your own and your children's self-improvement, and then improvement of Israel's systems of society. This means learning something of the Hebrew language and living inside an Israeli skin, as much as possible. It will be marvelous for you - magnificent for the country - and help re-navigate the course. I'm suggesting it not only as a pleasure - but also as a duty. You owe a duty to Jewish continuity and Israeli advancement. This is a call to duty, like so many other calls to which you are trained to respond.

In quick outline, let me present some of the details of the International Family Village:

I. Purposes

1. House families coming for extended periods to study.
2. Provide instant mix with israelis, by inviting families with similar study purposes to take up residence.
3. Invite families from other countries (U.K., Western Europe, South Africa, Australia, Russia) to join.
4. Provide faculty from nearby universities to study all relevant subjects. Basic one year curriculum to be devised, combination of compulsory and optional subjects.
5. Provide Ulpan, for basic Hebrew.
6. Serve as base for intensive touring.

7. Provide counselling and advisory services, to assist with integration into present life, and offer advice for possible future permanent life in Israel.

II. Physical Description

1. Residential quarters for 50-100 families; condominium style, basic 3-bedroom, 2-bathroom, fireplace, all amenities.
2. Clubhouse type facility - large lounge; big stone wall with fireplace; lots of comfortable furniture; game rooms; billiard tables; dining room, et.
3. Education building - class rooms; auditorium, library with study carrels; all audio-visual facilities; administration offices.
4. Sport facilities:
 - a) outdoor - 8 tennis courts; volleyball courts, baseball, football, and soccer fields, olympic swimming pool.
 - b) indoor - gymnasium; machine rooms; squash courts, basketball court with bleacher seating; pool.
5. Parking lot - busses, private cars, luggage handling.

III. Sites

1. Build near a university.
2. Possibility of building three, slightly smaller, rather than one, larger. If one, site it between Herzliya and Netanya (i.e. near Tel Aviv University). If a second, site it near Carmiel in the Galilee (i.e. near Haifa University). If a third, site it near Beersheba (i.e. near Ben Gurion University).

IV. Operational Procedure

1. Develop various curricula - for varying periods of time - i.e. define one semester as 4 months - make up curricula for one, two and three semesters.
2. Develop individual tutorials in selected list of subjects.
3. Develop Hebrew language courses - at various levels, beginner, intermediary, advanced; one, two or three semesters.
4. Make up brochure describing all above.
5. Set up administrative office in United States.
6. Recruit by mail, phone, networking - take reservations for fixed period.

V. Personnel

1. In United States -
Executive director, with necessary staff, for

recruiting, registration, handling finances -
all administration.

2. In Israel -

President of college, for inspiration and
policy.

Vice-President, for administration.

Dean, for academic direction and affairs.

VI. Funding

1. Create 501-c)-3 non-profit corporation to raise
funds and construct the campus - possible cost \$25
million.

Approximate Capital Costs

(Average Condo - 150-180 m² (1650-1980 sq. ft.)

100 Condominia @ \$150,000 each =	\$	15. mill.
Club-house 2000 m ² x \$1000 per meter =		2. mill.
Educational Bldg. 5000 m ² x \$500 per meter =		3.5 mill.
Gymnasium Bldg. 3000 m ² x \$500 per meter =		1.5 mill.
Sport fields + landscaping, etc. =		<u>2. mill.</u>
Land Acquisition		<u>1. mill.</u>
Approximate Capital Cost	\$	25. mill.

2. Determine operational costs. Fees charged for rent,
board in dining room (if desired), studies, touring,
overhead must enable operations to be self-liquidating.
Determine whether you want to recover any of the

capital investment. Total amount charged must be reasonable - should not exceed \$1500 per month, if possible.

Conclusion

It will take several years to plan and build the Family Village, to recruit the first pioneers, to work out the operating system. Let that process start now, even while our major concentration during these same several years must be on the immediate challenge of absorbing the Russians and the few remaining Ethiopians. There is no conflict. The fund-raising for taking the next million into Israel has priority. But the planning process for the Family Village can proceed simultaneously.

Planning releases all sorts of juices. Someone might suggest a youth village, as a special parallel project; another idea might be a fine money-making conference center. There is not a single professionally designed conference center in the entire country. Imagine if we had a place such as this, in which to live and study. Start to think of Israel as a potential Switzerland (for it will not be many years before she reaches the actual population of Switzerland, 7.5 million). Let your imagination race ahead, feel the adrenalin start to flow, and translate that into a source of energy which will activate,

stimulate, nourish an American Jewish community into a deeper understanding of itself.

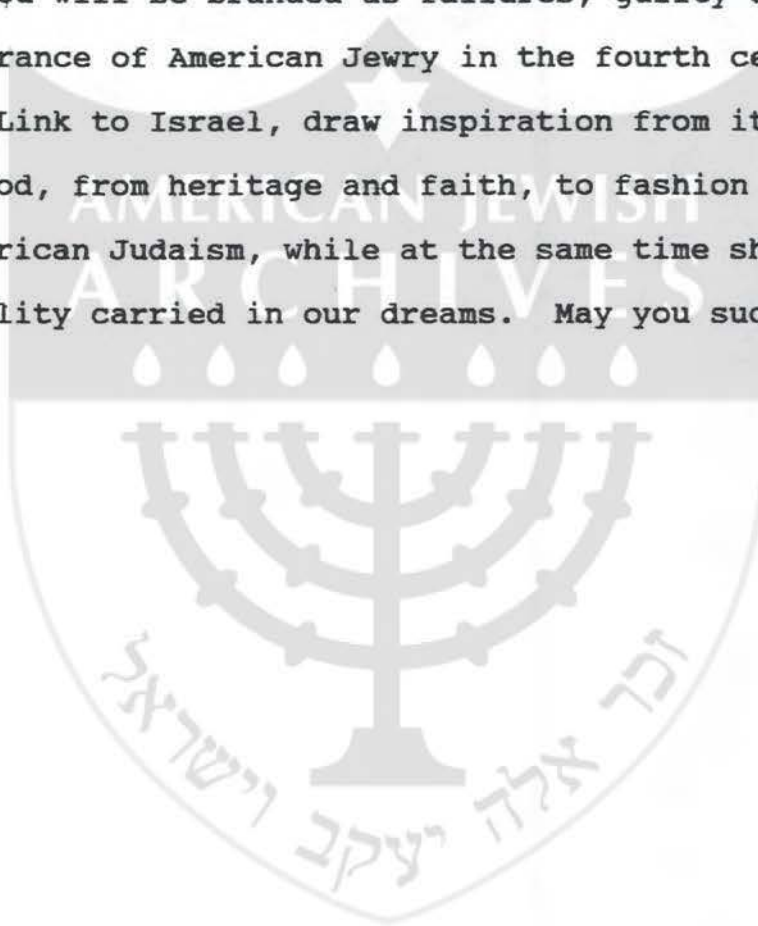
The crisis here is one of identity. Leaders must devise a strategy of survival. Yes - Rabbi Borowitz - strengthening faith and belief is a good thing - but I feel it is an uncertain remedy in this secular scientific age. Linkage to Israel, in matters of culture, language, economy, pride and peoplehood, including religion, seems a better prescription - at least for the 21st century.

Previous generations of Jews erected the community buildings and institutions in America. This was relatively easy. They were motivated by a sense of ethnic Jewish identity, which they expressed through financial generosity and an instinct that the physical manifestation of ethnic community was necessary in America. The non-Jewish neighbor had his church, we had to have our synagogue, beautiful and prominent, as proof of our existence, whether we entered it very often, or not. And so with our community center and federation building and old folks' home.

Your generation, the third in America, has the harder task of building systems, not necessarily buildings, for learning the contents of the heritage, the knowledge without which everything your fathers and mothers built physically might fall apart through disuse and neglect. Learning is the opposite of abandonment. You must go and learn, if you would not make a

mockery of your ancestors.

What a crisis, what a testing, what a challenge! Are you up to it? Your generation, and perhaps your children, no more than that, will face the judgment of history. You will earn the applause of the future if your leadership meets the present crisis, or you will be branded as failures, guilty of abetting the disappearance of American Jewry in the fourth century of its existence. Link to Israel, draw inspiration from it, from land and peoplehood, from heritage and faith, to fashion a strong creative American Judaism, while at the same time shaping Israel into the reality carried in our dreams. May you succeed with honor.



Landes - take Atlanta out of the A.A. Shul
turn them into regional power

Brauner - don't mix (in year 3 and 4) alumni with new additions

Rosenfeld (& others) - there are regional differences, which we must
learn. Midwest is not northeast.

(Chernick)

~~can~~ Give us community profiles where we will teach.
History, background, etc. (this stems from my short history of Houston)

Millen - give us evaluation of teachers

THE WEXNER HERITAGE FOUNDATION
FACULTY MEETING
APRIL 25, 1991
STONE MOUNTAIN, GA.

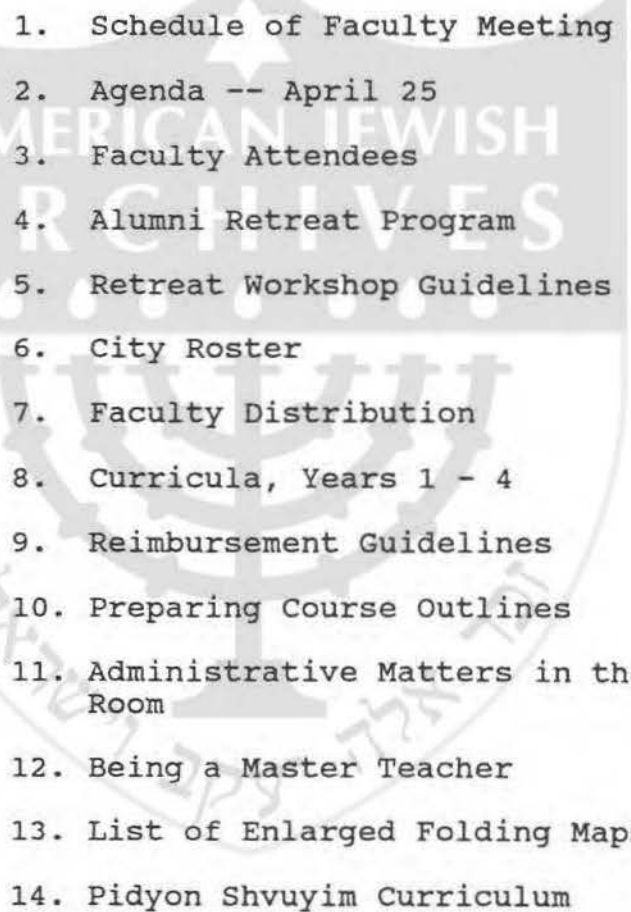
ATTENDEES

Rabbi Herbert Friedman
Rabbi Nathan Laufer
Rabbi Ramie Arian

- ✓ Rabbi Saul Berman
- ✓ Rabbi Tsvi Blanchard
- ✓ Dr. Ronald Brauner
- ✓ Dr. Michael Chernick
- ✓ Rabbi Leonid Feldman
- ✓ Dr. Benjamin Gampel
- ✓ Dr. Jeffrey Gurock
- Dr. Steven Katz
- Rabbi Reuven Kimelman
- ✓ Rabbi Irwin Kula
- ✓ Rabbi Daniel Landes
- ✓ Rabbi Henschel Millen
- ✓ Dr. Charles Raffel
- ✓ Dr. Alvin Rosenfeld
- ✓ Dr. Hava Rothschild
- ✓ Dr. Marsha Rozenblit
- ✓ Dr. David Ruderman
- ✓ Dr. Haim Shaked
- ✓ Rabbi David Silber
- ✓ Regina Stein
- ✓ Dr. Bernard Steinberg
- ✓ Rabbi Joseph Telushkin
- ✓ Dvora Weisberg
- ✓ Dr. Jeffrey Woolf



TABLE OF CONTENTS

- 
1. Schedule of Faculty Meeting
 2. Agenda -- April 25
 3. Faculty Attendees
 4. Alumni Retreat Program
 5. Retreat Workshop Guidelines
 6. City Roster
 7. Faculty Distribution
 8. Curricula, Years 1 - 4
 9. Reimbursement Guidelines
 10. Preparing Course Outlines
 11. Administrative Matters in the Seminar Room
 12. Being a Master Teacher
 13. List of Enlarged Folding Maps
 14. Pidyon Shvuyim Curriculum

THE WEXNER HERITAGE FOUNDATION
FACULTY MEETING

APRIL 25 - 26, 1991
STONE MOUNTAIN, GEORGIA

SCHEDULE

ROOM

THURSDAY, APRIL 25

11:00 - 1:00 pm	Arrival and Registration	Foyer
1:00 pm	Lunch	Rotunda
2:30 pm	Faculty Meeting	Salon A
6:00 pm	Mincha Service	Salon B
7:15 pm	Dinner	Rotunda
9:00 pm	Ma'ariv Service	Salon B
	Free Evening	

FRIDAY, APRIL 26

8:00 am	Shacharit Service	Salon B
8:00 - 9:00 am	Breakfast	Rotunda
9:15 am	Faculty Meeting (cont. if needed)	Salon A
12:30 pm	Lunch	Rotunda
2:00 pm	Alumni Retreat Opening Plenary	Laurel

THE WEXNER HERITAGE FOUNDATION
1990 - 1991 CITY ROSTER

Year One

Baltimore
Metrowest

Year Two

Atlanta
Boca Raton
Washington

Year Three

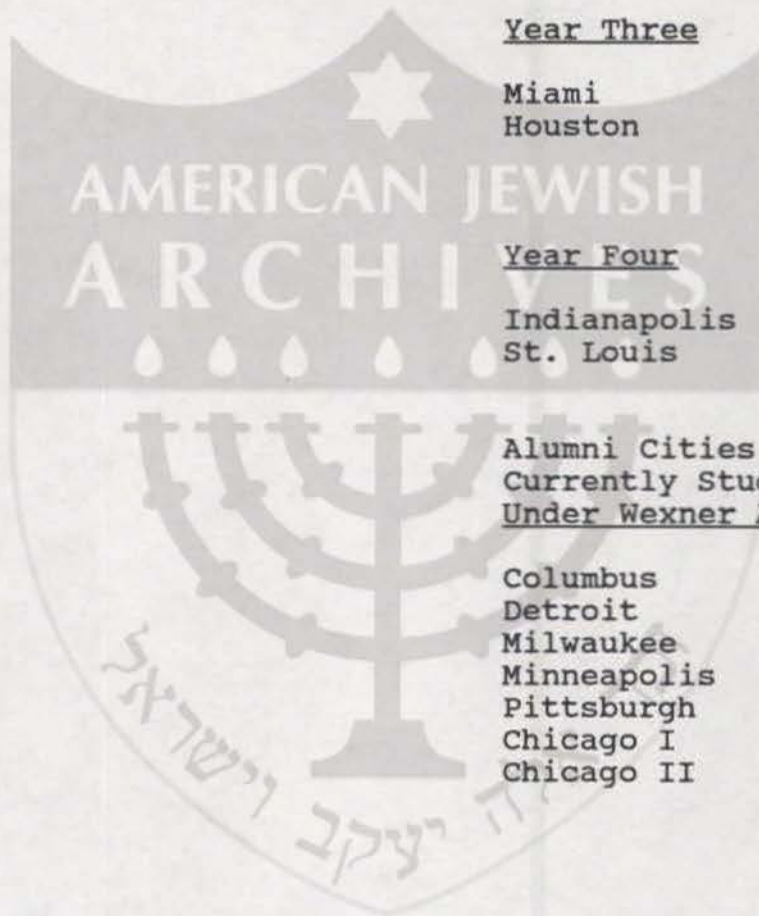
Miami
Houston

Year Four

Indianapolis
St. Louis

Alumni Cities not
Currently Studying
Under Wexner Auspices

Columbus
Detroit
Milwaukee
Minneapolis
Pittsburgh
Chicago I
Chicago II



**THE WEXNER HERITAGE FOUNDATION
FACULTY DISTRIBUTION 1990 - 1991**

Year One

<u>CITY</u>	<u>STUDENTS</u>	<u>INSTRUCTORS</u>
--------------------	------------------------	---------------------------

Baltimore	18	Laufer Friedman Kula Gampel Gurock
-----------	----	--

Metrowest	22	Laufer Friedman Kimelman Ruderman Rozenblit
-----------	----	---

Year Two

<u>CITY</u>	<u>STUDENTS</u>	<u>INSTRUCTORS</u>
--------------------	------------------------	---------------------------

Atlanta	21	Laufer Silber Arian Raffel Hoffman Landes Friedman
---------	----	--

Boca Raton	17	Laufer Telushkin Arian Chernick Katz Friedman
------------	----	--

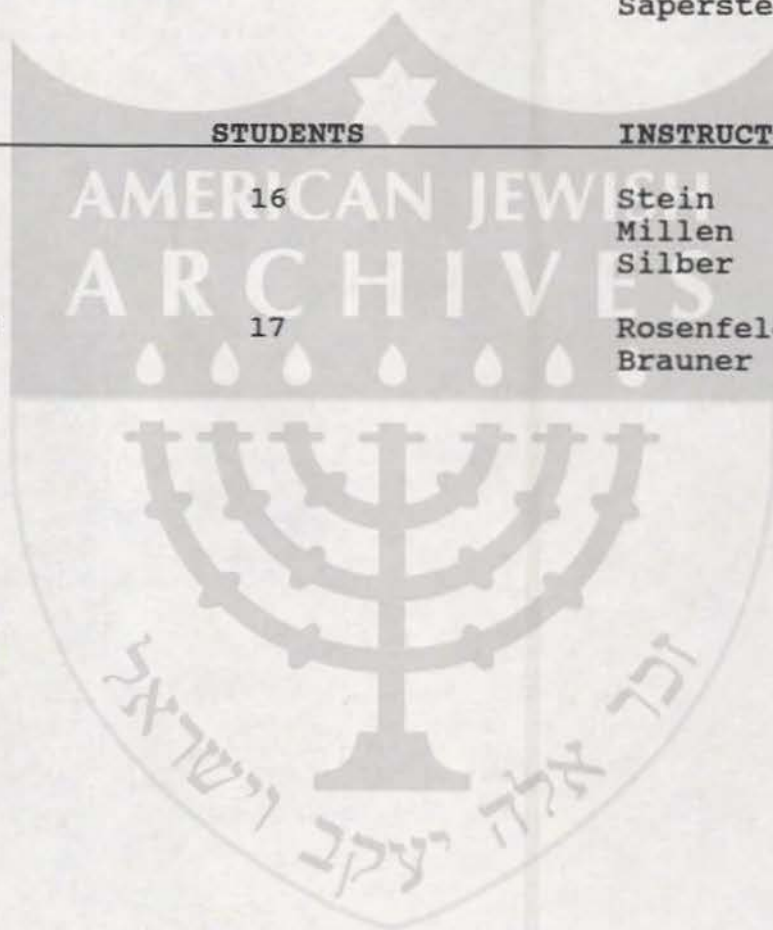
Washington	23	Laufer Feldman Silber Arian Hoffman Brauner Rothschild Friedman
------------	----	--

Year Three

<u>CITY</u>	<u>STUDENTS</u>	<u>INSTRUCTORS</u>
Houston	24	Kula Brauner Berman
Miami	23	Steinberg Kula Saperstein

Year Four

<u>CITY</u>	<u>STUDENTS</u>	<u>INSTRUCTORS</u>
St. Louis	16	Stein Millen Silber
Indianapolis	17	Rosenfeld Brauner



WEXNER HERITAGE FOUNDATION

POLICY ON INCIDENTAL EXPENSE REIMBURSEMENT

When travelling on Wexner Heritage Foundation business, faculty members are reimbursed for reasonable expenses related to that travel, for lodging in approved facilities, and for meals. Within reason, telephone charges incurred while travelling are also reimbursed.

Other incidental expenses, including health club charges, in-room movies and the like are not reimbursed, as per IRS regulations.

When faculty members incur non-reimbursable expenses that are billed to the Wexner Heritage Foundation (e.g., in-room movies), they should either pay the hotel for those expenses by credit card before checking out, or enclose a check for such items at the time they mail in their forms for travel reimbursement.

When faculty members combine travel on Wexner Heritage Foundation business with other travel, either on other business or of a personal nature, the Wexner Heritage Foundation will cover the cost of travel for the normal itinerary required. Any additional costs incurred will be the responsibility of the faculty member.

**WEXNER HERITAGE FOUNDATION
FACULTY MEETING
STONE MOUNTAIN, GEORGIA
APRIL 25 - 26, 1991**

PREPARING YOUR COURSE OUTLINE

Your course outline, submitted for our approval after you receive your teaching assignments for 1991-92, should contain the following elements:

1. An introductory paragraph for the entire series
2. For each session:
 - a. Title
 - b. Short introductory paragraph
 - c. Readings
 - d. Questions & issues to keep in mind while reading
 - e. Cultural Literacy terms
 - f. Time Line
 - g. Relevant maps or charts
 - h. Suggestions for further reading

WEXNER HERITAGE FOUNDATION

ADMINISTRATIVE MATTERS IN THE SEMINAR ROOM

When teaching for the Wexner Heritage Foundation, we appreciate your attention to the following administrative matters, which we insist upon as a matter of policy:

- (1) **Classes are to start promptly on time.** Starting on time rewards prompt arrival, and punishes tardiness. Starting late to accommodate latecomers rewards them, and punishes those who arrive promptly. The only way to insure prompt attendance is to insist on it, starting promptly even if the room is nearly empty. It won't be next time.
- (2) **Classes are to end promptly on time.** If you can't finish in four hours, you haven't planned your time well. If the students are hanging on your every word, good; it is better to leave them that way than to drag the class beyond its peak. Our policy is to be timely both at the start of class and at the end.
- (3) **Attendance should be taken, out loud, at the beginning of the class hour.** It is important that the members be reminded that we are serious about regular attendance. They all have busy schedules and many potential conflicts. This small reminder about our seriousness helps them keep their commitment to the program strong.
- (4) **Latecomers should be noticed, out loud.** If this embarrasses them, it will serve as incentive to come on time, next time.

Some members, and some faculty, worry that consistent application of the above procedures runs the risk of treating our members like children. These policies are intended to send the message that this program must be taken seriously by adults. We are convinced that the benefits which accrue from sending this message far outweigh any possible risk.

**YEAR ONE CURRICULUM
THE HISTORY OF THE JEWISH PEOPLE**

Objectives:

- (1) To know the factual outline and major events of Jewish history
- (2) To understand our "root experiences" and our people's uniqueness
- (3) To analyze our people's key leaders and their decisions
- (4) To track the interaction of Jews and non-Jews throughout the millennia
- (5) To internalize our historical experience and form a coherent identity

NINETEEN SESSIONS TOTAL

I. The Biblical and Rabbinic Periods

- (1) Cosmology and Covenant (Genesis)
- (2) The Beginning of Peoplehood (Exodus and Numbers)
- (3) The Conquest of the Land and the Ethics of Power (Deuteronomy, Joshua, Judges, I Samuel)
- (4) The Rise and Fall of the Monarchies (II Samuel, I & II Kings)
- (5) The Second Commonwealth (586 BCE - 70 CE)
- (6) Destruction and Renewal: The Emergence of Rabbinic Judaism (70 CE - 622 CE)

II. The Medieval Period

- (7) The Jews under Medieval Christendom: From Constantine (4th Century) to Luther (16th Century)
- (8) Jews and Jewries in the Orbit of Islam
- (9) The Expulsion of Ashkenazic and Sephardic Jewries and their Aftermaths
- (10) Roads to Modernity: Social, Economic, Political and Intellectual (c. 1550-1789)
- (11) East European Jewry Through 1881

III. The Modern Period

- (12) Enlightenment and Emancipation in Western Europe, 1750-1881
- (13) From Europe to America and Palestine, 1881-1914
- (14) Modern Anti-Semitism and the Holocaust, 1870-1945
- (15) Zionism, Palestine and Israel, 1914-1948
- (16) Israel and World Jewries, 1948-1992
- (17) United States Jewry, 1914-1992

Plus two sessions given by Rabbis Friedman and Laufer

YEAR TWO CURRICULUM
THE THOUGHT OF THE JEWISH PEOPLE

Objectives:

- (1) To acquaint students with the literature and fundamentals of Jewish thought from the Biblical period to the present
- (2) To help students understand how thought responds to history
- (3) To trace development and change in Jewish thought over the millennia
- (4) To recognize the influence of other cultures on Jewish thinkers, and to gain an appreciation of those aspects of our people's thought that are uniquely Jewish

NINETEEN SESSIONS TOTAL

I. Biblical Thought: Prophets and Writings

- (1) Prophetic Leadership: Prophet vs. King and Priest
- (2) The Prophetic Critique: Social Justice (Amos, Hosea, Jeremiah, et al.)
- (3) Theodicy (Job, Kohelet, Psalms)
- (4) Jewish Identity (Ruth, Ezra, Nehemiah)
- (5) Living in the Diaspora (Esther)
- (6) The Maccabees and the Origins of Hanukah

II. Rabbinic Thought

- (7) The Mishnah
- (8) The Talmud
- (9) The Codes and Responsa
- (10) The Anatomy of the Prayer Book
- (11) The Sabbath and Holiday Liturgy
- (12) The Haggadah

III. Medieval and Modern Thought

- (13) Saadya, HaLevi and Maimonides
- (14) Mysticism and Hasidut
- (15) Twentieth Century Jewish Thinkers I
- (16) Twentieth Century Jewish Thinkers II
- (17) Theological Responses to the Holocaust

Plus two sessions on Leadership given by Rabbi Friedman

**YEAR THREE CURRICULUM
JEWISH VALUES AND DECISION-MAKING**

Objectives:

- (1) To offer our members a Jewish approach to value-laden issues of personal, familial and communal concern
- (2) To provide models of how a knowledge of Jewish thought and Jewish history influences Jewish thinking on current issues
- (3) To develop a healthy respect for different points of view within the Jewish heritage
- (4) To explore aspects which are unique to Jewish ethics and experience

FIFTEEN SESSIONS TOTAL

I. In the Family

- (1) Marital Relations: When Self, Spouse and Work Collide
- (2) Responding to Intermarriage
- (3) The Ethics of Fertility: Abortion, Artificial Insemination, Genetic Engineering
- (4) Parents and Children
- (5) Terminal Illness and Death

II. In the Community

- (6) Jewish Education: How Much is Enough?
- (7) Israel and World Jewries: "We Are One"?!?
- (8) Building Community
- (9) Jews in a non-Jewish World
- (10) Tzedakah: The Jewish Safety Net
- (11) Pluralism: "We Are Not One"!? אלה יעקב

III. In the World

- (12) Caring for the Garden: Judaism and the Environment
- (13) "Justice, Justice Shalt Thou Pursue": Judaism and Economic Justice
- (14) Honest Weights and Measures: Judaism and Business Ethics
- (15) Protecting The Image of God: Judaism and Human Rights

YEAR FOUR CURRICULUM -- OPTION I
BIBLICAL NARRATIVE

Objectives:

- (1) To offer our alumni an in-depth study of the narrative portions of the five books of Moses and the "early prophets"
- (2) To extract ethical, political and leadership lessons from the text
- (3) To reinterpret the text so that text conveys meaning to our members
- (4) To encourage members' own future study of biblical text and commentaries

FOURTEEN SESSIONS TOTAL

- (1) The Creation and Noah Stories
- (2) Abraham and Isaac
- (3) Jacob
- (4) Joseph and his Brothers
- (5) The Women of Genesis
- (6) Israel in Egypt
- (7) Drawing Israel out of Egypt
- (8) Drawing Egypt out of Israel
- (9) Sustaining Israel in the Wilderness
- (10) Conquering the Promised Land (Joshua)
- (11) In Those Days There Was No King in Israel (Judges)
- (12) The Eras of Samuel and Saul (I Samuel 1-15)
- (13) David I
- (14) David II

**YEAR FOUR CURRICULUM -- OPTION II
BEGINNINGS**

Objectives:

- (1) To expose our alumni to three central genres of classical Jewish literature: Bible, Talmud and prayer
- (2) To introduce text study as a determinative activity in Jewish life
- (3) To reinterpret the text so that it conveys new levels of meaning to our members
- (4) To encourage members' own future study of classical text and commentaries

FIFTEEN SESSIONS TOTAL

I. The Genesis of the Torah: Bereshit

- (1) From Adam to the Tower of Babel
- (2) Abraham and Isaac
- (3) The Jacob Stories
- (4) Joseph and His Brothers
- (5) The Women of Genesis

II. The Genesis of the Talmud: Berachot

- (6) The Etiquette of Prayer (Chapter one)
- (7) Prayer and Torah Study (Chapter two)
- (8) Ethics or Prayer: Which Comes First? (Chapter three)
- (9) The Person in Prayer (Chapter five)

III. The Genesis of Jewish Prayers: The Siddur & Machzor

- (10) The Shabbat Morning Service
- (11) The Rosh Hashana Service
- (12) The Yom Kippur Service
- (13) The Liturgy of the Pilgrimage Festivals
- (14) Post-Biblical Liturgy: Purim, Hanukah, Yom HaShoah, and Yom HaAtzma-ut

WEXNER HERITAGE FOUNDATION
FACULTY MEETING
STONE MOUNTAIN, GEORGIA
APRIL 25 - 26, 1991

ON BEING A MASTER TEACHER

A Master Teacher employs the following teaching methodologies:

1. Starts each class with a question
2. Uses Socratic Method throughout, employing and encouraging questions
3. Uses the blackboard with regularity
4. Stands, and moves around the room, especially during the second half of the class session
5. Refers to maps, time-lines, Cultural Literacy terms
6. Focuses on how decision-making by leaders influences history and texts
7. Works from not more than 2 pages of outline; does not read from notes
8. Organizes each session with a clear beginning, middle and end
9. Makes explicit the relevance of the materials being taught
10. Assigns students (not faculty) to read texts aloud in class
11. Makes good eye contact, and some physical contact with students, whenever appropriate
12. Exudes friendliness, warmth and approachability before, during and after each session

SET OF
ENLARGED FOLDING MAPS
 to be displayed on easels
 as references during
 history seminars as taken
 from Martin Gilbert's books.

<u>NUMBER</u>	<u>TITLE</u>	<u>Source Page</u> <u>"Jewish History"</u>	<u>Use</u>
A - I	KINGDOM OF DAVID AND SOLOMON	5	I
B - II	JEWS OF NORTH AFRICA	12	II
C - II	KHAZAR JEWISH KINGDOM	24	II
D -III	EXPULSIONS	47	III
1 - V	NAPOLEON AND THE JEWS	58	V
2 - V	ZIONISM 1860 - 1939	63	V
3 - VI	BRITAIN AND THE JEWISH NATIONAL HOME - 1917-1923	88	VI
4 - VI	JEWISH OWNED LAND - 1942	106	VI
5 -VII	CONCENTRATION CAMPS	98	VII
6 -VII	THE SEARCH FOR SAFETY	100	VII
7 -VIII	U.N.PARTITION PLAN - 1947	108	VIII
8 -VIII	FRONTIERS - 1949 - 1967	"Arab-Israeli Conflict"	
		52	VIII
9 - VIII	ISRAELI CONQUESTS - 1967	70	VIII
10 - VIII	OCTOBER WAR	92	VIII
11 - IX	JEWS IN THE AMERICAS 1492 - 1654	"Jewish History" 48	IX
12 - IX	JEWS OF NORTH AMERICA 1654 - 1860	62	IX

THREE GENERAL MAPS

- 13 - THE DIASPORA
- 14 - THE MEDITERRANEAN AND NEAR EAST
- 15 - THE DAILY TELEGRAPH - MIDDLE EAST

WEXNER HERITAGE FOUNDATION

Rabbi Nathan Laufer, Esq.

Metrowest/1990 - 1991 Academic Year

**Session #1: PIDYON SHEVUYIM:
The Mitzvah of Freeing Captives***

The commandment to free captives is known as "Pidyon Shevuyim." Literally, this term means "ransom" -- to pay a sum of money in order to effect the release of slaves or prisoners. But the term "Pidyon Shevuyim" has come to connote more than this: it refers to our duty to help free our fellow Jews held in various states of bondage or oppression through every possible means. In this seminar, various translations for "Pidyon Shevuyim" -- to "ransom", "redeem", "free", or "release" captives -- will be used interchangeably, depending upon the context.

The purpose of this seminar is to place the mitzvah of "Pidyon Shevuyim" in historical perspective, to explore the various facets of this mitzvah by studying classical Jewish texts related to its observance, and to relate these texts to the modern-day imperative to free endangered Jews.

The preparatory materials for this seminar include several background articles which describe the origins and development of the concept of "Pidyon Shevuyim" and how it was applied in various historical situations, particularly during medieval times.

Background Articles:

- Encyclopedia Judaica, "Ransoming of Captives"
Vol. V, pp. 154-155.
- Baron, The Jewish Community, Vol. II,
"Ransom of Captives" pp. 333-337.
- Baron, The Jewish Community, Vol. I,
"The Supercommunity", pp. 306-307.
- Marcus, The Jews in the Medieval World,
"The Ransom of Captives, Eastern and Southern Europe
1649-1708", pp 454-458.

*The Wexner Heritage Foundation gratefully acknowledges permission by Rabbi Debra Cantor and the Coalition to Free Soviet Jews in reprinting some of the excerpted proof texts for this seminar.

Be sure to read over at least two of these articles in order to familiarize yourself with the subject.

The remainder of the materials consists of extracts from biblical and rabbinic sources in the original Hebrew or Aramaic along with English translation. I have included a short piece on the major texts in the Development of Jewish Law, to give you a literary and historical context in which to place these sources. The sources are divided thematically; depending on the ebb and flow of the seminar session, we may choose to examine all the themes or only some of them. In either case, please peruse all the enclosed texts before the session so that we will be able to analyze them in-depth during the seminar.

Questions and Issues to consider while reading:

1. How are all three Biblical texts examples of Pidyon Shevuyim? What are their similarities and differences?

2. From your readings on "The Essence of Pidyon Shevuyim" how would you define the meaning of this "mitzvah"?

3. According to the Jewish tradition, what is more important and why?

- a) giving tzedakah to poor people
- b) keeping a torah scroll
- c) keeping a synagogue
- d) Pidyon Shevuyim

Do you agree with the Tradition's ranking of priorities? Why or why not?

4. If all of the following are in captivity who is saved first? Why?

- a) the person himself
- b) the person's mother
- c) the person's father
- d) the person's teacher
- e) a Jewish prophet
- f) a Jewish king
- g) a Jewish high priest

Can you extrapolate the three principles which are used in making the determinations?

5. What are the monetary limits to redeeming captives? What are the exceptions to the rule? Are there any other considerations which might mitigate this rule in modern times?

6. Based on your readings what is your responsibility toward:
(a) Soviet Jews who wish to leave the Soviet Union for Israel (b) Soviet Jewish immigrants who have arrived in the USA? (c) Ethiopian Jews who are still in Ethiopia? (d) Jews taken hostage by Palestinian terrorists? (e) Israeli soldiers in captivity? (f) Jonathon Pollard?

Cultural Literacy Terms (that will be discussed this class)

Section I: #30,32; Section XI: #2,11,13,15,29,30,49

Section XII: #1,5,8,12,19,23,33,34,39,61,73

Let My People Go/ Shalach Et Ami

Exodus/ Yetziat Mitzrayim

Torah

Mishnah

Gemara

Babylonian Talmud

The Code of Maimonides/ Mishneh Torah

Karo's Code of Law/ The Shulchan Aruch

Encyclopedia Judaica

Interpersonal Mitzvot/ Bayn Adam l'Chavero

"Am I my Brother's Keeper?"

"Love Thy Neighbor as Thyself"

"For You were Strangers in the Land of Egypt"

Love of Jews/ Ahavat Yisroel

Tzedakah

Redeeming the Captive/ Pidyon Shvuyim

Saving Life/ Pikuach Nefesh

"Whoever Saves a Single Life Saves a World"

Klal Yisrael

Talmud Torah



TABLE OF CONTENTS

Pidyon Shevuyim (Redeeming the Captive)

- I. Secondary Sources
- II. Biblical Sources
- III. Major Rabbinic Texts in the Development of the Jewish Law
- IV. Rabbinic Sources
 - a. The Essence of Pidyon Shevuyim
 - b. The Relative Importance of the Mitzvah
 - c. Whom do we save first?
 - d. What are the limits?

V. Conclusion

The Abandonment of the Jews, by David Wyman



SECONDARY SOURCES

regarding

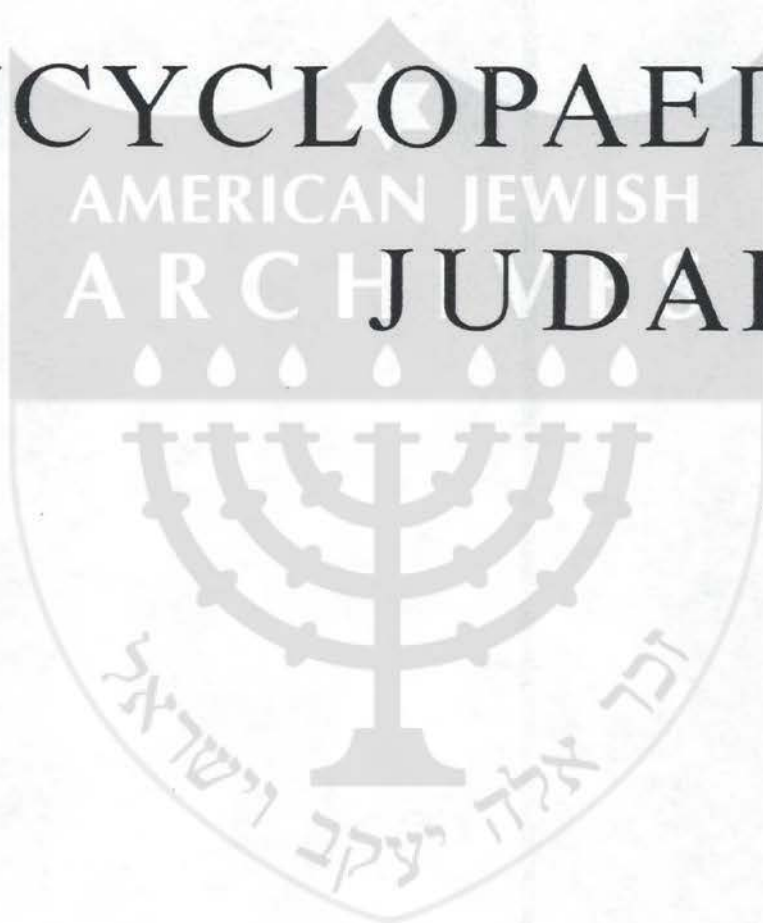
AMERICAN JEWISH
ARCHIVES



זכר אלה יעקב וישראל

VOLUME 5
C-DH

ENCYCLOPAEDIA AMERICAN JEWISH ARCH JUDAICA



ENCYCLOPAEDIA JUDAICA JERUSALEM
THE MACMILLAN COMPANY

CAPTIVES, RANSOMING OF (Heb. פְּדוּת שְׁבוּיִים; *Pid'ut Shvuyim*): The religious duty to ransom a fellow Jew captured by slave dealers or robbers, or imprisoned unjustly by the authorities to be released against ransom paid by the Jewish community. The fulfillment of this *mitzvah* was regarded by the rabbis of the Talmud as of paramount importance (BB 8a, 8b). It is told of R. Phinehas b. Jair that he went to ransom captives, and because he was fulfilling this duty, a river parted to enable him to cross (Hul. 7a, TJ Dem. 1:3). Maimonides explains that "(The duty of) ransoming captives supersedes (the duty of) charity to the poor..." (Yad, Mattenat Aniyyim, 8:10).

To avoid the extraction of exorbitant ransom payments or repeated kidnapping by captors, the rabbis ordained that captives should be redeemed only at their market value as slaves (Git. 4:6; Git. 45a; also Ket. 52a, b) unless the captive had been taken in place of the person who had to ransom him. When R. Joshua b. Hananiah was in Rome he ransomed a young man who later became the scholar R. Ishmael b. Elisha. Joshua heard of the young man's imprisonment and went to the prison and said "I swear not to move from here until I ransom him no matter what the price" (Git. 88a). The following rules for the ransoming of captives were laid down in the *halakhah*:

(1) Women captives should usually be given preference before male captives (Hor. 3:7; Hor. 13a).

(2) A person captured together with his father and his teacher may ransom himself first. He is then bound to ransom his teacher and only thereafter his father. A scholar should be given preference even to a king of Israel (Hor. *ibid.*).

(3) The court (*bet din*) has the power to compel a husband to ransom his wife (Sh. Ar., YD 252:10).

(4) Money set aside for charity purposes or for the building of a synagogue may be used to ransom captives (BB 8b).

(5) A person who delays the fulfillment of this duty and causes an undue prolongation of his fellow-Jew's imprisonment is regarded as if he has spilled his blood (Yad, loc. cit., 8:12). Notwithstanding the limitation set by the Mishnah against excessive ransoms, a person may redeem himself with any amount of ransom demanded by the captors. [Eo.]

Middle Ages. Under Islam, as under Roman rule, Jews had frequent occasion to fulfill this commandment. During the 9th-12th centuries in Muslim countries Jews were often seized by soldiers or pirates while on business on the high seas or during revolts and disturbances. The community of Alexandria imposed a special levy upon its wealthy members or conducted campaigns in other communities for ransoming captives. In the Middle Ages in Christian lands, the captives were often Jews who had been imprisoned in consequence of a "blood libel" or "Host desecration libel," or simply to extort money from them. The ransoming of Jewish captives was facilitated by the fact that their devotion to the Sabbath and *kashrut* observance made Jews inconvenient servants with whom their new masters were willing to part. *Judah Halevi describes this as one of the gifts the Sabbath has conferred on the Jews: "For the

gentiles would have apportioned you among them as their slaves were it not for those dates that you keep with such strict observance" (*Kuzari*, 3:10). *Meir b. Baruch of Rothenburg, at the end of the 13th century, forbade Jews to ransom him after he had been imprisoned to forestall the development of a precedent which would encourage despots to hold rabbis for ransom.

According to *Sefer Hasedim* (12th-13th centuries), a person who ransoms captives is meritorious because he saves men from torture and women from dishonor. The Jews of Spain considered that ransoming captives was an important duty; although their communities had no special fund for ransoming captives, when necessary, the communal leaders used endowments designated for this purpose, or the official in charge of charity collected money from the community.

Communities would spend large sums for this purpose and special officers were appointed for this task. Many of the regulations of the Council of Lithuania (see *Councils of the Lands) concern the ransom of captives, for the Tatar raids from the Crimea during the 16th and 17th centuries made the ransoming of the captives thus seized a frequent phenomenon in Jewish life, particularly in the Ukraine and Volhynia. At the time of the *Chmielnicki massacres (1648-49), when masses of Jews were taken captive, the majority were ransomed by the Jewish communities in the Ottoman empire. The Council of Lithuania permitted all communities having at least ten adult Jews, i.e., a *ninyan*, to ransom captives without first obtaining permission to draw from the general budget of the Lithuanian community. This was allowed to prevent delay of their redemption, since the expenses were levied on the Jews throughout the country: it was noted by the Council that "the quicker one acts in this matter, the more praiseworthy will he be deemed, and his reward will be paid by the One who dwells in abundance." In order to redeem captives taken to lands in the Ottoman empire, the Council of Lithuania collected contributions from every community and settlement within its jurisdiction. Throughout the Russian-Polish war (1654-67) the Council conducted a campaign in all the synagogues for ransoming the captives, and appointed special officers to go from house to house to collect contributions. The Council of Four Lands appointed a special person for the task of redeeming captives. In Nathan Nata *Hannover's *Yeven Me'uzal* it is related that captives were assisted by their brethren in all countries which they reached, such as Moravia, Austria, Germany, and Italy.

Among the associations (see **hevrah*) formed for the purpose of ransoming captives in the communities, that of Venice became the most important: the Society of the Supporters of the Fund for Ransoming Captives, established by the brothers Aboab (see Samuel *Aboab), assisted captives and obtained their release in Eastern Europe, Persia, and the Barbary coast. The society's income was derived from the annual payments made by its members; it also received contributions from other communities. During the Middle Ages and into modern times the concept of the captive has been broadened to include a Jew unjustly constrained and imprisoned.

The ransoming of captives is one of the traditions in Jewish life expressing and encouraging feelings of compassion and solidarity. [N.E.]

Bibliography: Sh. Ar., YD 252, EH 78; Baron, Community, index, s.v. *Redemption of Captives*; Eisenstein, *Yisrael*, 8 (1912), 192-3; S. Dubnow, *Pinkas ha-Medina* (1925), index, s.v. *Pid'ut Shvuyim*; Y. Bergman, *Ha-Zedakah be-Yisrael* (1944), index; Halpern, *Pinkas*, index; *Idem*, in: *Zion*, 25 (1960), 16-56 (= *Yehudim ve-Yahadut be-Mizrah-Eitropah* (1969), 212-49).

THE JEW IN THE MEDIEVAL WORLD

A Source Book: 315-1791



Jacob R. Marcus

pp. 454 - 458

A TEMPLE BOOK
ATHENEUM, NEW YORK

93.

The Ransom of Captives Eastern and Southern Europe 1649-1708

ONE of the most meritorious acts recommended to the observant Jew is the ransoming of captives from slavery (*pidyon she-buyim*). As early as the first centuries of the common era a whole body of law and precedent had grown up, determining what constituted a captive, what captives took precedence in the order of their ransoming and release, and what were to be the limits of a ransom in order to discourage professional kidnappers.

Originally, probably, the captives ransomed were only those taken prisoner in war or on pirate-raids. The term "captive," however, was soon extended to include the unfortunates imprisoned on false accusations such as ritual murder and the like, and to include also the victims of arbitrary, despotic lords and rulers who would often seize a prominent Jew in order to extort a ransom from him or his friends. An outstanding illustration of this type of extortion is the imprisonment of the notable Rabbi Meir of Rothenburg by the Hapsburg Emperor Rudolph (d. 1291). Meir was in flight and had reached the Lombard hills before he was recognized and seized by Count Meinhard of Goerz. Meir, it is said, refused to allow his friends to pay the enormous ransom of 20,000 marks in silver which they offered and remained in confinement for seven years till his death in 1293. But the Emperor finally did make a profit on his stubborn prisoner, for about fourteen years after the death of Meir, a pious Jew, Alexander Süsskind Wimpfen, ransomed the bones of the famous rabbi for a goodly sum.

A not uncommon interpretation of the term "captive" included Jewish criminals imprisoned by the non-Jewish authorities. Many Jews felt the need of redeeming these prisoners for fear that under stress they would desert to Christianity in order to escape punishment. Others believed that to ransom criminals served only to encourage them in their criminal practices and gave them an opportunity to terrorize the community by the constant threat of becoming Christian and of defaming the Jewish community.

The first selection below, translated from the Hebrew, is a decree

of the Lithuanian National Jewish Council of the year 1649 authorizing every community to ransom immediately any Jewish captive taken by the Cossacks and the Tatars in the fearful riots and pogroms of 1648 and 1649 in Poland and in the Ukraine.

Many of the Tatar allies of the Cossacks brought their prisoners to market in Constantinople and in response to a request from the Jewish leaders of that city the chiefs of Lithuanian Jewry, in association with Polish Jewry, forwarded funds to Turkey for their ransom. This action, described in the minutes of the Lithuanian Council for the year 1652, constitutes the second selection translated below.

The third selection is a translation of a Judæo-Italian letter sent in 1708 by Rabbi Judah Brieli of Mantua (d. 1722) to the Venetian Jewish committee for the ransom of captives, asking for monetary aid for a Jew taken prisoner on the Italian front during the War of the Spanish Succession.

1. *The Lithuanian National Jewish Council Authorizes the Ransom of Polish Jewish Captives, 1649*

¶[The following action is taken] inasmuch as we have seen how so many Jews, unfortunately, have been taken captive, dispersed among the nations, and as a result have been practically lost among them. Now it has already been made clear in the minutes of the *Medinah* [the Lithuanian National Jewish Council] that in this matter [of the redemption of captives] the involved expenses rest upon the whole *Medinah*. However, it is to be feared that before this has been sufficiently made known, in the customary manner, to the leaders of the communities, the opportunity may pass.

Therefore we have written granting permission to every town and place where there are ten Jews, authorizing them to ransom any one, spending as much as ten gold-pieces without need for any specific application or authorization. And the amount expended shall be accepted [as a legitimate charge] against the accounts of the Lithuanian National Jewish Council. If more than ten—and up to sixty—gold-pieces are spent for the ransom of a Jew, it will be necessary to secure permission from the nearest Jewish community that has, or is accustomed to have, a rabbinical authority. If more than sixty gold-pieces are spent for the ransom of an individual, it will be necessary to secure permission from one of the three chief communities (may their Rock and Redeemer guard them!) or from the district-community to which they are subject. [Brest-Litovsk, Grodno, and Pinsk were the chief Jewish towns.] And as they determine, the

amounts expended shall be a legitimate charge against the Lithuanian council.

Whoever takes a zealous interest in this matter [of ransoming captives] is to be commended and will receive his full reward from Him who dwells on high.

11. *The Lithuanian Council Raises Money To Ransom Jewish Captives Held in the Turkish Lands, 1652*

¶ Whereas the manifold troubles, mishaps, persecutions, and visitations, that unfortunately have come upon our Jewish brethren in the times of storm and stress which they have just experienced, are obvious, evident, and known to all; and

Whereas many of the Jews (those people of God!) have had to leave their country, have gone into captivity, and have been brought to other lands where many of them have already been ransomed at a great expense; and

Whereas the rabbis of Constantinople have sent to us and have described at length their heavy outlay, running into the tens of thousands, which they have expended in this fine religious work, and have besought us to strengthen their hands with a substantial grant—for many are still unransomed, subject to suffering and to captivity;

Therefore it was agreed to make provision for their ransom and to help them [the Constantinople authorities] in this matter until the first of Adar 412 [February 10, 1652]—may it come upon us auspiciously! Within this period [December, 1651—February 10, 1652] voluntary donations to help the captives shall be collected twice in every town and village. And all moneys contributed, as described above, shall be sent by every village, town, and district to their highest court, no later than Purim [February 23, 1652]—may it come upon us auspiciously!

This is to be done in order that the moneys may be ready and prepared to be sent to the chief Jewish authorities at Lublin at the time of the coming Candelmas Fair [which begins on February 2, 1652]. From Lublin the funds are to be sent to the city of their destination [Constantinople]. The Lithuanian deputies who will be in Lublin shall take under advisement how much they shall add to the Lithuanian contributions above described. They shall also study the matter carefully in order to determine what to do and how to transmit the moneys.

But under no circumstance shall they send more than a total of one thousand old-dollars which sum shall include both the donations

and the contribution added by the Lithuanian National Jewish Council. If any town or hamlet shall not send money at the prescribed time it shall be compelled to send its quota—and an ample one, too!—to say nothing of other punishments and fines which may be imposed on the offending community.

III. *An Appeal To Ransom an Italian Jewish Prisoner of War, Mantua, Italy, May 6, 1708*

¶Two years ago [1706] David Vita Elia Finzi, a man poor but of distinguished family and a respectable inhabitant of Ostiano, a community near ours, was in the district of Brescia [Lombardy] in order to provide hay for the French. He fell into the hands of the Germans and for a long time suffered all those injuries and troubles to which prisoners of war are subject.

Finally, overcome by fear, he felt compelled to make out a note to that general, who had happened to arrest him, that he would give him 500 doubloons as ransom. Then his relatives, with the aid of some prominent citizens, friends of theirs in Brescia, undertook negotiations to free him and agreed to a ransom of 150 sequins which they collected in large part in our town, and when the full sum was collected they obtained his liberty from them.

But due to the imprudence of the one who managed the affair, the note for 500 doubloons remained with the general who had promised to return it but failed to do so. Then the fortunes of war changed, and, as is known, the general who has been mentioned came to that same place of Ostiano and had Finzi arrested again. At the present time he is in Casellara, a place not far from Governolo [near Mantua, Lombardy]. He has been put into irons with threats that if he does not pay the 500 doubloons the general will take him with him to war.

It is a question therefore of saving a person who is in serious danger of losing his life. One who knows the character of this general assures us that he is a man who keeps his word. Moved therefore anew by the entreaties of his relatives and of the inhabitants of Ostiano and having ascertained that with another 150 sequins we could free him and get the note back, and since this is such a sad case, we make bold to beseech the communities that they also contribute to this work of charity. Indeed this community is ready, although the last time it alone contributed a considerable sum.

Therefore the goodness of you gentlemen is besought to send here, for the purpose indicated, whatever contribution will seem right to your sense of charity. We shall always pray to the Lord

God for your protection and exaltation and for your holy communities, and with devout reverence for you we declare ourselves always ready to serve you.

BIBLIOGRAPHY

READINGS FOR ADVANCED STUDENTS

Graetz, IV, pp. 624-626, 634-640.

JE, "Meir of Rothenberg"; "Ransom."

ADDITIONAL SOURCE MATERIALS IN ENGLISH

Halper, B., *Post-Biblical Hebrew Literature*, II, pp. 123-126, "The Four Captives."



A Gentile Seeks to Force a Jewess into Marriage Poland, before 1690

THE following brief narrative reflects the numerous problems with which medieval Jewry had to cope. It reveals the fear of defamation by a Gentile, the dread of intermarriage and apostasy, the arbitrariness of individual feudal magnates, and the corporate responsibility of the Jewish leaders for the delinquency, assumed or real, of individual Jews. It is interesting to note, too, the large powers which the rabbi exercised in the Jewish community.

This account, in the form of an "answer" (*responsum*) to a "question," comes from the pen of Hillel ben Naphtali Herz (1615-1690), a famous Lithuanian rabbi; it appears in Hillel's Hebrew notes to parts of the *Shulhan Aruk* which were published in 1691 under the title *Bet Hillel* ("House of Hillel"). Together with other eminent scholars he suffered during the Russo-Polish war of 1655. In 1671 he accepted a call to northern Germany where he became rabbi of the triune community of Hamburg, Altona, and Wandsbeck. He returned in 1680 to Poland where he died.

¶I have been asked about a certain girl who lived with her uncle in a certain town. A non-Jew accused her of having promised him that she would give up the Jewish religion and become his wife. When her uncle discovered what this fellow was saying about her, he sent her away to another town which was under the jurisdiction of a different lord.

Later, when the above mentioned non-Jew found that she had been sent away, he went to his lord, who arrested the rabbi and the council of the Jewish community—may their Rock and their Redeemer guard them—in order to force them to bring the girl before him for trial. [The rabbi and the council were to be held as hostages till the girl was brought back.]

The rabbi and the council have sent to me, asking that the girl be returned to their city in order that she may be put on trial before the lord, and in order that they may thus free themselves from arrest. But the girl has protested most vehemently that she had never discussed this subject with the Gentile at all. . . .

Salo W. Baron, *The Jewish Community* (Vol. II)
"Ransom of Captives" (JPS; 1942)
pp. 333-337

6. RANSOM OF CAPTIVES

Supreme among charities ranked the "redemption of captives." It was frequently argued that a captive, suffering abject poverty as well as physical and spiritual bondage, should be considered before all others. Like his talmudic predecessors, Maimonides grew eloquent in stressing the significance of this commandment:

The redemption of captives has precedence over the feeding and clothing of the poor, and there is no commandment as great as that of redeeming captives, for the captive is among the hungry, thirsty and naked, and lives in constant danger. He who closes his eye to an opportunity of redemption violates [several negative and positive commandments].

Joseph Colon argued that unnecessary delay in ransoming a captive is as great a sin as murder. In the case of captives there was a distinction between local and alien poor in favor of the former, for whose ransom that community was to strain all its resources. But all captives had prior claim to other dependents on charity. The rabbis taught that even objects set aside for the construction or decoration of a synagogue, and thus invested with sanctity, ought to be used for the redemption of captives.²⁰

These lofty norms were often put to the test of reality. Widespread Mediterranean piracy throughout the medieval and early modern periods, and the capture of numerous Polish Jews by the Tartar allies of their Cossack assailants,

thrust the burdens of thousands of coreligionists on the communities of North Africa, Spain, Italy and Turkey. When their financial resources were overtaxed by the masses of prisoners, the leaders, as we have seen, successfully appealed to distant communities for additional means. In 1403 the united Sicilian communities in the first rush obtained government permission (subsequently modified) to make use of the accumulated legacies of the last thirty years in order to ransom Jewish captives in Gozzo and Malta. The latter, a center of piracy, contributed many a sombre page to the history of these interterritorial Jewish efforts. When, in 1487, the conquest of Malaga left a Jewish population, variously estimated at four hundred to a thousand souls, in the hands of the victors, all Spanish Jewry, led by Chief Rabbi Abraham Seneor, put up a huge ransom of 20,000 doblas (another source mentions 27,000 fl.), in addition to the entire property of the Malaga community. Among the active collectors was Solomon ibn Verga, subsequently a renowned chronicler and publicist. The Spanish Jews soon had the occasion, on their wanderings in 1492 and after, to test the generosity of other communities. Small and struggling Marseilles borrowed 1500 écus to help redeem one hundred and eighteen Spanish exiles who had fallen into the hands of pirates.¹¹

The frequency of such emergencies in turbulent periods brought forth various communal enactments authorizing the elders to act swiftly and efficiently. In the agreement of 1564 between conflicting groups of bankers and other

Jews in Mantua, the elders were given permission freely to spend as much as 12 scudi for the ransom of a captive, as well as for the redemption of Hebrew books threatened by the Inquisition or for the support of other communities; for higher amounts they were to institute special collections. The Lithuanian Council, meeting at the beginning of 1649 under the shadow of the Cossack massacres, authorized all local communities to spend up to 10 fl. without further consultation, and from 10 to 60 fl. after consulting a neighboring larger community which maintained a rabbi. The approval of one of the three provincial chiefs was required only for amounts in excess of 60 fl. Toward the end of 1651 the Council instituted two successive public levies throughout Lithuania, the funds to be forwarded to Constantinople together with those of the Polish Council. When the Swedish-Moscovite wars, closer home, further aggravated the situation, the Lithuanians organized in 1655 monthly public collections in the synagogue and weekly collections from door to door. Funds for ransom, the local elders were told must not be expended for any other communal purpose and should be invested only in loans secured by readily convertible collateral of gold or silver wares. The renowned Venetian Confraternity for the Redemption of Captives, with a branch in Hamburg, cut across factional lines. Organized under the auspices of Levantine and Portuguese congregations, it included also Ashkenazic members. It levied a sort of income tax on members and an export duty of one-eighth to one-quarter per cent on all goods shipped by Venetian merchants to Jewish correspondents in the East. By 1683 it had become the wealthiest Jewish association in the city.²³

Of course, the intensity of these efforts did not long remain a secret from the pirates and stimulated excessive ransom demands. The amounts were increased fifty times over, complained the Polish Council in its dramatic appeal to Amsterdam Jewry in 1677. It was precisely in order to

prevent overbidding that talmudic law, reaffirmed by medieval jurists, prohibited the payment of more than the market price of slaves of similar quality, allowing exceptions only for prisoners ransomed with their own funds (not those of relatives, however close), and for scholars or promising students. Nevertheless, according to a tradition preserved by Solomon Luria, imprisoned Meir of Rothenburg, though recognized as the leading Jewish scholar in Germany, counseled his coreligionists not to yield to the pressure of the emperor and pay an excessive amount for his ransom. As to the unrestricted ransoming of wives, rabbinic opinion was sharply divided, although there was no question that a husband must take back a wife violated by her captors. Contrary to some popular aspersions, the rabbis felt, like Augustine, that a captive woman suffered "a wound of passion rather than the turpitude of corruption." In practice all these restrictions were usually disregarded, however. While the records of recurrent redemptions of Byzantine Jews by the Egyptian communities seem to indicate an average ransom of 25-33½ gold denars, which was more or less in keeping with prevailing slave prices, it required direct royal intervention in 1351 before the pirates would accept from the community of Majorca 30 pounds for each Jewish captive, and in 1386 before they would take 30 gold florins per head from that of Valencia. Salonica Jewry in the sixteenth century, according to a contemporary author, spent as much as 500 gold ducats per head.⁴³

In any case, the effect of persistent and strenuous endeavors, which can only be explained by an extraordinary concatenation of charitableness and a sort of mutual insurance of a people frequently threatened with exile and captivity, was such that almost every Jewish prisoner before long regained his freedom. A sixteenth-century French traveler through the Balkans and Asia noted with amazement that, although Turkish law allowed both Muslims and Christians to own Jewish slaves, "the Jews were so united among themselves and so full of *finesse* that they never permitted one of their people to remain in servitude."⁴⁴

Salo W. Baron, *The Jewish Community* (Vol. I)
"The Supercommunity" (JPS; 1942)
pp. 306-307

Problems of relief or religious conformity and intracommunal discussions often stirred communities of many lands to united action. When the first hosts of Crusaders began threatening the Jewish communities in France in 1095, the French rabbis dispatched messengers to the Rhenish communities asking them to order general fasts and prayers in their behalf. The Mayence elders immediately proclaimed a day of fasting and assured their French coreligionists of their deep sympathy. Although at first glibly believing that they themselves were not menaced, the Jews of Mayence, shaken in their confidence, before long sent delegates to Emperor Henry IV imploring his protection. The emperor's alleged circular letter to the princes of Germany may have proved unavailing at the moment, but it undoubtedly had some bearing upon the steps which he took in favor of the Jews in the following years. About 1547 the historian, Joseph Hacoen, addressed an appeal to the community of Salonica to send contributions for the redemption of Jews captured by Andrea Doria and Cigala Visconti. When the Moravian community of Kremsier suffered severely from the invading Swedish troops in 1643, Samuel Aboab, residing in Verona, was asked by the Portuguese community of Amsterdam to forward 200 thalers to the victims via Vienna. Aboab added 40 thalers collected among his Sephardic coreligionists in Verona, and also induced the heads of the Ashkenazic community in that city to call a meeting for the consideration of further relief

action. To forestall a threatening expulsion of Silesian Jewry in 1558, the Polish Council of Three Lands decided to disburse 400 florins. Relief activities in behalf of stricken German communities and the numerous German emigrés during the Thirty Years' War engaged the constant attention of the Polish and Dutch communal leaders. On the other hand, numerous appeals were issued by the Polish communities in their own emergency, beginning with the Cossack rebellions as far back as 1642. In 1674 they sent a special representative to enlist the interest of the communal leaders of Amsterdam. They had to appeal again in 1677 to their wealthy coreligionists in Holland, "in whose eyes money does not count when it comes to spending it on the fulfilment of a commandment." They also sent messengers to Italy. The Italian communities were approached, on the other hand, directly by the communities in Turkey upon whose shoulders rested the main burden of redeeming the captives brought from Poland. In 1648 a special messenger, David Carcassoni, was sent from Constantinople to Italy and Holland to solicit money for the redemption of captives. Western communities, such as London and Amsterdam, likewise communicated with each other about means of relieving the widespread distress. We also find records of several communities cooperating in the redemption of a single captive (e. g. in Mantua, in 1708).²⁰

BIBLICAL SOURCES RELATED TO THE MITZVAH
OF PIDYON SHEVUYIM

- I. Genesis 14
II. Exodus, Chapters 1,2,3
III. Leviticus 25: 47-54



TORAH

תורה

NEVI'IM

נביאים

KETHUVIM

כתובים

AMERICAN JEWISH
ARCHIVES



TANAKH

תנ"ך

THE HOLY SCRIPTURES

*The New JPS Translation
According to the Traditional Hebrew Text*



THE JEWISH PUBLICATION SOCIETY

Philadelphia • New York • Jerusalem 5748 • 1988

for I give it to you." ¹⁸And Abram moved his tent, and came to dwell at the terebinths of Mamre, which are in Hebron; and he built an altar there to the LORD.

14 Now, when King Amraphel of Shinar, King Arioch of Ellasar, King Chedorlaomer of Elam, and King Tidal of Goiim ²made war on King Bera of Sodom, King Birsha of Gomorrah, King Shinab of Admah, King Shemeber of Zeboiim, and the king of Bela, which is Zoar, ³all the latter joined forces at the Valley of Siddim, now the Dead Sea.^a ⁴Twelve years they served Chedorlaomer, and in the thirteenth year they rebelled. ⁵In the fourteenth year Chedorlaomer and the kings who were with him came and defeated the Rephaim at Ashteroth-karnaim, the Zuzim at Ham, the Emim at Shaveh-kiriathaim, ⁶and the Horites in their hill country of Scir as far as El-paran, which is by the wilderness. ⁷On their way back they came to En-mishpat, which is Kadesh, and subdued all the territory of the Amalekites, and also the Amorites who dwelt in Hazazon-tamar. ⁸Then the king of Sodom, the king of Gomorrah, the king of Admah, the king of Zeboiim, and the king of Bela, which is Zoar, went forth and engaged them in battle in the Valley of Siddim: ⁹King Chedorlaomer of Elam, King Tidal of Goiim, King Amraphel of Shinar, and King Arioch of Ellasar—four kings against those five.

¹⁰Now the Valley of Siddim was dotted with bitumen pits; and the kings of Sodom and Gomorrah, in their flight, threw themselves into them, while the rest escaped to the hill country. ¹¹[The invaders] seized all the wealth of Sodom and Gomorrah and all their provisions, and went their way. ¹²They also took Lot, the son of Abram's brother, and his possessions, and departed; for he had settled in Sodom.

¹³A fugitive brought the news to Abram the Hebrew, who was dwelling at the terebinths of Mamre the Amorite, kinsman of Eshkol and Aner, these being Abram's allies. ¹⁴When Abram heard that his kinsman had been taken captive, he mustered his retainers,^b born into his household, numbering three hundred and eighteen, and went in pursuit as far as Dan. ¹⁵At night, he and his servants deployed against them and defeated them; and he pursued them as far as Hobah, which is north of Damascus. ¹⁶He brought back all the possessions; he also brought back his kinsman Lot and his possessions, and the women and the rest of the people.

¹⁷When he returned from defeating Chedorlaomer and the kings with

^a Heb. "Salt Sea."

^b Meaning of Heb. *hanikh* uncertain.

him, the king of Sodom came out to meet him in the Valley of Shaveh, which is the Valley of the King. ¹⁸And King Melchizedek of Salem brought out bread and wine; he was a priest of God Most High. ¹⁹He blessed him, saying,

"Blessed be Abram of God Most High,
Creator of heaven and earth.

²⁰And blessed be God Most High,
Who has delivered your foes into your hand."

And [Abram] gave him a tenth of everything.

²¹Then the king of Sodom said to Abram, "Give me the persons, and take the possessions for yourself." ²²But Abram said to the king of Sodom, "I swear^d to the LORD, God Most High, Creator of heaven and earth: ²³I will not take so much as a thread or a sandal strap of what is yours; you shall not say, 'It is I who made Abram rich.' ²⁴For me, nothing but what my servants have used up; as for the share of the men who went with me—Aner, Eshkol, and Mamre—let them take their share."

15

Some time later, the word of the LORD came to Abram in a vision. He said,

"Fear not, Abram,
I am a shield to you;
Your reward shall be very great."

²But Abram said, "O Lord GOD, what can You give me, seeing that I shall die childless, ^aand the one in charge of my household is Dammeseck Eliezer!" ³Abram said further, "Since You have granted me no offspring, my steward will be my heir." ⁴The word of the LORD came to him in reply, "That one shall not be your heir; none but your very own issue shall be your heir." ⁵He took him outside and said, "Look toward heaven and count the stars, if you are able to count them." And He added, "So shall your offspring be." ⁶And because he put his trust in the LORD, He reckoned it to his merit.

⁷Then He said to him, "I am the LORD who brought you out from Ur of the Chaldeans to assign this land to you as a possession." ⁸And he said, "O Lord GOD, how shall I know that I am to possess it?" ⁹He answered, "Bring Me a three-year-old heifer, a three-year-old she-goat, a three-year-old ram, a turtledove, and a young bird." ¹⁰He brought Him all these and cut them in two, placing each half opposite the other; but he did not

^c Heb. El 'Elyon.

^d Lit. "lift up my hand."

^e Meaning of Heb. uncertain

likewise born upon Joseph's knees. ²⁴At length, Joseph said to his brothers, "I am about to die. God will surely take notice of you and bring you up from this land to the land that He promised on oath to Abraham, to Isaac, and to Jacob." ²⁵So Joseph made the sons of Israel swear, saying, "When God has taken notice of you, you shall carry up my bones from here."

²⁶Joseph died at the age of one hundred and ten years; and he was embalmed and placed in a coffin in Egypt.

חזק



EXODUS

L These are the names of the sons of Israel who came to Egypt with Jacob, each coming with his household: ²Reuben, Simcon, Levi, and Judah; ³Issachar, Zebulun, and Benjamin; ⁴Dan and Naphtali, Gad and Asher. ⁵The total number of persons that were of Jacob's issue came to seventy, Joseph being already in Egypt. ⁶Joseph died, and all his brothers, and all that generation. ⁷But the Israelites were fertile and prolific; they multiplied and increased very greatly, so that the land was filled with them.

⁸A new king arose over Egypt who did not know Joseph. ⁹And he said to his people, "Look, the Israelite people are much too numerous for us. ¹⁰Let us deal shrewdly with them, so that they may not increase; otherwise in the event of war they may join our enemies in fighting against us and ^arise from the ground."^a ¹¹So they set taskmasters over them to oppress them with forced labor; and they built garrison cities^b for Pharaoh: Pithom and Raamses. ¹²But the more they were oppressed, the more they increased and spread out, so that the [Egyptians] came to dread the Israelites.

¹³The Egyptians ruthlessly imposed upon the Israelites ^{14c}the various labors that they made them perform. Ruthlessly^c they made life bitter for them with harsh labor at mortar and bricks and with all sorts of tasks in the field.

¹⁵The king of Egypt spoke to the Hebrew midwives, one of whom was named Shiphrah and the other Puah, ¹⁶saying, "When you deliver the Hebrew women, look at the birthstool:^d if it is a boy, kill him; if it is a girl, let her live." ¹⁷The midwives, fearing God, did not do as the king of Egypt had told them; they let the boys live. ¹⁸So the king of Egypt summoned the midwives and said to them, "Why have you done this thing, letting the boys live?" ¹⁹The midwives said to Pharaoh, "Because the Hebrew women are not like the Egyptian women: they are vigorous. Before the midwife can come to them, they have given birth." ²⁰And God

^a *Meaning perhaps from their wretched conditions, cf. Hos. 2.2; or "gain ascendancy over the country." Others "get them up out of the land."*

^b *Others "store cities."*

^c *Brought up from the end of the verse for clarity*

dealt well with the midwives; and the people multiplied and increased greatly. ²¹And because the midwives feared God, He established households^c for them. ²²Then Pharaoh charged all his people, saying, "Every boy that is born you shall throw into the Nile, but let every girl live."

2 A certain man of the house of Levi went and married a Levite woman. ²The woman conceived and bore a son; and when she saw how beautiful he was, she hid him for three months. ³When she could hide him no longer, she got a wicker basket for him and caulked it with bitumen and pitch. She put the child into it and placed it among the reeds by the bank of the Nile. ⁴And his sister stationed herself at a distance, to learn what would befall him.

⁵The daughter of Pharaoh came down to bathe in the Nile, while her maidens walked along the Nile. She spied the basket among the reeds and sent her slave girl to fetch it. ⁶When she opened it, she saw that it was a child, a boy crying. She took pity on it and said, "This must be a Hebrew child." ⁷Then his sister said to Pharaoh's daughter, "Shall I go and get you a Hebrew nurse to suckle the child for you?" ⁸And Pharaoh's daughter answered, "Yes." So the girl went and called the child's mother. ⁹And Pharaoh's daughter said to her, "Take this child and nurse it for me, and I will pay your wages." So the woman took the child and nursed it. ¹⁰When the child grew up, she brought him to Pharaoh's daughter, who made him her son. She named him Moses,^a explaining, "I drew him out of the water."

¹¹Some time after that, when Moses had grown up, he went out to his kinsfolk and witnessed their labors. He saw an Egyptian beating a Hebrew, one of his kinsmen. ¹²He turned this way and that and, seeing no one about, he struck down the Egyptian and hid him in the sand. ¹³When he went out the next day, he found two Hebrews fighting; so he said to the offender, "Why do you strike your fellow?" ¹⁴He retorted, "Who made you chief and ruler over us? Do you mean to kill me as you killed the Egyptian?" Moses was frightened, and thought: Then the matter is known! ¹⁵When Pharaoh learned of the matter, he sought to kill Moses; but Moses fled from Pharaoh. He arrived^b in the land of Midian, and sat down beside a well.

19 ^c Meaning of Heb. *batim* uncertain.

^a Heb. *Mosheh from Egyptian* for "born of"; here associated with *mashah* "draw out."

^b Lit. "sat" or "settled."

¹⁶Now the priest of Midian had seven daughters. They came to draw water, and filled the troughs to water their father's flock; ¹⁷but shepherds came and drove them off. Moses rose to their defense, and he watered their flock. ¹⁸When they returned to their father Reuel, he said, "How is it that you have come back so soon today?" ¹⁹They answered, "An Egyptian rescued us from the shepherds; he even drew water for us and watered the flock." ²⁰He said to his daughters, "Where is he then? Why did you leave the man? Ask him in to break bread." ²¹Moses consented to stay with the man, and he gave Moses his daughter Zipporah as wife. ²²She bore a son whom he named Gershom,^c for he said, "I have been a stranger in a foreign land."

²³A long time after that, the king of Egypt died. The Israelites were groaning under the bondage and cried out; and their cry for help from the bondage rose up to God. ²⁴God heard their moaning, and God remembered His covenant with Abraham and Isaac and Jacob. ²⁵God looked upon the Israelites, and God took notice of them.

3 Now Moses, tending the flock of his father-in-law Jethro, the priest of Midian, drove the flock into the wilderness, and came to Horeb, the mountain of God. ²An angel of the LORD appeared to him in a blazing fire out of a bush. He gazed, and there was a bush all aflame, yet the bush was not consumed. ³Moses said, "I must turn aside to look at this marvelous sight; why doesn't the bush burn up?" ⁴When the LORD saw that he had turned aside to look, God called to him out of the bush: "Moses! Moses!" He answered, "Here I am." ⁵And He said, "Do not come closer. Remove your sandals from your feet, for the place on which you stand is holy ground. ⁶I am," He said, "the God of your father, the God of Abraham, the God of Isaac, and the God of Jacob." And Moses hid his face, for he was afraid to look at God.

⁷And the LORD continued, "I have marked well the plight of My people in Egypt and have heeded their outcry because of their taskmasters; yes, I am mindful of their sufferings. ⁸I have come down to rescue them from the Egyptians and to bring them out of that land to a good and spacious land, a land flowing with milk and honey, the region of the Canaanites, the Hittites, the Amorites, the Perizzites, the Hivites, and the Jebusites.

^c Associated with *ger sham*, "a stranger there."

⁹Now the cry of the Israelites has reached Me; moreover, I have seen how the Egyptians oppress them. ¹⁰Come, therefore, I will send you to Pharaoh, and you shall free My people, the Israelites, from Egypt."

¹¹But Moses said to God, "Who am I that I should go to Pharaoh and free the Israelites from Egypt?" ¹²And He said, "I will be with you; that shall be your sign that it was I who sent you. And when you have freed the people from Egypt, you shall worship God at this mountain."

¹³Moses said to God, "When I come to the Israelites and say to them 'The God of your fathers has sent me to you,' and they ask me, 'What is His name?' what shall I say to them?" ¹⁴And God said to Moses, "Ehyeh-Asher-Ehyeh."^a He continued, "Thus shall you say to the Israelites, 'Ehyeh^b sent me to you.'" ¹⁵And God said further to Moses, "Thus shall you speak to the Israelites: The LORD,^c the God of your fathers, the God of Abraham, the God of Isaac, and the God of Jacob, has sent me to you:

This shall be My name forever,

This My appellation for all eternity.

¹⁶"Go and assemble the elders of Israel and say to them: the LORD, the God of your fathers, the God of Abraham, Isaac, and Jacob, has appeared to me and said, 'I have taken note of you and of what is being done to you in Egypt. ¹⁷and I have declared: I will take you out of the misery of Egypt to the land of the Canaanites, the Hittites, the Amorites, the Perizzites, the Hivites, and the Jebusites, to a land flowing with milk and honey.' ¹⁸They will listen to you; then you shall go with the elders of Israel to the king of Egypt and you shall say to him, 'The LORD, the God of the Hebrews, manifested Himself to us. Now therefore, let us go a distance of three days into the wilderness to sacrifice to the LORD our God.' ¹⁹Yet I know that the king of Egypt will let you go only because of a greater might. ²⁰So I will stretch out My hand and smite Egypt with various wonders which I will work upon them; after that he shall let you go. ²¹And I will dispose the Egyptians favorably toward this people, so that when you go, you will not go away empty-handed. ²²Each woman shall borrow from her neighbor and the lodger in her house objects of silver and gold, and clothing, and you shall put these on your sons and daughters, thus stripping the Egyptians."

4 But Moses spoke up and said, "What if they do not believe me and do not listen to me, but say: The LORD did not appear to you?" ²The

^a Meaning of Heb. uncertain; variously translated: "I Am That I Am"; "I Am Who I Am"; "I Will Be What I Will Be"; etc.

^b Others "I Am" or "I Will Be."

LORD said to him, "What is that in your hand?" And he replied, "A rod."³ He said, "Cast it on the ground." He cast it on the ground and it became a snake; and Moses recoiled from it. ⁴Then the LORD said to Moses, "Put out your hand and grasp it by the tail"—he put out his hand and seized it, and it became a rod in his hand—⁵"that they may believe that the LORD, the God of their fathers, the God of Abraham, the God of Isaac, and the God of Jacob, did appear to you."

⁶The LORD said to him further, "Put your hand into your bosom." He put his hand into his bosom; and when he took it out, his hand was encrusted with snowy scales!⁷ And He said, "Put your hand back into your bosom."—He put his hand back into his bosom; and when he took it out of his bosom, there it was again like the rest of his body.—⁸"And if they do not believe you or pay heed to the first sign, they will believe the second. ⁹And if they are not convinced by both these signs and still do not heed you, take some water from the Nile and pour it on the dry ground, and it—the water that you take from the Nile—will turn to blood on the dry ground."

¹⁰But Moses said to the LORD, "Please, O Lord, I have never been a man of words, either in times past or now that You have spoken to Your servant; I am slow of speech and slow of tongue." ¹¹And the LORD said to him, "Who gives man speech? Who makes him dumb or deaf, seeing or blind? Is it not I, the LORD? ¹²Now go, and I will be with you as you speak and will instruct you what to say." ¹³But he said, "Please, O Lord, make someone else Your agent."^b The LORD became angry with Moses, and He said, "There is your brother Aaron the Levite. He, I know, speaks readily. Even now he is setting out to meet you, and he will be happy to see you. ¹⁵You shall speak to him and put the words in his mouth—I will be with you and with him as you speak, and tell both of you what to do—¹⁶and he shall speak for you to the people. Thus he shall serve as your spokesman, with you playing the role of God^c to him, ¹⁷And take with you this rod, with which you shall perform the signs."

¹⁸Moses went back to his father-in-law Jether^d and said to him, "Let me go back to my kinsmen in Egypt and see how they are faring."^c And Jethro said to Moses, "Go in peace."

¹⁹The LORD said to Moses in Midian, "Go back to Egypt, for all the men who sought to kill you are dead." ²⁰So Moses took his wife and sons, mounted them on an ass, and went back to the land of Egypt; and Moses took the rod of God with him.

^a Cf. Lev. 13.2-3.

^b Lit. "send through whomever You will send."

^c Cf. 7.1.

^d I.e. Jethro.

horn sounded throughout your land ¹⁰and you shall hallow the fiftieth year. You shall proclaim release^a throughout the land for all its inhabitants. It shall be a jubilee^b for you: each of you shall return to his holding and each of you shall return to his family. ¹¹That fiftieth year shall be a jubilee for you: you shall not sow, neither shall you reap the aftergrowth or harvest the untrimmed vines, ¹²for it is a jubilee. It shall be holy to you: you may only eat the growth direct from the field.

¹³In this year of jubilee, each of you shall return to his holding. ¹⁴When you sell property to your neighbor,^c or buy any from your neighbor, you shall not wrong one another. ¹⁵In buying from your neighbor, you shall deduct only for the number of years since the jubilee; and in selling to you, he shall charge you only for the remaining crop years: ¹⁶the more such years, the higher the price you pay; the fewer such years, the lower the price; for what he is selling you is a number of harvests. ¹⁷Do not wrong one another, but fear your God; for I the LORD am your God.

¹⁸You shall observe My laws and faithfully keep My rules, that you may live upon the land in security; ¹⁹the land shall yield its fruit and you shall eat your fill, and you shall live upon it in security. ²⁰And should you ask, "What are we to eat in the seventh year, if we may neither sow nor gather in our crops?" ²¹I will ordain My blessing for you in the sixth year, so that it shall yield a crop sufficient for three years. ²²When you sow in the eighth year, you will still be eating old grain of that crop; you will be eating the old until the ninth year, until its crops come in.

²³But the land must not be sold beyond reclaim, for the land is Mine; you are but strangers resident with Me. ²⁴Throughout the land that you hold, you must provide for the redemption of the land.

²⁵If your kinsman is in straits and has to sell part of his holding, his nearest redeemer^d shall come and redeem what his kinsman has sold. ²⁶If a man has no one to redeem for him, but prospers and acquires enough to redeem with, ²⁷he shall compute the years since its sale, refund the difference to the man to whom he sold it, and return to his holding. ²⁸If he lacks sufficient means to recover it, what he sold shall remain with the purchaser until the jubilee; in the jubilee year it shall be released, and he shall return to his holding.

²⁹If a man sells a dwelling house in a walled city, it may be redeemed until a year has elapsed since its sale; the redemption period shall be a year. ³⁰If it is not redeemed before a full year has elapsed, the house in the walled city shall pass to the purchaser beyond reclaim throughout the

^a Others "liberty."

^b Heb. yobel, "ram" or "ram's horn."

^c I.e., fellow Israelite; see v. 46.

ages; it shall not be released in the jubilee. ³¹But houses in villages that have no encircling walls shall be classed as open country: they may be redeemed, and they shall be released through the jubilee. ³²As for the cities of the Levites, the houses in the cities they hold—the Levites shall forever have the right of redemption. ³³^eSuch property as may be redeemed from the Levites—houses sold in a city they hold—shall be released through the jubilee; for the houses in the cities of the Levites are their holding among the Israelites. ³⁴But the unenclosed land about their cities cannot be sold, for that is their holding for all time.

³⁵If your kinsman, being in straits, comes under your authority, and you hold him as though a resident alien, let him live by your side: ³⁶do not exact from him advance or accrued interest,^f but fear your God. Let him live by your side as your kinsman. ³⁷Do not lend him money at advance interest, or give him your food at accrued interest. ³⁸I the LORD am your God, who brought you out of the land of Egypt, to give you the land of Canaan, to be your God.

³⁹If your kinsman under you continues in straits and must give himself over to you, do not subject him to the treatment of a slave. ⁴⁰He shall remain with you as a hired or bound laborer; he shall serve with you only until the jubilee year. ⁴¹Then he and his children with him shall be free of your authority; he shall go back to his family and return to his ancestral holding.—⁴²For they are My servants, whom I freed from the land of Egypt; they may not give themselves over into servitude.—⁴³You shall not rule over him ruthlessly; you shall fear your God. ⁴⁴Such male and female slaves as you may have—it is from the nations round about you that you may acquire male and female slaves. ⁴⁵You may also buy them from among the children of aliens resident among you, or from their families that are among you, whom they begot in your land. These shall become your property: ⁴⁶you may keep them as a possession for your children after you, for them to inherit as property for all time. Such you may treat as slaves. But as for your Israelite kinsmen, no one shall rule ruthlessly over the other.

⁴⁷If a resident alien among you has prospered, and your kinsman being in straits, comes under his authority and gives himself over to the resident alien among you, or to an offshoot of an alien's family, ⁴⁸he shall have the right of redemption even after he has given himself over. One of his kinsmen shall redeem him, ⁴⁹or his uncle or his uncle's son shall redeem him, or anyone of his family who is of his own flesh shall redeem him;

^e Meaning of first half of verse uncertain.

^f I.e., interest deducted in advance, or interest added at the time of repayment.

or, if he prospers, he may redeem himself. ⁵⁰He shall compute with his purchaser the total from the year he gave himself over to him until the jubilee year; the price of his sale shall be applied to the number of years, as though it were for a term as a hired laborer under the other's authority. ⁵¹If many years remain, he shall pay back for his redemption in proportion to his purchase price; ⁵²and if few years remain until the jubilee year, he shall so compute: he shall make payment for his redemption according to the years involved. ⁵³He shall be under his authority as a laborer hired by the year; he shall not rule ruthlessly over him in your sight. ⁵⁴If he has not been redeemed in any of those ways, he and his children with him shall go free in the jubilee year. ⁵⁵For it is to Me that the Israelites are servants: they are My servants, whom I freed from the land of Egypt, I the LORD your God.

26 You shall not make idols for yourselves, or set up for yourselves carved images or pillars, or place figured^a stones in your land to worship upon, for I the LORD am your God. ²You shall keep My sabbaths and venerate My sanctuary, Mine, the LORD's.

בַּחֲקֵתִי

⁴If you follow My laws and faithfully observe My commandments, ⁴I will grant your rains in their season, so that the earth shall yield its produce and the trees of the field their fruit. ⁵Your threshing shall overtake the vintage, and your vintage shall overtake the sowing; you shall eat your fill of bread and dwell securely in your land.

⁶I will grant peace in the land, and you shall lie down untroubled by anyone; I will give the land respite from vicious beasts, and no sword shall cross your land. ⁷You shall give chase to your enemies, and they shall fall before you by the sword. ⁸Five of you shall give chase to a hundred, and a hundred of you shall give chase to ten thousand; your enemies shall fall before you by the sword.

⁹I will look with favor upon you, and make you fertile and multiply you; and I will maintain My covenant with you. ¹⁰You shall eat old grain long stored, and you shall have to clear out the old to make room for the new.

¹¹I will establish My abode in your midst, and I will not spurn you. ¹²I will be ever present in your midst: I will be your God, and you shall

be My people. ¹³I the LORD am your God who brought you out from the land of the Egyptians to be their slaves no more, who broke the bars of your yoke and made you walk erect.

¹⁴But if you do not obey Me and do not observe all these commandments, ¹⁵if you reject My laws and spurn My rules, so that you do not observe all My commandments and you break My covenant, ¹⁶I in turn will do this to you: I will wreak misery upon you—^bconsumption and fever, which cause the eyes to pine and the body to languish; you shall sow your seed to no purpose, for your enemies shall eat it. ¹⁷I will set My face against you: you shall be routed by your enemies, and your foes shall dominate you. You shall flee though none pursues.

¹⁸And if, for all that, you do not obey Me, I will go on to discipline you sevenfold for your sins, ¹⁹and I will break your proud glory. I will make your skies like iron and your earth like copper, ²⁰so that your strength shall be spent to no purpose. Your land shall not yield its produce, nor shall the trees of the land yield their fruit.

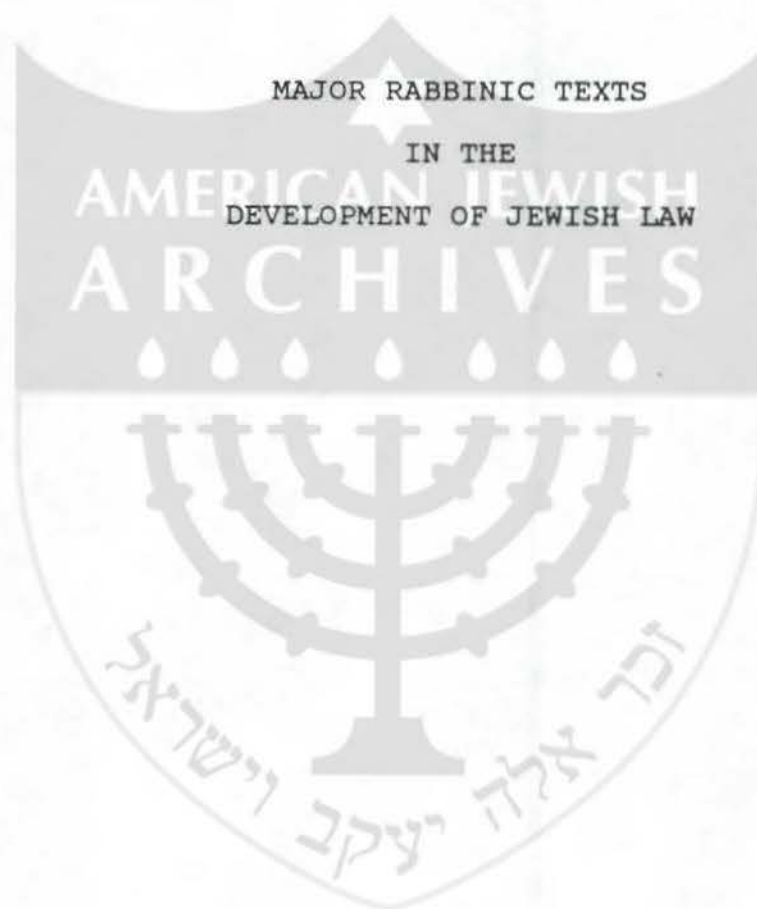
²¹And if you remain hostile toward Me and refuse to obey Me, I will go on smiting you sevenfold for your sins. ²²I will loose wild beasts against you, and they shall bereave you of your children and wipe out your cattle. They shall decimate you, and your roads shall be deserted.

²³And if these things fail to discipline you for Me, and you remain hostile to Me, ²⁴I too will remain hostile to you: I in turn will smite you sevenfold for your sins. ²⁵I will bring a sword against you to wreak vengeance for the covenant; and if you withdraw into your cities, I will send pestilence among you, and you shall be delivered into enemy hands. ²⁶When I break your staff of bread, ten women shall bake your bread in a single oven; they shall dole out your bread by weight, and though you eat, you shall not be satisfied.

²⁷But if, despite this, you disobey Me and remain hostile to Me, ²⁸I will act against you in wrathful hostility; I, for My part, will discipline you sevenfold for your sins. ²⁹You shall eat the flesh of your sons and the flesh of your daughters. ³⁰I will destroy your cult places and cut down your incense stands, and I will heap your carcasses upon your lifeless fetishes.

I will spurn you. ³¹I will lay your cities in ruin and make your sanctuaries desolate, and I will not savor your pleasing odors. ³²I will make the land desolate, so that your enemies who settle in it shall be appalled

^b Precise nature of these ills is uncertain



CONTEMPORARY JEWISH ETHICS



AMERICAN JEWISH
ARCHIVES

Sanhedrin Jewish Studies

EDITED BY

Menachem Marc Kellner



Hebrew Publishing Company | בית
הדפוס העברי

NEW YORK

The Structure of Jewish Law

DAVID M. FELDMAN

The Talmud
AMERICAN JEWISH
ARCHIVES

Supreme in authority—the “fundamental law”—is the Torah in its narrower sense, which means the Pentateuch, the Five Books of Moses. In its broader sense, the “Torah” encompasses all of developed Jewish religious law and lore. From the legal standpoint, even the remainder of the Bible serves as an auxiliary basis; when the Rabbis speak of a “biblical law,” they are referring to commandments or ordinances that derive from the Pentateuch alone. The word “derive” here is used advisedly, for ordinances not found literally in the Pentateuchal text but which the Rabbis deduced therefrom by agreed-upon rules of interpretation are also called *d’oraita* [from the Torah]. Amplification of biblical law to include safeguards—a “fence around the law”—or ordinances, observances, or even new enactments (*takkanot*) instituted by classic rabbinical authority, are called *d’rabbanan* [from the Rabbis].¹

The conventional division is between *Torah shebikh’tav*, the Written Torah, and *Torah sheb’al peh*, the Oral Law. “By the side of Scripture there had always gone an unwritten tradition, in part interpreting and applying the written Torah, in part supplementing it,” says George Foot Moore in his study of Talmudic Judaism.² This oral interpretation is, in turn, divisible into two essential forms: In defining what the Torah requires in the matter of practice (“the way wherein they should walk and the thing which they should do” [Exodus 18:20]), the *halakhah*

Reprinted by permission of New York University Press from *Birth Control in Jewish Law* by David M. Feldman. Copyright © 1968 by New York University.

(from *halokh*, to go, to walk) was devised. The detailed application of Torah law was systematically formulated, and the ordinances and observances were defined and regulated in accordance, again, with agreed-upon rules or canons of legal decision. Hence, *halakhah* is the law or a particular law. Where, on the other hand, the oral law yielded extralegal teaching such as moral maxims, legends, philosophical and historical speculation, theological observations, and the like, these became known as *aggadah* [the narrative]. *Halakhah* and *aggadah* are the two great currents in the oral tradition.³

The earliest widely accepted reduction to writing of the legal matter of the oral law was the work of R. Judah the Patriarch (*HaNasi*, known simply as "Rabbi," d. 219) and was called the *Mishnah* [the *disciplina*, or manual of study]. Before his time, R. Akiva (d. 132) and his pupil R. Meir had essayed earlier compositions of the *Mishnah*, but that of "Rabbi" promptly became the canonical one. The word *Mishnah* derives from a root meaning "to study"; hence its definition as a manual or the repository of relayed teaching. It is indeed the cornerstone of all later law, for the Talmud, with all its vast size, is primarily a commentary and exposition of the Mishnaic nucleus. Traditional material formally omitted from the *Mishnah*, moreover, is given due consideration by the Talmud. Described by the general term *baraita* [outside], this material becomes an aid to explaining the *Mishnah* and stands alongside it in the Talmud's discussions. The word *baraita* covers other definitive corpora of law as well, though they have individual names, such as the *Tosefta* [Supplement] which is now a separately printed collection of remnants of earlier compilations of *halakhah* that found no place in Rabbi's official *disciplina*. Also, the *Mekhilta*, *Sifra*, and *Sifrei* are included in this general term, although they are works of *Midrash* rather than *Mishnah*.

Midrash is an important term for our purposes: The word means "exposition" and refers to large extra-Talmudic collections of biblical interpretation. Like the Oral Law itself and unlike the *Mishnah*, there are *Midrash* collections of both *halakhah* and *aggadah*. The three mentioned above are halakhic *Midrashim* on books of the Pentateuch and are largely contemporaneous with the *Mishnah*. On the other hand, the *Rabbah* collection of *Midrash* comprises aggadic elaboration of, and homilies upon, the Five Books of Moses as well as the Books of Ruth, Song of Songs, Ecclesiastes, and so on, which date anywhere from the sixth century to the eleventh. But these, like the *Tanhuma*, another cycle of *aggadic* *Midrash*, are based on material of much earlier vintage.

Since the Mishnah is the fundament of the Talmud, its six divisions, called Orders, are the divisions of the Talmud itself. The Six Orders are further divided into sixty-three tractates called *massekhtot*. The word's root is akin to that of the Latin *textus*, both meaning, a weaving together, hence a text or treatise.⁴ The third of the Six Orders, for example, is *Nashim*, meaning Women, and contains seven tractates, the first of which is *Y'vamos*, literally "Sisters-in-law" or Levirate Wives. Because this tractate contains the pivotal *baraita* about contraception, as well as references to the duty of procreation, it is referred to frequently in this study. Other tractates in the Order *Nashim*, such as *Kiddushin* [Betrothals] and *K'tubot* and *Gittin* [Writs of Marriage and of Divorce] also contain much material relevant to our subject, as does *Niddah* [The Menstruant] from the sixth Order *Tohorot* which deals with ritual purities. Since the Talmudic discussion of any subject within the tractates, however, follows not a logical but an organic sequence, and since all of Jewish law is interconnected, with analogies adduced from one sphere to the other, references from the whole of the Talmud are brought to bear on the subject at hand in the relevant literature. Source texts from tractate *Shabbat* of the second Order [*Moed*, "Appointed Times"], or from tractate *Sanhedrin* [The High Court] of the fourth Order [*N'zikin*, "Torts"], or from any number of other tractates, necessarily figure in our discussion as well.

Infinitely more voluminous than the Mishnah itself, the large body of analysis, discussion, dissection, and commentary on the Mishnah is called *G'mara*, meaning, in Aramaic, "the study."⁵ In Hebrew "the study" is the "Talmud." By usage, Talmud refers to both Mishnah and *G'mara* together and hence, leaving to one side the great collections of Midrash, "the Talmud" is the comprehensive term for the large corpus of official formulations of oral law and lore. The Talmudic period, if it is said to begin with early Mishnaic times, comprises a span of at least six centuries. The ongoing argumentation, commentary, and refinement continued for at least three centuries after the redaction of the Mishnah and was brought to a close about the year 500. This scholastic activity took place primarily in the academies of Babylonia—Sura, Nehardea, and Pumbedita—where the Sages lived under Zoroastrian rule. Back in Palestine, a parallel development was taking place: the comments and interpretive teaching of the Sages there were sifted and set down in writing about a century earlier than was the case in Babylonia. The Talmud of Babylonia is much more exhaustive than the Palestinian Talmud and, for

many and various reasons, predominated throughout subsequent Jewish history as the object of intensive study and as the reigning authority in Jewish law.* Hence, "the Talmud" means the Babylonian recension thereof, although *TB* as opposed to *TP* is used for accurate footnote reference.

Post-Talmudic Codes

The first important stratum of interpretation after the period of the Talmud is that of the Geonim. With Babylonia still the center of the Jewish world, the heads of its higher academies bore the title of *Gaon* [Excellency] and taught the Torah to students from near and far. In addition to the Responsa which they wrote as answers to queries in matters of law and faith, they were the first to compose systematic codes of halakhah by summing up in logical arrangement the conclusions of Talmudic discussion. The first of these is the *She'iltot* of R. Ahai Gaon (d. 760), a leading scholar of Pumbedita. The book contains 191 discourses, arranged according to the sections of the Torah as read in the synagogue, and seeking to explain the commandments therein in the light of the Talmud and other halakhic works.⁷ The *Halakhot G'dolot* by R. Simon Kaira of the ninth century is another early example of an ambitious attempt to arrange topically the material of Jewish law and offer the decisions. After him, the estimable R. Hai Gaon and others produced some important partial codes in the next century and a half.

The scene shifts to North Africa where Talmudic studies flourished at the beginning of the second millennium. Chief among the commentators of this school was R. Hananel of Kairawan, who combined three convergent streams of learning: the Palestinian, the Babylonian, and the European. His annotations are of the greatest importance and appear alongside the text in printed editions of the Talmud.

For our purposes, the important product of the North African school is the work of R. Isaac of Fez, Isaac Al Fasi (1013—1073). Like the *Halakhot G'dolot* on which it was modeled, this "Alfasi" is a codex which closely follows the Talmud but which omits when it can all the discussion leading up to the legal conclusions. By including an opinion of one of the Sages, Al Fasi stamps it as the norm (halakhah); by simply ignoring another opinion he shows it to be rejected. His greatest influence lies in this, his role as decisor [*posek*] of the halakhah, for in the Talmud the debates on doubtful points often leave a matter un-

determined. Al Fasi helps us to understand the meaning of the text as well: "We have, therefore, in the Alfasi, a work which is a commentary and a code at the same time. The commentary is implied; the code is manifest. And both are in the form of an abridged Talmud."⁶

Rashi and Tosafot

The commentary par excellence on the Talmud was, however, being composed by Al Fasi's younger contemporary on a different continent. Rashi, the acronym for R. Sh'lomo Yitzhaki (1040-1105) of the French province of Champagne, lived in an era of thriving Talmudic study in Europe after its decline in Babylonia. It was the century when R. Samuel HaNaggid of Granada in Spain had composed his systematic *Introduction to the Talmud* and when the pupils of the illustrious Rabbenu Gershom of Mayence—among whom Rashi's teacher is to be counted—founded many schools. From his teacher Rashi had learned the value of keeping written notes. Out of his classroom explanations to his disciples, there came the great Commentary on the Talmud. Based on earlier notes of R. Gershom's school, his Commentary is largely the result of his own keen insight, comprehensive mastery of all of Talmudic literature, awareness of the pupil's difficulty, and an unrivaled felicity of style. Here, too, however, we deal not with a "dictionary," with commentation which merely explains obscure passages—although that it does magnificently—but with a legally decisive presentation of the essence and applicability of the Talmudic argument.⁷

In the several schools that rose up under the influence of Rashi's popular intellectual activity, his notebook came to serve as a text. Known as the *konteros*, after the Latin *commentarius*, it was and is formally studied along with the Talmud and has opened to great numbers what had been virtually a sealed book.

Among the most eminent teachers of the next generation utilizing this companion text, were members of Rashi's own family. The central debate on the birth control *baraita* in this study has as its principals Rashi on one side and his grandson R. Jacob ben Meir of Rameru on the other. The latter is known as *Rabbenu Yaakov Tam*, "Our Rabbi Jacob the Unblemished," after the biblical description of Jacob as *tam*, meaning whole, simple, unblemished. To Rabbenu Tam pupils flocked in large numbers, some from countries as distant as Bohemia and Russia, and he was consulted by Rabbis from near and far. Rabbenu Tam "possessed a

remarkably original, broad yet subtle intellect, and his writings display keen penetration and singular vigor of thought."¹⁰ These words apply as well to the other masters of the new species of Talmudic literature initiated by Rabbenu Tam. Under the general heading of *Tosafot* (literally, "Supplements"), this type of commentation does much more than supplement the *konteros*, which served as its point of departure. The *Tosafot* aim at profounder depths, dissecting a Talmudic passage or Rashi's accepted commentary with the scalpel of subtle and forceful logic, against the background of an all-embracing mastery of the principles and content of the Talmud. Rabbenu Tam in particular "took pleasure," a modern biographer of Rashi puts it, "in raising ingenious objections to Rashi's explanations and in proposing original solutions," as did the other Tosafists. He continues,

Yet, it would be a mistake to see in the *Tosafot* nothing but the taste for controversy or the love of discussion. . . . the Tosafists even more than Rashi sought to deduce the Halakhah. . . . and to discover analogies permitting the solution of new cases.¹¹

A large part of Rabbenu Tam's contribution is contained in his *Sefer HaYashar* but his pupils quote him in the *Tosafot* on just about every other page of the Talmud. Another prolific writer of *Tosafot*, a nephew of Rabbenu Tam, was R. Isaac of Dampierre, known as "Ri". In all standard editions of the Talmud since the first Bomberg (printed) edition of 1523, the text is flanked by Rashi and *Tosafot* facing one another and lending it their respective modes of illumination. Many *Tosafot*, other than those appearing in editions of the Talmud, were composed during this time and later published separately. The *Tosafot* of R. Isaiah da Trani of thirteenth-century Italy—known as *Tos'fot RiD*— is an important example.

Maimonides' Code

While such commentation proceeded apace, the work of proper and systematic codification awaited a successor to Al Fasi. It found one in the son of a disciple of his disciple—R. Moses ben Maimon, "Rambam" (1135–1204) of Cordova in Spain, deservedly the most famous Jew of the Middle Ages. Not the least of many achievements of Maimonides was the greatest single work of halakhah ever produced—a monumental code of Jewish law. He called it the *Mishneh Torah*, the "Second Torah,"

because thenceforth no other book "would be needed" in determining the law. He states his purpose in the Introduction as that of offering the student the developed law conveniently accessible, making it unnecessary to consult any intervening work. Arranged in architectural orderliness and written with brilliant lucidity, the Code comprises all of Talmudic and Geonic law in fourteen grand divisions, or books, which total one thousand chapters. (In the Hebrew numerical system, 14 is *Yad*, which gave the book its more popular name *Yad HaHazakah*, the "Strong Hand.") This marvel of structure, scope, and clarity commands the awesome respect of scholars to this day and must be reckoned with in any analysis of the halakhah. Yet it suffered from the defects of its virtues: Intending it as a single, complete, practical handbook, Maimonides chose to exclude even the minimum of Talmudic discussion and, of course to omit the citation of authorities for his decisions. Less understandable is his omission of the views of the Franco-German scholars. Dogmatically, in clean but categoric propositions, Maimonides laid down the law. His work thus became the target of the strictures of R. Abraham ben David of Posquieres in Southern France, and subsequent editions of the Code have Ben David's demurrals printed on the margin or as a kind of inset within the text. Other scholars of that and later generations endeavor to supply the missing source references (as in the Commentary, *Maggid Mishneh*) and the Franco-German material (*Hagahot Maimuniyot*), as well as to meet the objections of Ben David (*Migdal Oz*), or elucidate the material generally (*Mishneh LaMelekh*). Several of these commentaries are likewise printed with the Code itself, so that the regal masterpiece, with *nos'ei kelav*, its "armament bearers," now reigns supreme, unique and impregnable.

Ben David himself, despite his opposition to Maimonides' method of code-making, contributes a small work to this genre—a partial code. He collected the laws of *Niddah*, the treatment of which he concluded with a compact discourse on proper marital relations; hence the importance to our subject of this work, which he called *Ba'alei HaNefesh*. An earlier work of Maimonides, his *Commentary to the Mishnah*, is also relevant.

The Thirteenth Century Scholars and Asheri's Code

Some sort of a union between the Spanish and the French-German schools is exemplified by the mid-thirteenth-century Code, called *Sefer Mitzvot Gadol* (*SMaG*). Here the material is grouped around the 613

biblical commands, divided into positive and negative ones, under which are given the Talmudic deductions therefrom and other material less closely connected. The views of the Tosafists of the Rhineland are given a hearing along with those of Maimonides, serving as a bridge of acquaintance between the two. A generation later Rabbi Isaac of Corbeil wrote his compendium called *Sefer Mitzvot Katan* [SMaK], which proved highly popular among laymen and scholars alike and which, too, figures in our treatment here. So does an important thirteenth-century Code called the *Mord'khai* by R. Mordecai ben Hillel of Nuremberg (d.1298). Actually less of a code in the usual sense than a digest of opinions, decisions, and Responsa, the *Mord'khai* is held in high esteem by scholars to whom it served as a comprehensive source book.

Another code-like commentary from this period, or commentary that offers a digest of Talmudic debate, is the *Beit HaB'hirah* of R. Menahem HaMeiri (1249-1315) of Perpignan, Southern France. Written in the lucid style of his model Maimonides, this work is a running commentary to most of the tractates of the Talmud, many of which, unfortunately, were not published until the nineteenth century when the work quickly became a popular study companion. His ability to interpret, distill, and set forth the essence of the Talmud and of other authorities had instant appeal among students. His own newly coined phrases in referring to these authorities became well known: Al Fasi was the "Greatest of Decisors"; Rashi, the "Greatest of Teachers," and Maimonides the "Greatest of Systematizers."¹²

The "great reconciler" between the two schools was the foremost Talmudic scholar of his age, R. Moses ben Nahman—Nahmanides, ("Ramban," 1195-1270) who lived in Spain but who had learned his Talmud from French masters. He esteemed their method, the analytic method of subtle dialectic, and blended it with the local Spanish approach, the method of synthesis, of erudite systematization. Much more important than his partial Code, *Torat HaAdam*, on mourning customs, are Nahmanides' analytic commentaries and *novellae* on the tractates of the Talmud, where his genius yields new insights and resolutions of difficulties. Of course, his superb Commentary to the Bible itself, which is ample in both erudition and keenness, must be mentioned. Also, a small tract, important for our study, the *Iggeret HaKodesh* on the subject of sexual relations, has been ascribed to him as well.¹³

Nahmanides' most outstanding pupil was R. Solomon ben Adret ("Rashba," 1215-1310), who compiled codes of particular sections of the

halakhah and who, too, is better known for his incisive *novellae* on the Talmud, to say nothing of his Responsa. Three thousand of his Responsa have been published.

As the famous Rabbi of Barcelona, Ben Adret was host one day to R. Asher ben Yehiel (1250–1327), who had fled there from the pillage and persecution visited upon the Jews of medieval Germany. Rabbenu Asher (Asheri or, better, “Rosh”) was appointed Rabbi at Toledo and achieved renown as a scholar, teacher, and judge. His fame for our purposes rests upon his Abstract of the Talmud which followed the example of Al Fasi (and like it, was called “*Halakhot*”), but was enriched by the opinions of the later authorities, Maimonides and the Tosafists. His Abstract was marked by scholastic acumen and met with a ready reception in his old and new homes. Some parts of the Talmud itself were the object of a running commentary by Asheri; he has, moreover, authored separate Tosafot of his own to many tractates. All of these, together with one of his Responsa, figure prominently in our study. Rabbenu Y’ruham (d. 1340), author of a significant code not infrequently consulted, is reckoned among the pupils of Asheri.

The Tur Code

The next landmark code was that of Asheri’s son, Jacob, who, next to Maimonides, is the most resourceful of all codifiers. He took the *Mishneh Torah* as his model, but his work is the independent creation of an original mind. He gives neither sources nor proof but generally cites the post-Talmudic authorities by name. Rabbinic studies had developed rapidly since the period of Maimonides two centuries earlier and, as R. Jacob says in the Introduction to his work, there was then hardly a point of law on which there were no differences of opinion.

Like that of his father and Nahmanides, the work of R. Jacob combined the French-German dialectics with Spanish systematics, and answered all the requirements of a code for the next two centuries. Even then, the new codices adopted his system and arrangement, about which more must be said: His book is called *Tur*, short for *Arba’ah Turim*, the Four Rows (after Exodus 28:17, the four rows of stones on the High Priest’s breastplate). The first of the Four is called *Orah Hayyim* [Way of Life] and comprises the laws of Sabbath, festivals, daily prayers, and so on. The second is *Yoreh Deah* and deals with forbidden and permitted foods,

as well as vows and purity regulations. The third is *Even HaEzer*, which treats of marriage, divorce, sexual relations, and the like. The fourth is *Hoshen HaMisphat*, collating civil and criminal law, inheritance, property, etc. The name of the third of the Four Rows, that of *Even HaEzer*, alludes to the phrase *ezer k'negdo* in Genesis, where the woman is called man's "helpmeet." Later codes adopted this highly serviceable arrangement, and even the section numbers within each of the Four Rows became standard. Hence, *E.H.* appears frequently in our footnotes, with *E.H. I* and *E.H. 23* signifying the same relevant section in either the *Tur* or the later codes or commentaries thereon. Responsa books, too, have designated either sections or entire volumes accordingly: Vol. *E.H.*, Vol. *O.H.*, etc. R. Jacob's *Tur* succeeded as the standard Code even in his own lifetime and, on account of its conciliatory yet definitive nature, displaced many similar works of before and after.

The two centuries that elapsed between the *Tur* and the *Shulhan Arukh* saw little that was novel in the field of complete codes. Some partial efforts, such as a work on the liturgy alone, called *Sefer Abudarham*, of R. David Abudarham of Seville (d. 1345) may be mentioned, as well as *Maharil*, the custom compilation on the authority of R. Jacob Halevi Mollin of the Rhineland (d. 1427). A highly popular work, translated into many European languages, was the *Sefer HaHinnukh* of R. Aaron Halevy of thirteenth- and fourteenth-century Barcelona. This is a catalog of the commandments according to the weekly Torah reading, accompanied by much legal definition and moral edification. While significant new codes may not have been produced, the study of Talmud was far from neglected. This was the period of the great *Rishonim*, the Early Authorities, so called because they date from before the *Shulhan Arukh*. In addition to Nahmanides, Ben Adret, and Asheri mentioned above, these include R. Nissim, Ritva, R. Aaron Halevi, R. Isaac bar Sheshet—even R. Yosef Habib, whose *Nimmukei Yosef* Commentary to Al Fasi's Abstract is an important source—and many others. A work called *Shittah M'kubetzet* of the seventeenth century preserves some of the literary fruit of these *Rishonim*, much of it not otherwise available in their volumes of *novellae*.

The Shulhan Arukh

After the expulsion of the Jews from Spain and Portugal towards the end of the fifteenth century, they found themselves scattered throughout many lands—Turkey, Holland, Asia Minor, Palestine, and so on. This upheaval undermined the power of the “custom of the country”; in some places mixed communities arose, made up of Spanish, Italian, German, and other Jews. Only one who had mastered the immense material gathered since the *Tur* and whose prestige was commensurate could meet the challenge of dislocation and reestablish legal and customary order. R. Joseph Karo, scholar and mystic of Safed, qualified; moreover, he possessed the literary capacity necessary to reduce the existing codices to one Code. He began by writing his *Beit Yosef*, ostensibly a commentary to the *Tur*, but actually an independent, self-contained work. This was the result of twenty years of painstaking examination and study of every line and phrase in the *Tur*, supplying analysis and sources. After spending twelve more years in revision, he set out the conclusions of *Beit Yosef* in brief and called them the *Shulhan Arukh* [the “Set Table”], where the student could find what he wanted prepared and accessible. His ranking pillars of authority are Al Fasi, Maimonides, and Asheri; he usually adopts an opinion held by any two of the three. Some determination independent of antecedent authority is also evident in his great Code. Along with an insufficient acquaintance with the Ashkenazi (Polish-German) practice, this feature invited opposition—which might very well have been fatal to his Code were it not that the lack was overcome by R. Moses Isserles of Poland. The latter’s *Glosses*, reflecting Ashkenazic differences in accepted practice, became the *Mappah* [“the Table Cloth”] to the *Shulhan Arukh*. Still, acceptance was far from won. It took a while before Karo’s Code, even thus augmented, could triumph over another code of that time, or overcome the criticism of R. Solomon Luria.

Luria found much to criticize in the *Shulhan Arukh* and brought forth his own competing Code-Commentary in its place. He maintains that his own is closer to the original Talmud and, therefore, more authoritative. Since, after all, the Talmud is the final “court of appeal,” and all sub-

sequent literature must be judged in terms of its faithfulness to the original Talmudic law,¹⁴ his claim could not be ignored. The other competing Code was that of R. Mordecai Jaffe, who had been preparing a comprehensive code before the *Beit Yosef*, then the *Shulhan Arukh*, and then the *Mappah* had appeared. In each case, he welcomed news of these efforts only to find them lacking as far as he was concerned. His own Code, called *L'vush*, paraphrases rather than quotes the earlier authorities, which makes for a highly readable work. It follows the divisions of the *Tur* and *Shulhan Arukh*, except that the first of the Four Rows, *Orah Hayyim*, is divided into two. Also contemporaneous is a small code-like tract, emanating from Karo's circle of mystics in Safed, called the *Sefer Haredim*.

AMERICAN JEWISH ARCHIVES

The Later Authorities

The commentators and decisors after the *Shulhan Arukh* are known by the inclusive term *Aharonim*, the Later Authorities. Some of them helped make the *Shulhan Arukh* the accepted standard work it became. R. David ben Samuel HaLevy (author of *Turei Zahav*, the "*Taz*") and R. Shabb'tai ben Meir HaKohen (*Siftei Kohen*, the "*Shakh*") offered their Commentaries to Karo's Code, in the middle of the seventeenth century, questioning or defending its decisions and adding refinements and new "case law."

In keeping, however, with what was stated above, that the Talmud is really the final authority, the *Aharonim* are formally considered inferior to the earlier masters. In the Talmud itself, none of the Amoraim (Sages of the *G'mara*) may contradict the words of the *Tannaim* (Mishnaic Sages). Every exponent of the Law is—in the phrase of a medieval Commentator to the Mishnah—superior "as a matter of assumption" (*min ha-s'tam*) to those of succeeding generations.¹⁵ Where faithful transmission of authentic tradition is involved, such retrospective deference is proper. Less proper but quite understandable is the sentiment expressed by a contemporary of the above two expositors of the *Shulhan Arukh*. R. Aaron Kaidanover (d. 1676) wrote to a colleague:

You have given attention to the later authorities (*Shakh* and *Taz*). My studies are limited, thank God, to the Talmud and older authorities. Why should we nibble at the bones of later teachers when we can feast on the meat spread

upon the golden tables of Talmud, Al Fasi, Maimonides, Asheri. . . on which everything depends. The later writers confuse a man's mind and memory. You would, therefore, do better to sell their books and buy an edition of the *Tur* with Joseph Karo's commentary.¹⁶

But the hierarchy here is one of learning, rather than of authority. According to the canons of rabbinic decision, the latter-day master—assuming his awareness of earlier rulings which he may show to be inadequate or inapplicable—is, by virtue of that cumulative knowledge, to be deferred to. The principle is then *halakhah k'batra'ei*—the law follows the latest ruling.¹⁷

Competent in logic and learning and cumulative in legal precedent and refinement, the writings of "*Shakh*" and "*Taz*" gained their merited acceptance and were printed alongside the text of the *Shulhan Arukh*. So were many others—such as *Beit Sh'muel* of R. Samuel ben Uri on the *Even HaEzer* section—far too numerous to mention; they will be identified as they enter our discussion. The result was that Karo's Code became the new citadel, after Talmud, Maimonides and *Tur*, around which there clustered commentaries and glosses. The incomparable Elijah, "Gaon" of Vilna in the eighteenth century, chose the medium of commentation upon the *Shulhan Arukh* for his magnum opus in rabbinical writing.

In 1863, R. Solomon Ganzfried compiled a laymen's handbook of some everyday laws; he called it the *Kitzur* (abridged) *Shulhan Arukh*. It remains in wide use and high usefulness, and has been translated into English—but under the extravagant title, "Code of Jewish Law."¹⁸ Unabridged digests of one or more of the Four Rows of the *Shulhan Arukh* also were composed, distilling again the continuing legal development. The overarching achievement in this realm is the *Arukh HaShulhan*, a grand restatement of the entire Code and of subsequent legislation, not without independent judgments, in most felicitous language. The work of R. Yehiel M. Epstein at the turn of this century, it enjoys widespread popularity and esteem.

Works based on the *Shulhan Arukh*, or even volumes of *Responsa*, were not at all the only literary media for the *Aharonim*. Some have their say, in the present treatment, through the instrumentality of Commentaries to the Talmud, which continue to be authored up to the present time. Some, such as the colorful R. Jacob Emden (d. 1776), utilize all three of these categories and several more as well.

The Extralegal Tributaries

Our subject draws heavily on the mainstream of Codes and Code Commentaries, of course. But if the authoritativeness of works in the legal complex is a function of their sequence or position in a framework, or of their fidelity to basic Talmud law, such is not the case with the extralegal tributaries. Even the Bible Commentaries, so many of which contribute to the picture presented in this study, would not, by the mere fact of being attached to the Bible, be able to overrule official interpretation of scripture. The latter properly finds its elaboration in Commentaries to the Talmud and to the Codes. Philosophic works of the Middle Ages partake of the same status: they are extralegal and, as elements in the "Jewish mind," help shape the picture, but are only auxiliary to the legal process. They require no sequential sketch at this time; when introduced in this study, they are briefly characterized in the body or the footnotes.

Some are in a special category and do merit mention here. The *Sefer Hasidim*, for one, contains the literary testament of three leading spirits of Hasidism (Pietism) in medieval Germany (five centuries before the Hasidic movement of R. Israel Ba'al Shem Tov, in the eighteenth century), and, in particular, of the writings of R. Judah the Hasid. The book often resembles a mass of casual jottings, with numbered paragraphs, yet is

. . . undoubtedly one of the most important and remarkable products of Jewish literature. No other work of the period provides us with so deep an insight into the real life of the Jewish community. . . in the most intimate connection with every day life.¹⁹

The author's "historical position," according to a modern scholar, is akin to that of Francis of Assisi.²⁰ The book became popular in many circles and is even quoted in legal contexts by some Responsa.

Menorat HaMaor ["The Lamp of Light"] is the name of two separate but similar books, both worthy of special mention here. The first is by R. Israel Ibn Al Nekawa of Toledo, who died in 1391. The book is a fine example of popular ethico-philosophic writing, although not very original. It is primarily a compilation of hundreds of beautiful maxims regarding the practice of virtue and of various virtues, garnered from all corners of Talmudic literature and skillfully woven together. The second is by R. Isaac Aboab of the same city, who died in 1492. It resembles the

method and content of its namesake work but surpasses it in intellectual level and narrative competence. Both of these frequently reprinted classics contain a section on proper conjugal relations.

Another literary creation in a special category is the Zohar, which book, or group of books by that name, is the Bible of Kabbalah, of Jewish mysticism. It is the very cornerstone of the entire mystic movement, which became a substantial factor in Jewish life for six centuries after the Zohar's appearance in the thirteenth century. All later mystical works merely use its passages as a basis for further development.

Its mode of appearance was rather quaint and is still a matter of debate: The Zohar is ascribed to the Tanna (of the Mishnah) R. Simon ben Yohai with the assistance of an assembly of Sages initiated into the secrets of mysticism. It made its appearance at the end of the thirteenth century through the Kabbalist, Moses De Leon. This "Book of Splendor" was accepted by his contemporaries, though it did not lack for those who doubted its antiquity. After the Zohar's authority grew, voices of challenge to its antiquity or genuineness became louder, and, by the nineteenth century, a fair-sized literature on the subject had grown up with scholars taking various positions as to how much and which, if any, elements were of ancient origin.²¹

The mystic orientation was a dominant influence in the lives of many. The term mystic in this connection refers to a wide gamut of attitudes or motifs: from a dark, theurgic occultism to an enlightened, romantic suprarationalism, or an inwardness of religious experience. The author of the *Shulhan Arukh* was a mystic, but he intended his Code to be a bare statement of the inherited law, uninfluenced and unadorned.²² Something of the role that mysticism did play in the development of our subject will become evident [later in this book]. This includes the contribution of the Zohar's spiritual descendants as well, such as *Sefer Haredim*, already mentioned, and the estimable *Sh'nei Luhot HaB'rit* (The "ShLaH") of R. Isaiah Hurwitz (d. 1628).

The Responsa Literature

Because the pivotal baraita on the birth control question was not included by the major Codes the door was opened to its extensive consideration by another body of literature. The Responsa are formal

replies to legal queries addressed to the scholars of all generations. We have already referred to some, from as soon after the Talmud as the Geonic period. As Jewish life developed in the various countries of sojourn, historical, political, and economic changes raised many new legal problems. The Tosafists and *Rishonim*, too, had authored Responsa and, after the dislocation caused by the Spanish expulsion, much literature of this type emanated from Turkey, Poland, and Palestine. Most of the great codifiers and commentators mentioned above are also authors of Responsa. The period of the *Aharonim* saw the issuance of a huge number of Responsa, and the process continues to this very moment.

In the main, Responsa are replies to queries submitted by Rabbis to their more learned colleagues concerning questions not specifically dealt with in the *Shulhan Arukh* or other Codes. They are characterized by personal attention to a specific case at hand. The data are given and the Respondent analyzes the legal literature bearing upon the case, cites analogies and the rulings of previous authorities, and comes up with an answer of "forbidden" or "permitted" or with advice on steps to be taken to resolve the issue or problem.¹³ Highly individual, the question and the answer appertain primarily to the person involved, although they become part of "case law" and enter the legal mainstream as precedent authority. But further characterization of this unique literature, or even identification of the leading Respondents, is best not undertaken at this time.¹⁴

Notes

1. In Maimonides' Introduction to his *Commentary on the Mishnah*, he defines biblical laws as (1) laws expressly stated in the Torah; (2) laws derived from the Torah by interpretation; and (3) certain laws not derived from the Torah but regarded as "*halakhot* to Moses from Sinai." This last phrase is understood by Asheri (in *Rosh to Hilkhot Mikvaot*, Ch. 1) to include laws as clearly accepted or as anciently established as if they were derived from Moses on Sinai.

2. G. F. Moore, *Judaism* (Cambridge, 1927), I, 251. The tradition is referred to in the New Testament as *paradosis ton presbyteron*, the "tradition of the Elders." Mark 7:2-13. See also Hermann L. Strack, *Introduction to the Talmud and Midrash* (Philadelphia, 1931), Part I, Ch. 2.

3. See, e.g., Strack, *op. cit.*, Part I, Ch. 1.

4. See, e.g., George Horowitz, *The Spirit of Jewish Law* (New York, 1953). Appendix I, for contents of the Six Orders of the Mishnah; also Ben Zion Bokser, *The Wisdom of the Talmud* (New York, 1951) for much informative material.

5. Strack, *op. cit.*, p. 5.

6. See Ch. I, "An Introduction to the Palestinian Talmud," in Louis Ginzberg, *On Jewish Law and Lore* (Philadelphia, 1962).

7. See, e.g., Meyer Waxman, *A History of Jewish Literature* (second ed.), I, 281 ff. S.K. Mirsky, in the Introduction to his edition of *She'iltot d'Rav Ahai Gaon*, maintains that this work incorporates material of Talmudic times.

8. Samuel Daiches, *The Study of the Talmud in Spain* (London, 1921), quoted by Horowitz, *op. cit.*, p. 50. See also Ch. 5, "The Codification of Jewish Law," in Ginzberg, *op. cit.* On medieval rabbinic studies generally, see S.W. Baron, "The Reign of Law" in *A Social and Religious History of the Jews*, second ed. (Philadelphia, 1958), VI, Ch. XXVII.

9. See the fine biography by M. Liber, *Rashi* (Philadelphia, 1926).

10. Liber, *op. cit.*, p. 188.

11. *Ibid.*, pp. 191-192.

12. He refers to them respectively as *g'dolei ha-pos'kim*, *g'dolei ha-rabbanim*, *g'dolei ha-m'habb'rim*.

13. On the question of the authorship of *Iggeret HaKodesh*, see David M. Feldman, *Birth Control, etc.*, Ch. 4, Note 89.

14. See, I. H. Weiss, *Dor Dor V'Dor'shav*, III, 215 ff. See also Feldman, *op. cit.* Ch. II, p. 213, on Luria's Introduction to *Bava Kamma*. Cf. Note 17, below.

15. *Tos'fot Yom Tov to Eduyot*, I, 5. Cf. *TB Shabbat* 112b: "If the Early Ones were as angels, we are as humans, etc."

16. *Resp. Nahalat Shivah* (Warsaw, 1884), No. 50. See N. H. Dembitzer, *K'lilat Yofi*, p. 62.

17. The principle is Geonic (see *Iggeret R. Sh'rira Gaon*, ed. Levin, p.38); it is explained by, e.g., Alfasi to *Eiruvim* (end); Asheri to *Sanhedrin* (IV, 6); and by R. Joseph Kolon (d. 1480) in his *Responsa*, Nos. 84 and 94, the latter relayed by Isserles to *Hoshen Mishpat*, 25,2 (end). See also *Pri M'gadim*, *K'lalim* No. 8, Preface to *Yoreh Deah*.

18. For significant variations in phraseology, with respect to sexual matters, in *Shulhan Arukh*, the *Kitzur*, and their antecedents, see Feldman, *op. cit.* pp. 70 ff.

19. Gershom Scholem, *Major Trends In Jewish Mysticism* (Schocken, 1941), p. 83.

20. F.I. Baer, quoted by Scholem, *loc. cit.* The two men lived at about the same time and had similar pietistic influences upon their communities.

21. See Scholem, *op. cit.* Chs. 5 and 6; Waxman, *op. cit.*, II, 392 ff.

22. See "The Shulhan Arukh: Enduring Code of Jewish Law," by Isadore Twersky, in *Judaism: A Quarterly Journal* (Spring, 1967), pp. 146, 149, 153.

23. Partial collections of references to the Responsa have been appended to the *Tur* or to the *Shulhan Arukh* in the form of Commentaries thereto. The *K'neset HaG'dolah* of 17th-century R. Hayyim Benvenisti is an example of the first; *Sha'arei T'shuvah* to *Sh. Ar. Orah Hayyim* and *Pit'hei T'shuvah* to the other three sections, the latter by 19th-century R. Zvi Hirsch Eisenstadt, are examples of the second. Far more exhaustive is *Otzar HaPoskim*, a monumental project recently undertaken by a collegium of scholars in Jerusalem. The initial volumes, on the opening *simanim* of *Even HaEzer*, have already appeared.

24. See Solomon Freehof, *The Responsa Literature* (Philadelphia, 1955), esp. Chs. 1 and 2.

RABBINIC SOURCES RELATED TO THE MITZVAH
OF PIDYON SHEVUYIM

- I. The Essence of Pidyon Shevuyim
- II. The Relative Importance of this Mitzvah
- III. Whom do we save first?
- IV. What are the limits?

Ifra Hormiz the mother of King Shapur^{*} sent a chest of gold coins to Rav Yosef, with the request that it should be used for carrying out some very important religious precept. R. Yosef was trying hard to think what such a precept could be, when Abaye said to him, "Since Rav Samuel b. Judah has laid down the law that money for charity is not to be levied from orphans even for the redemption of captives, we may conclude that the redemption of captives is a religious duty of great importance." (See *Tosafot*)

Rava asked Rabbah b. Mari: "From where is the maxim of the Rabbis derived that the redemption of captives is a religious duty of great importance?" — He replied: "From the verse, 'And it shall come to pass if they ask you, "Where shall we go forth," then you shall tell them, "Thus said the Lord: Such as are for death, to death, and such as are for the sword, to the sword, and such as are for famine, to the famine, and such as are for captivity, to captivity" ' (Jeremiah 15:2)." [Commenting on this] R. Yohanan said, "Each punishment mentioned in this verse is more severe than the one before. The sword is worse than death; this I can demonstrate either from Scripture, or, if you prefer, from observation. The proof from observation is that the sword deforms but death does not deform; the proof from Scripture is in the verse, 'Precious in the eyes of the Lord is the death of His faithful' (Psalm 116:15). Famine is harder than the sword; this again can be demonstrated either by observation, the proof being that the one causes [prolonged] suffering but the other not, or, if you prefer, from the Scripture, from the verse, 'They that be slain by the sword are better than they that be slain with hunger' (Lamentations 4:9). Captivity is harder than all, because it includes the sufferings of all."

איפרא הורמז אימיה דשבור מלכא שדרה ארנקא דדינרי לקמיה דרב יוסף אמרה ליהוי למצוה רבה יתיב רב יוסף וקא מעיין בה מאי מצוה רבה א"ל אביי מדתני רב שמואל בר יהודה אין פוסקין צדקה על היתומים אפילו לפדיון שבויים שמע מינה פדיון שבויים מצוה רבה היא אמר רבא לרבה בר מרי מנא הא מילתא דאמור רבנן דפריון שבויים מצוה רבה היא א"ל רבתיב והיה כי יאמרו אליך אנה נצא ואמרת אליהם כה אמר ה' אשר למות למות ואשר לחרב לחרב ואשר לרעב לרעב ואשר לשבי לשבי ואמר רבי יוחנן כל המאוחר בפסוק זה קשה מחבירו חרב קשה ממות אי בעית אימא קרא ואי בעית אימא סברא אי בעית אימא סברא האי קא מינוול והאי לא קא מינוול ואבע"א קרא כי יקר בעיני ה' המותה לחסידיו רעב קשה מחרב איבעית אימא סברא האי קא מצטער והאי לא קא מצטער איבעית אימא קרא טובים היו חללי חרב מחללי רעב שבי (קשה מכולם) וכולהו איתנהו ביה.

*Note: Reference is to King Shapur II, a Persian King who ruled Babylonia from 309-379 CE. He acceded to the throne while an infant, and until his majority, the power of the throne was in the hands of his mother, Ifra Hormiz, and several members of the aristocracy. Though the Jews -- like other subjects -- were heavily taxed by this king -- they maintained good relations with him and especially with his mother.

I. THE ESSENCE OF PIDYON SHEVUYIM

A. Talmud, Tractate Baba Kamma, 117b

A certain man had a purse of money deposited with him for the redemption of captives. Being attacked by thieves he took it and handed it over to them. He was thereupon summoned before Rava who nevertheless declared him exempt [from punishment]. Abaye said to him: "Was not that man rescuing himself by means of another man's money?" He replied: "There could hardly be a case of redeeming captives more pressing than this."

ההוא גברא דהוה מפקיד גביה ארנקא דפרדיון שבוים
סליקו גבוי עילויה שקלה יהבה ניהלייהו אתא לקמיה
רבא פטריה א"ל אביי והא מציל עצמו בממון חבירו
הוא א"ל אין לך פרדיון שבוים גדול מזה.



"The Redemption of Captives is a religious duty of great importance": And yet, we read (a similar text in) Tractate Megillah 27a, where it says that one may not sell a Torah scroll except for the purpose of enabling people to study Torah or helping a woman get married. And nowhere does it mention that one may also sell a Torah scroll in order to finance the redemption of captives! Why? Because this is so obvious that they (the rabbis) did not even have to state it.

AMERICAN JEWISH ARCHIVES



פרייזן שטיס מטה רבס. וואו דאזער צעק צו הער (פליס דו
ס) און מערין סיס אלא לענדער שורה וועטא אזה וואו
קאט פריזן שטיס שוואו וועלכא דעקעטא הא וואו אונזערין (מחמ):

7. If one who sells himself into slavery to a heathen cannot afford to redeem himself his kinsman must redeem him. The obligation devolves upon the relations in the order of their proximity, as it is said: *Or his uncle, or his uncle's son, may redeem him* (Lev. 25:49).

The courts compel his kinsman to redeem him in order that he may not become intermingled with the heathen.

If the kinsmen do not redeem him, or if they cannot afford it, the obligation rests upon each Israelite to redeem him.

+every

AMERICAN JEWISH ARCHIVES

תַּעֲמִיד לְעַי, אִם לֹא הִשְׁגָּה יָדוֹ לְגָאֹל - קְרוֹבֵיו פּוֹדִין אוֹתוֹ יי
וְקְרוֹב קְרוֹב קֹדֶם יי, שֶׁנֶּאֱמַר: אוֹ-דָדוֹ אוֹ בֶן-דָּדוֹ יִגָּאֵל
וְכִי-יָפִיץ אֶת-קְרוֹבָיו לְקִדּוּמוֹ, שֶׁלֹּא יִשְׁמַע בְּגוֹיִם. לֹא
פְּדֹאוּהוּ קְרוֹבָיו אוֹ שְׂאֵין יָדָם מִשְׁעֶת - מִצָּה עַל כָּל-אָדָם מִיִּשְׂרָאֵל
לְקִדּוּמוֹ יי.

II. THE RELATIVE IMPORTANCE

A. Talmud, Tractate Baba Batra, 3b

Ravina asked Rav Ashi: "Suppose money [for a synagogue] has been collected and is ready for use, is there still a risk?" He replied: "They may be called on to redeem captives and use it for that purpose." (Ravina asked further): "Suppose the bricks are already piled up and the lathes trimmed and the beams ready, what are we to say?" He replied: "It can happen that money is suddenly required for the redemption of captives, and they may sell the material for that purpose." "If they could do that," (he said), "they could do the same even if they had already built the synagogue!" He answered: "People do not sell their dwelling places."

א"ל רבינא לרב אשי גבו זוזי ומחתי מאי אמר ליה רילמא מיתרמי להו פריון שבוים ויהבי להו שריגי ליבני והררי הודרי ומחתי כשורי מאי א"ל וימנין דמתרמי להו פריון שבוים מוכני ויהבי להו א"ה אפי' בנו נמי אמר ליה דירתא ראינש לא מזבני.



10. The ransoming of captives has precedence over the feeding and clothing of the poor. Indeed there is no religious duty more meritorious than the ransoming of captives, for not only is the captive included in the generality of the hungry, the thirsty, and the naked, but his very life is in jeopardy. He who turns his eyes away from ransoming him, transgresses the commandments *Thou shalt not harden thy heart, nor shut thy hand* (Deut. 15:7), *Neither shalt thou stand idly by the blood of thy neighbor* (Lev. 19:16), and *He shall not rule with rigor over him in thy sight* (Lev. 25:53). Moreover, he nullifies the commandments *Thou shalt surely open thy hand unto him* (Deut. 15:8), *That thy brother may live with thee* (Lev. 25:36), *Thou shalt love thy neighbor as thyself* (Lev. 19:18), *Deliver them that are drawn unto death* (Prov. 24:11), and many other admonitions like these. To sum up, there is no religious duty greater than the ransoming of captives.

11. If the people of the city, having collected money for the building of a synagogue, find themselves confronted with a matter of religious duty, they must divert the money to the latter. If they had already bought stones and beams, they may not sell them in order to fulfill the religious duty, unless it be the ransoming of captives. Even if they have already brought in the stones and set them up, and the beams and planed them, and thus made everything ready for construction, they must nevertheless sell everything, but only if for the ransoming of captives. If, however, they have already completed the erection of the building, they may not sell the synagogue, but should rather make a new collection from the community for the redemption of those captives.

פִּדְיוֹן שְׁבוּיִים לָדָם • לַפְּרִנָּסָה עֲנִיִּים וְלִכְסוּתָם וְאֵין לָהֶם
 מִצְוָה גְדוֹלָה • כַּפְּדִיּוֹן שְׁבוּיִים. שֶׁהַשְּׁבוּי הָרִי הוּא בְּכָלֵל
 הָרַעֲבִים וְהַצִּמָּאִים וְהָעֲרֻמִּים וְעוֹמֵד בַּסִּכָּנֹת וּנְפֹשׁוֹת •
 וְהַמַּעֲלִים עֵצִיו מִפְּדִיּוֹ – הָרִי זֶה עוֹבֵר עַל לֹא תֵאֱמָץ אֶת־לִבְךָ
 וְלֹא תִקְפֹּץ אֶת־יָדְךָ (דברים י. י) וְעַל לֹא תַעֲמֹד עַל־יָדֶיךָ רַעֲךָ •
 (דברים י. יז) וְעַל לֹא־יִרְדְּנָה בְּפִרְךָ לַעֲצִיף • (שם כז. ט); וּבִטֹּל
 מִצְוֹת פֶּתַח תִּפְתָּח אֶת־יָדְךָ לוֹ (דברים י. יז), וּמִצְוֹת וְחֵי אָחִיךָ עֲסֹף
 (דברים כז. ח) וְאֶהְבֶּתָ לְרַעֲךָ כָּמוֹךָ • (שם י. יז) וְהִצַּל לְקַחִים יִמּוֹת • (שם
 כ. יא) וְהִרְבֵּה דְבָרִים כְּאֵלוֹ • וְאֵין לָהֶם מִצְוָה רַבָּה כַּפְּדִיּוֹן שְׁבוּיִים •
 יא אֲנָשִׁי הָעִיר שָׁנְבוּ מַעֲוֹת לְבִגְנָן בֵּית הַכְּנָסֶת וּבָא לָהֶם דְּבַר
 מִצְוָה • – מוֹצִיאֲךָ בּוֹ הַמַּעֲוֹת. קֵנוּ אֲבָנִים וְקוּרוֹת – לֹא
 יִמְכְּרוּם לְדַבֵּר מִצְוָה אֶלָּא לַפְּדִיּוֹן שְׁבוּיִים •; אֶף־עַל־פִּי שֶׁהֵבִיאוּ
 אֶת־הָאֲבָנִים וְגִדְּרוּם • וְאֶת־הַקּוּרוֹת וּפְסָלוֹם וְהַתְּקִיעַ הַפֶּל לְבִגְנָן
 מוֹכְרִין הֶכֶל לַפְּדִיּוֹן שְׁבוּיִים בְּלִבָּד. אֲבָל אִם בָּעוּ וְנִגְמְרוּ – לֹא יִמְכְּרוּ
 אֶת־בֵּית הַכְּנָסֶת •, אֶלָּא יִבְנוּ לַפְּדִיּוֹנָם מִן־הַצִּבּוֹר.

- C. Yosef Karo, Shulkhan Arukh, Yoreh De'ah 252 ("The Laws of Tzedakah") Paragraph 1-3

- I. The freeing of captives takes precedence over feeding and clothing poor people. There is no commandment greater than freeing of captives; therefore, any money which is collected for another purpose may be diverted in order to free captives. And even if money was collected in order to build a synagogue, and they have already purchased the wood and stones needed, and set them aside for the building, (so that it is forbidden to use these building materials for any other purpose), it is permissible to sell them in order to free captives. But, if they have already built the synagogue, they may not sell it.

(Rabbi Moshe Isserles adds: And, in any case, if one vows to contribute a selah (coin) to charity, the freeing of captives is not included, and captives may not be freed with that coin, except through the consent of the inhabitants of that particular community.)

- II. One who overts his eyes (ignores) the duty to free captives transgresses the following prohibitions: "Do not harden your heart and shut your hand" (Deut. 15:7); "Do not stand idly by the blood of your neighbor." (Lev. 19:16); and "He shall not rule ruthlessly over him in your sight." (Lev. 25:53). In addition, he nullifies the following positive commandments: "You surely must open your hand to him"

(Deut. 15:8); "Let him live with you as your brother (Lev. 19:18); "Deliver those who are drawn toward death." (Prov. 24:11) and many other similar admonitions.

III. Every moment which one ~~delays~~ in freeing captives, in cases where it is possible to expedite their freedom, is considered to be tantamount to murder.

Question for Discussion:

1. Yosef Karo, in his 16th century code, the Shulkhan Arukh, relies heavily on the language of the Mishneh Torah when discussing the laws of Pidyon Shevuyim. But Rabbi Moshe Isserles, Karo's Ashkenazi contemporary, adds a strange postscript to paragraph I. What does this addition mean? Doesn't it contradict the first two lines of Karo's first paragraph (as well as Maimonides and Baba Batra 3b)? Could Rabbi Isserles and the other Ashkenazi scholars be less committed to the rule Pidyon Shevuyim takes precedence over other mitzvot? But, in that case, wouldn't they be going against the ruling in the Talmud? Can you figure out any explanation for this?
- D. Rabbi Yehiel Michael Epstein, Arukh Hashulkhan, modern commentator on the Shulkhan Arukh (1829-1908)

Explanation of Yoreh D'ah 252 paragraph I:

...This is not because the commandment to build a synagogue is more important than the commandment to free captives,

for of course there is nothing greater than the freeing of captives. Rather, the reason is explained in the Talmud (Baba Batra 3b) where it says: "People do not sell their homes," that is to say, the place they actually live in, even for the sake of a more important cause. For just as it is impossible to get along without a home so too is it nearly impossible to get along without a synagogue, which is home for the whole Jewish community in terms of Torah study and prayer. And just as an individual makes every effort not to sell his home, and takes great pains to find an alternative to giving up his living quarters, so too we (as a community) are obligated to make every effort to instead establish a special communal fund (for the freeing of captives). In contrast, if the synagogue is not yet built, we exert no great efforts (to maintain the building fund or hold on to the materials needed), but sell everything immediately in order to ransom the captives quickly. However, if it is totally impossible to get money in any other way, it is obvious and clear that we sell the synagogue building, even to people who will use the building for secular purposes, in order to ransom lives.

ולא סתם דכחות בהכח
נרולה מסתמך מדיון שביום דחורא אין למעלה מדיון
שביום אלא הטעם בנסי' (גי' נז) דדורותיה דאנשי
דא סוכנא ע"ש בלומר כמ' שאין אדם טרר דידתו
שרר בה אפילו לצורך היותו טרר דא"א בלא דירה
כמו כן לא נרע דירת בהכח שו"ע דירת כלל ישראל
לתורה ולתפלה כדירת עצמו ונכסו שאדם מזהמץ
בכל יטולתו לבני למכור דירתו ויבא למצא דעה
אחרת למח שצריך כמו כן סח"י"ב לוח"א"ץ לעשות
נכ"י"ה חרשה סן הציבור ששאינו כל וסן שלא נבנה
אין מתאספים בזה אלא שטרך סר כדי לפרום
סור אבל אם איא כלל לעשות נכ"י"ה משיבא שטרין
נס הבהכ"ח וסוציאן אורח אפילו לחלין כדי
לפרות הגמשות

וקצור כדרכו בקדוש והיה כגון שהיה בעיר
הצביטת לעניים ולשאריו סני צדקה וגם לסדיון
סבויס וכל אחר סבני העיר נדר על זה ונדר
אחר סלע לצדקה אין סדיון סבויס בכלל כלומר
וכסין אותו ליהן נדבה אחרת לפיס ואינו יכול
לומר כסונתו היתה גם לפיס

Explanation of Yoreh De'ah 252 paragraph I, the additional
comment of Rabbi Moshe Isserles:

...(Our teacher, Rabbi Moshe Isserles) writes concisely in
Hebrew and he makes a comment like this because he lived
in a city (Cracow) where they require contributions to support
poor people as well as various other charities, in addition
to the redeeming of captives. Each individual in the city
made a pledge to charity of (at least) one selah (coin).
The cause was not included in this; in other words, they
(the community) would make each person give an additional
contribution especially for the purpose of ransoming captives,
and a person could not protest that he had already fulfilled
his obligation to redeem captives with his contribution to
the general funds for charity.

יורה דעה רנב הלכות צדקה

רנב דין פריון שבויים וכיצד פורין אותם

וכו י"ב סעיפים :

א (א) * פריון שבויים קדם לפרנסת עניים ולכמותן
א (א) (ב) ואין מצוה גדולה כפריון שבויים הילכך
לכל דבר מצוה שגבו מעות בשבילו יכולים לשנות
לפריון שבויים (א) * ואפי' אם נבו לצורך בנין ב"ה
יואפי' אם קט העצים והאבנים והקצום לצורך הבנין
(ב) שאסור למכרם בשביל מצוה אחרת מותר
למכרם לצורך פריון שבויים (ב) (ג) אבל אם
(ד) בגאורו כבר לא ימכרו אותו (ג) ב (ד) (ז) (ז) (ז) (ז)
סטור סלם לזקק סין פריון שבויים בכלל ולין לסות כלל
נ קסוסס נר סני (סדי"ק טרס ז') (ד) דלקס ס' ח"ז סס"ד
ב (ה) י דמעים עיניו ספריון שבויים עובר על לא
תאמץ את לכבך ועל לא הקפין את ידך ועל לא
תעמד על דם רעך ועל לא ידרט כפרך לעיניך
ובכל מצות פרוח תפתח את ידך לו ומצות וחי
אחך עמך ואהבת לרעך כמוך והצל לקחים למת
ודרכה דברים כאלו !

ג "בל רנע שמאמר לפרוח השבויים היכא דאפשר
להקדים רי כאילו שופך דמים :

III. WHOM DO WE SAVE FIRST?

A. Talmud, Tractate Horayot 13a

מתני' האיש קודם לאשה ולהיות ולהשב אבירה והאשה קודמת לאיש לכסות ולהוציא מבית השבי בזמן ששניהם עומדים בקלקלה האיש קודם לאשה גמ' ת"ר היה הוא ואביו ורבו בשבי הוא קודם לרבו ורבו קודם לאביו אמו קודמת לכולם חכם קודם למלך ישראל חכם שמת אין לנו כיוצא בו מלך ישראל שמת כל ישראל ראויים למלכות מלך קודם לכהן גדול שנאמר ויאמר המלך (אליהם) [להם] קחו עמכם (או מ)עבדי אדוניכם וגו' כהן גדול קודם לנביא שנאמר ומשח אותו שם צדוק הכהן ונתן הנביא הקדים צדוק לנתן ואומר שמע נא יהושע הכהן הגדול אתה ורעיו וגו'.

MISHNAH: A man takes precedence over a woman in matters of life and restoration of lost property and a woman takes precedence over a man in respect of clothing and ransom from captivity. When both are exposed to moral degradation in their captivity, the man's ransom takes precedence over that of the woman.

GEMARA: Our Rabbis taught: If a man and his father and his teacher were in captivity he takes precedence over his teacher and his teacher takes precedence over his father, while his mother takes precedence over all of them.

A scholar takes precedence over a king of Israel, for if a scholar dies there is none to replace him while if a king of Israel dies, all Israel are eligible for kingship.

A king takes precedence over a High Priest, for it is said, "And the king said unto them, 'Take with you the servants of your lord...' " (1 Kings 1:33).

A High Priest takes precedence over a prophet, for it is said, "And let Zadok the priest and Nathan the prophet anoint him there..." (1 Kings 1:34), Zadok being mentioned before Nathan. And furthermore it is stated, "Hear now, O Joshua the High Priest, thou and fellows..." (Zechariah 3:8).

15. A woman takes precedence over a man as far as feeding, clothing, and redemption from captivity are concerned, because it is customary for a man to go begging from door to door, but

not for a woman, as her sense of shame is greater. If both of them are in captivity, and both are exposed to forcible sin, the man takes precedence in being ransomed, since it is not customary for him to submit to such sin.

17. If there are before us many poor people or many captives, and there is not enough in the alms treasury to feed, or clothe, or ransom all of them, the procedure is as follows: a priest takes precedence over a Levite, a Levite over an Israelite, an Israelite over a profaned priest, a profaned priest over a person of unknown parentage, a person of unknown parentage over a foundling, a foundling over a bastard, a bastard over a Nathin*, a Nathin over a proselyte, inasmuch as the Nathin has grown up with us in a state of holiness, and a proselyte over an emancipated bondsman, inasmuch as the latter was once included among the accursed.

18. When does this apply? When both are equal in wisdom. If, however, a High Priest is unlearned and a bastard is a disciple of the wise, the latter takes precedence. In the case of two scholars, the one greater in wisdom preceeds the other. If one of the poor or captives is a person's teacher or father, and if there is another poor man or captive greater in wisdom than one's teacher or father, so long as the latter is a disciple of the wise, he takes precedence over the one who excels him in wisdom.

טו האשה קדמת לראש להאכיל ולכסות ולהוציא מבית השבי, מפני שהאיש דרכו לחזור לא האשה, ובשמה מרבה; ואם היו שניהם בשביה ונתבעו שניהם לדבר עברה – האיש קדם לפדות, לפי שאין דרכו לכך.

יז ה'ז לפנינו עניים הרבה או שבויים הרבה ואין בפיס כדי לפרנס או כדי לכסות או כדי לפדות את כולם – מקדימין את הכהן ללוי, ולוי לישראל, וישראל לחלל, וחלל לשותקי, ושותקי לאסופי, ואסופי לממזר, וממזר לנתין, ונתין לגר – שהנתין גדל עמנו בקדשה, וגר קדם לעבד משחרר, לפי שהיה בכלל ארור.

* A Natin is a descendent of the Gibeonites, a group whose safety was assured by Joshua after some of the Israelites leaders had sworn a solemn oath that they would be spared. Joshua honored this oath, on the condition that the Gibeonites become "Hewers of wood and drawers of water" and serve the congregation and the altar ever afterwards."

Paragraph 8 A woman should be ransomed before a man, and where there is a possibility of (homosexual) rape, a man should be ransomed before a woman.

(Rabbi Mordechai Ben Hillel adds: And if the two of them wish to drown in a river, we save the man first.)

Paragraph 9 If an individual along with his father and his teacher are in captivity, he must ransom himself before his teacher, and his teacher before his father. But his mother takes precedence over all of them.

Paragraph 10 If a man and his wife are in captivity, the wife should be ransomed first, and the rabbinic court then takes charge of his possessions and redeems him. In a case where the man objects and tells the court not to use his money to ransom him, they may not listen to him.

Paragraph 11 If someone with money is taken captive, but does not wish to ransom himself, the ransom should be paid against his will.

ח' פדוים האשה קדם האיש [יב] ואם תגילין במשכב וכו' פדוים האיש קדם
(נכנס מדחי) (ו) ו' [יג] (ואם נכנס חזק לפנט נכד (ו) כולם קדם) (ס) (ג' ס' ת"ט
וק' כמעט סוף סדיוס) :
מ' הוא ואביו ודכו בשבי הוא קדם לדכו ח' ודכו קדם (ו) לאביו מ' אמו
י' קדמת (ו) לכולם (ת"ל ס' רמז סוף ד') :
ד' [יד] אם איש ואשתו שבוים אשתו קדמת לו ובית דין יורדין לנכסיו
לא ופדוים אותה [טז] ואפי' עומד תצוה אל הפרוה מצנטי אין שומעין לו :
יא [טז] י' ש' שנשבה ויש לו נכסים ואיך רצה לפרות עצמו פדוים אותו בעל כרחו:

IV. WHAT ARE THE LIMITS?

A. Talmud, Tractate Gittin, Chapter 4, Mishnah 6

Mishnah 6

משנה ו

If one sell his bondman to a no-Jew or¹ outside the Land,² he goes forth a freeman.³ They must not ransom captives for more than their value for the sake of the public weal,⁴ and they must not help in the escape of captives for the sake of the social order.⁵ Rabban Simon⁶ ben Gamaliel says, For the benefit of the captives. And they must not buy⁷ Scrolls,⁸ or phylacteries, or *mexuzahs* from non-Jews for more than their worth out of regard for the public good.⁹

המוכר עבדו לעובד כוכבים יא-
להוציאו לארץ. יצא יבן חורין. אין
פודין את-העבדים יותר על כדי
דמיתן מפני יתקון העולם. ואין
מקריחין את-העבדים מפני יתקון
העולם. רבן ישמעאל בן גמליאל
אמר, מפני טענת העבדים. ואין
לוקחים ספרים, תפילין, ומזוזות
מך-העובד כוכבים יותר על כדי
דמיתן מפני יתקון העולם.

- 1 *Le.*, or to anyone even a Jew. 2 *Le.*, the Land of Israel. 3 His former master (who had sold him) must ransom him and set him free. 4 As a precaution against encouraging kidnapping. 5 To prevent ill-treatment and fettering of those remaining or of new captives. 6 His opinion is accepted: to prevent maltreatment of those still in captivity. 7 *לוקחין* in some editions. 8 *ספרי תורה*. 9 As a precaution against encouraging stealing.

(JEMARA. The question was raised: Does this prevention of abuses relate to the burden which may be imposed on the community or to the possibility that the activities [of the bandits] may be stimulated?—Come and hear: Levi b. Darga ransomed his daughter for thirteen thousand *denarii* of gold.⁵ Said Abaye: But are you sure that he acted with the consent of the Sages? Perhaps he acted against the will of the Sages.

CAPTIVES SHOULD NOT BE HELPED TO ESCAPE, TO PREVENT ABUSES. RABBAN SIMEON B. GAMALIEL SAYS, THE REASON IS TO PREVENT THE ILL-TREATMENT OF FELLOW CAPTIVES. What practical difference does it make which reason we adopt?—The difference arises where there is only one captive.⁶

(5) This shows that if an individual is willing to pay more he may do so, and the reason is because of the burden imposed on the community. (6) In this case the reason of Rabban Simeon b. Gamaliel does not apply, and according to him the captive may be helped to escape.

נ"מ איבער לא הא

מפני חוקן העולם משום חזקא רצונא דהא אי דילמא משום 'ולא לגרבו
ולייחז מפני ח'ש' וליד בר דמא פרקא לברחיה בחליסר אלפי דינרי ודב אמר
אביי וסאן לימא לן דברצון חבמים עבר דילמא שלא ברצון חבמים עבר : ואן
מברחין את השבויין "מפני חוקן העולם רשב"ג אמר מפני הקט שבוין :
מא בניידו אטא בניידו דליכא אלא דד :

Our Rabbis have taught: R. Joshua b. Hananiah once happened to go to the great city of Rome,¹ and he was told there that there was in the prison a child with beautiful eyes and face and curly locks.² He went and stood at the doorway of the prison and said, *Who gave Jacob for a spoil and Israel to the robbers?*³ The child answered, *Is it not the Lord. He against whom we have sinned and in whose ways they would not walk, neither were they obedient unto his law.*⁴ He said: I feel sure that this one will be a teacher in Israel. I swear that I will not budge from here before I ransom him, whatever price may be demanded. It is reported that he did not leave the spot before he had ransomed him at a high figure, nor did many days pass before he became a teacher in Israel. Who was he?—He was R. Ishmael b. Elisha.

AMERICAN JEWISH ARCHIVES

חד *מעשה רבי יוחנן בן חנניה שהלך לטכ נחל
שפחם אחר לו חנניק אור יש בבית האסורים יפת עינים ופסח הוא וקדומו
סחחם לו חללים הלך חנניק על פסח בית האסורים אמר *סי נחן
למשפח יעקב וישאל לנחום ענה אחר חנניק ואמר הלא ה' ו' רמנני לו ולא אבו כדכיו חלוק ולא
שמעו סחחיו אמר חנניק כי שפחה חזקה בישאל חנניק עד שאפסו בכל סמן
שפסוקן עליו אמר לא ח' משם עד שפרא במסן הרבה ולא היו ימים מעטן עד שהודה חזקה בישאל
ומה רבי ישמעאל בן אלישע

12. Captives may not be ransomed for more than their fair value, for the sake of good world order, lest the enemies should seek them out in order to capture them. Nor may they be assisted to escape, for the same reason, lest the enemy should make their yoke heavier and guard them more vigilantly.



יב אִז פּוֹדֵן אֶת-הַשְּׁבוּיִם בְּיָתֶר עַל דְּמֵיהֶם ׀ מִפְּנֵי תַקוּן
הָעוֹלָם: שֶׁלֹּא יִהְיוּ הָאוֹיְבִים רוֹדְפִים אַחֲרֵיהֶם לְשִׁבוּתָם ׀.

Paragraph 4: One may not ransom captives for an amount of money greater than their worth (as slaves), for the sake of the public good, lest our enemies be encouraged to take even more captives. However, an individual is permitted to ransom himself with as large an amount as he wishes. The same holds true for a great scholar, or even for someone who isn't a great scholar, but is a sharp student and may someday become great - we ransom such a person at all costs, because of his considerable worth.

(Rabbi Moshe Isserles adds: The same holds true for a person's spouse - for a discussion of this see Jacob Ben Asher, Arba'ah Turim, Even Ha-Ezer 78.)

Paragraph 5: One should not help captives escape from imprisonment, for the sake of the public good, lest our enemies treat the remaining prisoners even more harshly.

ד' ד' אין פודין השבויים (ה) יותר ט' מכר' (ו) דמיהם מפני תיקון העולם
ה' (א) שלא יהיו האויבים מוסרים עצמם עליהם לשטונתם (א) אבל אם יוכל
לפרות את עצמו בכל מה שירצה (ח) יבן לת' א' אפי' אית ת'ח' אלא שדוא
תלמיד חרף ואפשר שיהיה אדם גדול פודים אותו ברבים מרובים (א) ואם לא
ידי לו לא יין נפול ס' ס' פ'ח' :
ה' ט' אין מבריחין השבויים (א) מפני תיקון העולם שלא יהיו האויבים מכבידים
עולם עליהם ומרבים בשטירתם :

ALSO BY DAVID S. WYMAN

*Paper Walls: America and the Refugee Crisis,
1938–1941*



THE
ABANDONMENT
OF THE
JEW

*America and the Holocaust,
1941-1945*

David S. Wyman

Pantheon Books, New York



America's response to the Holocaust was the result of action and inaction on the part of many people. In the forefront was Franklin D. Roosevelt, whose steps to aid Europe's Jews were very limited. If he had wanted to, he could have aroused substantial public backing for a vital rescue effort by speaking out on the issue. If nothing else, a few forceful statements by the President would have brought the extermination news out of obscurity and into the headlines. But he had little to say about the problem and gave no priority at all to rescue.¹

In December 1942, the President reluctantly agreed to talk with Jewish leaders about the recently confirmed news of extermination. Thereafter, he refused Jewish requests to discuss the problem; he even left the White House to avoid the Orthodox rabbis' pilgrimage of October 1943. He took almost no interest in the Bermuda Conference. He dragged his feet on opening refugee camps in North Africa. He declined to question the State Department's arbitrary shutdown of refugee immigration to the United States, even when pressed by the seven Jews in Congress.²

In November 1943, on the eve of Roosevelt's departure for Cairo and

Tehran, stirrings in Congress briefly drew his attention to the rescue question. When he returned six weeks later, he faced the prospect of an explosive debate in Congress on administration rescue policies and the probable passage of legislation calling on him to form a rescue agency. Not long afterward, he established the War Refugee Board. His hand had been forced by the pressure on Capitol Hill and by the danger that a major scandal would break over the State Department's persistent obstruction of rescue.

After creating the board, the President took little interest in it. He never acted to strengthen it or provide it with adequate funding. He impeded its initial momentum by delaying the selection of a director and hindered its long-term effectiveness by ruining the plan to appoint a prominent public figure to the post. When the board needed help with the recalcitrant American ambassador to Spain, Roosevelt kept hands off. At the urging of the WRB, the President did issue a strong war-crimes warning in March 1944. But he first diluted its emphasis on Jews. His subsequent handling of the UN War Crimes Commission and his treatment of Herbert Pell were hardly to his credit.

Even when interested in rescue action, Roosevelt was unwilling to run a political risk for it, as his response to the free-ports plan showed. The WRB's original rescue strategy depended on America's setting an example to other nations by offering to open several temporary havens. The President, by agreeing to only one American camp, signaled that little was expected of any country. A more extensive free-ports program would probably have strained relations with Congress. It might also have cost votes, and 1944 was an election year.

It appears that Roosevelt's overall response to the Holocaust was deeply affected by political expediency. Most Jews supported him unwaveringly, so an active rescue policy offered little political advantage. A pro-Jewish stance, however, could lose votes. American Jewry's great loyalty to the President thus weakened the leverage it might have exerted on him to save European Jews.³

The main justification for Roosevelt's conduct in the face of the Holocaust is that he was absorbed in waging a global war. He lived in a maelstrom of overpowering events that gripped his attention, to the exclusion of most other matters. Decades later, Dean Alfange doubted that he actually realized what the abandonment of the European Jews meant: "He may not have weighed the implications of it to human values, to history, to a moral climate without which a democracy can't really thrive."⁴

Roosevelt's personal feelings about the Holocaust cannot be determined. He seldom committed his inner thoughts to paper. And he did

not confide in anyone concerning the plight of Europe's Jews except, infrequently, Henry Morgenthau. There are indications that he was concerned about Jewish problems. But he gave little attention to them, did not keep informed about them, and instructed his staff to divert Jewish questions to the State Department.* Years later, Emanuel Celler charged that Roosevelt, instead of providing even "some spark of courageous leadership," had been "silent, indifferent, and insensitive to the plight of the Jews." In the end, the era's most prominent symbol of humanitarianism turned away from one of history's most compelling moral challenges.⁵

The situation was much the same throughout the executive branch. Only the Treasury reacted effectively. Oscar Cox and a few others in the Foreign Economic Administration did what they could. But their impact was minor. Secretary Ickes and a small group in the Interior Department were greatly concerned; however, they were not in a position to do much. The War Shipping Administration assisted the WRB with a few transportation problems. The record of the rest of the Roosevelt administration was barren.⁷

Callousness prevailed in the State Department. Its officers, mostly old stock Protestants, tended strongly toward nativism. Little sympathy was wasted on East Europeans, especially Jews.⁸

Secretary Hull did issue public statements decrying Nazi persecution of Jews. Otherwise he showed minimal interest in the European Jewish tragedy and assigned no priority to it. Ignorant of his department's activities in that area, and even unacquainted with most of the policy-makers, he abandoned refugee and rescue matters to his friend Breckinridge Long. Long and his co-workers specialized in obstruction.⁹

Even after Sumner Welles confirmed the accounts of genocide, State Department officials insisted the data had not been authenticated. They sought to silence Stephen Wise and other Jewish leaders. They tried to weaken the United Nations declaration of December 1942. In early

* Roosevelt's grasp of Jewish issues tended to be superficial. To note but one example, during the Casablanca Conference he spoke for keeping the number of Jewish professionals in North Africa proportional to the Jewish population there. This, he stated, would avoid the "understandable complaints which the Germans bore towards the Jews in Germany, namely, that while they represented a small part of the population, over fifty percent of the lawyers, doctors, school teachers, college professors, etc., in Germany were Jews." (Quotation from the clerk's summary of the discussion.)

In reality, Jews had composed 1 to 2 percent of Germany's population. They had occupied 2.3 percent of professional positions. In the extreme cases, lawyers and medical doctors, Jews made up 16.3 and 10.9 percent respectively. They held 2.6 percent of the professorships and 0.5 percent of the schoolteacher positions.⁶

1943, in order to stifle pressures for action, they cut off the flow of information from Jewish sources in Switzerland.

These people brushed aside the Rumanian offer to free 70,000 Jews. With the British, they arranged the Bermuda fiasco, another move to dampen pressures for action. Rescue plans submitted to the State Department were strangled by intentional delays. Or they were sidetracked to the moribund Intergovernmental Committee on Refugees.

The State Department closed the United States as an asylum by tightening immigration procedures, and it influenced Latin American governments to do the same. When calls for a special rescue agency arose in Congress, Long countered them with deceptive secret testimony before a House committee. After the WRB was formed, the State Department cooperated to a degree, but the obstructive pattern recurred frequently. It is clear that the State Department was not interested in rescuing Jews.

The War Department did next to nothing for rescue. Secretary Stimson's personal opposition to immigration was no help. Far more important, however, was the War Department's secret decision that the military was to take no part in rescue—a policy that knowingly contradicted the executive order establishing the WRB.

On the basis of available evidence, the Office of Strategic Services took minimal interest in the extermination of the Jews. Its information about the Holocaust was frequently out-of-date and did not lead to countermeasures. In April 1944, the OSS obtained the first detailed account to reach the West of the mass murder of Jews at Auschwitz. Prepared eight months earlier by Polish underground sources, the document in many ways foreshadowed the Vrba-Wetzler report. The OSS did nothing with it.¹⁰

When the Vrba-Wetzler account first arrived in Switzerland, in June 1944, part of it was delivered to Allen W. Dulles of the OSS with a plea that he immediately urge Washington to take action. Dulles instead passed the material to the WRB in Bern, noting that it "seems more in your line." Nearly a year later, the OSS received a copy of the Vrba-Wetzler report that had reached Italy. By then, the document had been widely publicized in the West for many months. Yet the OSS treated it as new information!¹¹

In general, the OSS was unwilling to cooperate with the WRB. At first, at OSS initiative, there was some collaboration overseas between the two agencies. Before long, however, top OSS officials issued orders against further assistance to the board, apparently following intervention by the State Department. Once more, the executive order that set up the WRB was contravened.¹²

The Office of War Information, for the most part, also turned away from the Holocaust. It evidently considered Jewish problems too controversial to include in its informational campaigns aimed at the American public. Its director, Elmer Davis, stopped at least two plans for the OWI to circulate the extermination news to the American people. During the last year of the war, the OWI did disseminate war-crimes warnings in Europe for the WRB. But Davis was cool even toward that. And in late 1944, when the board released the Vrba-Wetzler report to the press without prior approval by his agency, Davis protested angrily.¹³

The President's Advisory Committee on Political Refugees (PAC) was a quasi-governmental group of eleven prominent Americans appointed by Roosevelt in 1938 to assist in developing refugee policies. Reflecting the inclinations of James G. McDonald, its chairman, and George L. Warren, its executive secretary, the PAC worked cautiously behind the scenes. Almost without access to Roosevelt, it dealt mainly with the State Department, to which its leadership usually deferred.¹⁴

The PAC was instrumental in persuading the Roosevelt administration to make visas available for 5,000 Jewish children in France whose parents had been sent to Poland in the mass deportations of 1942. The Nazis never permitted them to leave, however. After that, the committee was virtually inoperative, although it did apply tempered pressure for modification of the stringent visa policies and it endorsed the free-ports plan.¹⁵

One reason for the PAC's weakness was its uncertain financing. It was a presidential committee, yet it received no government funds. The American Jewish Joint Distribution Committee furnished most of its tiny budget of about \$15,000 per year. For a time, Zionist organizations paid half the costs, but they stopped contributing in 1941. The American Catholic and Protestant refugee-aid committees each provided a total of \$500 during the PAC's seven years.¹⁶

Important individuals who had access to the President and might have pressed the rescue issue with him did little in that direction. Vice President Wallace kept aloof from the problem. His closest encounter took place on the Capitol steps in October 1943 when he delivered a brief, noncommittal speech to the pilgrimage of Orthodox rabbis.

Eleanor Roosevelt cared deeply about the tragedy of Europe's Jews and took some limited steps to help. But she never urged vigorous government action. She saw almost no prospects for rescue and believed that winning the war as quickly as possible was the only answer.¹⁷

Except for Morgenthau, Jews who were close to the President did very little to encourage rescue action. David Niles, a presidential assistant, briefly intervened in support of free ports. The others attempted

less. Bernard Baruch—influential with Roosevelt, Congress, the war-time bureaucracy, and the public—stayed away from the rescue issue. So did Herbert Lehman, director of UNRRA. Supreme Court Justice Felix Frankfurter had regular access to Roosevelt during the war, and he exercised a quiet but powerful influence in many sectors of the administration. Although he used his contacts to press numerous policies and plans, rescue was not among them.¹⁸

As special counsel to the President, Samuel Rosenman had frequent contact with Roosevelt, who relied heavily on him for advice on Jewish matters. But Rosenman considered the rescue issue politically sensitive, so he consistently tried to insulate Roosevelt from it. For instance, when Morgenthau was getting ready to urge the President to form a rescue agency, Rosenman objected. He did not want FDR involved in refugee matters, although he admitted that no one else could deal effectively with the problem. Rosenman also argued that government aid to European Jews might increase anti-Semitism in the United States.¹⁹

The President, his administration, and his advisers were not the only ones responsible for America's reaction to the Holocaust. Few in Congress, whether liberals or conservatives, showed much interest in saving European Jews. Beyond that, restrictionism, especially opposition to the entry of Jews, was strong on Capitol Hill.²⁰

Congressional attitudes influenced the administration's policies on rescue. One reason the State Department kept the quotas 90 percent unfilled was fear of antagonizing Congress. It was well known to private refugee-aid agencies that some congressional circles were sharply critical of the administration's supposed "generosity" in issuing visas. The State Department was sufficiently worried about this that, when it agreed to the entry of 5,000 Jewish children from France, it forbade all publicity about the plan. As a leader of one private agency pointed out, "Officials are extremely anxious to avoid producing a debate in Congress on the wisdom of bringing large groups of children to the United States." Yet the immigration quotas to which the 5,000 visas would have been charged were undersubscribed by 55,000 that year.²¹

Except for a weak and insignificant resolution condemning Nazi mass murder, Congress took no official action concerning the Holocaust. The only congressional debate to touch at all on the question was little more than an outburst by Senator Scott Lucas against the Committee for a Jewish Army for its public denunciation of the Bermuda Conference.

Late in 1943, the Bergsonite Emergency Committee persuaded a dozen influential members of Congress to endorse a resolution calling for a government rescue agency. The connections and prestige of these

legislators attracted substantial additional backing. Public interest in the issue was also rising. The resulting pressure figured crucially in Roosevelt's decision to establish the War Refugee Board. But even then, the newly formed board, assessing the climate on Capitol Hill, concluded that congressional indifference toward the European Jews ruled out the possibility of appropriations for rescue programs. The WRB turned instead to private sources for funding.

Of the seven Jews in Congress, only Emanuel Celler persistently urged government rescue action. Samuel Dickstein joined the struggle from time to time. Four others seldom raised the issue. Sol Bloom sided with the State Department throughout.

One reason for the government's limited action was the indifference of much of the non-Jewish public. It must be recognized, though, that many Christian Americans were deeply concerned about the murder of European Jewry and realized that it was a momentous tragedy for Christians as well as for Jews. In the words of an official of the Federal Council of Churches, "This is not a Jewish affair. It is a colossal, universal degradation in which all humanity shares." The message appeared in secular circles as well. Hearst, for instance, stressed more than once in his newspapers, "This is not a Christian or a Jewish question. It is a human question and concerns men and women of all creeds."²²

Support for rescue arose in several non-Jewish quarters. And it came from leading public figures such as Wendell Willkie, Alfred E. Smith, Herbert Hoover, Fiorello La Guardia, Harold Ickes, Dean Alfange, and many more. But most non-Jewish Americans were either unaware of the European Jewish catastrophe or did not consider it important.

America's Christian churches were almost inert in the face of the Holocaust and nearly silent too. No major denomination spoke out on the issue. Few of the many Christian publications cried out for aid to the Jews. Few even reported the news of extermination, except infrequently and incidentally.

On the Protestant side, Quakers and Unitarians responded to the moral challenge through their service committees. But both denominations were tiny. An even smaller organization, the Church Peace Union, persistently but vainly pressed the churches to take a stand and urged the government to act. Mercedes Randall of the Women's International League for Peace and Freedom published *The Voice of Thy Brother's Blood*, a booklet calling for action on "one of the most urgent matters of our time." The only comprehensive discussion of the European Jewish disaster issued by an American Christian source during the Holocaust, Randall's essay closed with a clear warning:

If we fail to feel, to speak, to act, it bespeaks a tragedy more fateful than the tragedy of the Jews. . . . We have passed by on the other side. . . . Shall we have to live out our lives with that terrible cry upon our lips, "Am I my brother's keeper?"

(The Women's International League had to turn to Jewish sources for financial help to print 50,000 copies and distribute them to newspaper editors, radio commentators, and other opinion leaders.)²³

The Federal Council of Churches compiled a mediocre record, yet it stood in the forefront of the Protestant effort to help. Besides several public calls for rescue, it sponsored the only nationwide attempt at Christian action, the Day of Compassion of May 1943. But even that event, which most local churches ignored, took place only because Jews urged it on the council and Jewish organizations did much of the necessary work.²⁴

The *Christian Century*, a highly influential Protestant weekly, reacted to the first news of extermination by charging that Stephen Wise's statistics were exaggerated. (His estimates were actually far too low.) Thereafter, it reported on the Jewish catastrophe only occasionally, and only rarely did it speak out for rescue action. Such social-action-oriented periodicals as the *Churchman* and Reinhold Niebuhr's *Christianity and Crisis* published even less on the Jewish tragedy. Yet these three journals carried more news on the issue than most Christian periodicals. The bulk of the Protestant press was silent, or nearly so. And few cries for action arose from the pages of any part of Protestantism's print media.²⁵

Indicative of the feeble Christian response to the Holocaust was the plight of two American committees established to assist Christian refugees, most of whom were of Jewish descent. Neither organization could rely on its vast parent church to fund its tiny program. The Protestant agency, the American Committee for Christian Refugees (ACCR), leaned heavily on the Jewish Joint Distribution Committee for financial support from 1934 through 1940. When those funds dried up, the ACCR survived by severely reducing its already limited services. It regained a semblance of effectiveness only in mid-1943 with an infusion of money from the National War Fund.²⁶

The Catholic Committee for Refugees (CCR) was organized in 1937

* The National War Fund, formed under government supervision in 1943, established a united nationwide campaign for private fund appeals related to the war effort. Among the groups it benefited were government-approved private war-relief agencies. This large-scale, broad-based fund-raising system proved a bonanza to small, foundering agencies.²⁷

by the American Catholic bishops. But the church did not adequately support this very modest operation, either with funds or by lending its prestige to the committee. In its first years, the CCR needed financial help from the Joint Distribution Committee. Even so, it was all but ineffective until mid-1943, when the National War Fund assumed virtually all of its expenses.²⁸

Two important Catholic periodicals, *America* and *Commonweal*, did speak out from time to time on the extermination of the Jews and called for action to help them. But the rest of the Catholic press was almost silent on the issue, as was the American church itself. No Catholic pressures developed for a government rescue effort. The National Catholic Welfare Conference (NCWC), which acted for the American bishops in social and civic matters, was America's leading organization for Catholic social welfare. It might have led a Catholic drive for rescue action. But it made no move in that direction. Instead, as can be seen in the records of its Bureau of Immigration and in the reactions of its general secretary, Msgr. Michael J. Ready, the NCWC was consistently negative toward immigration of Jewish refugees.²⁹

The Bureau of Immigration was responsible for helping Catholic refugees come to the United States. The correspondence of its personnel shows little sympathy for European Jews. It also reveals a distrust of Jews generally and a particular suspicion of American Jewish organizations. They were viewed as too aggressive in assisting Jewish refugees and too little concerned about persecuted Catholics. The Bureau of Immigration was the only refugee-aid organization that encountered no problems with the State Department concerning visa issuance and visa policies.³⁰

Until the end of 1943, Catholic refugees passing through Spain and Portugal, or stranded there, turned to American non-Catholic organizations for aid. Jewish, Unitarian, and Quaker agencies provided support funds and ship passage to needy Catholics, whether of Jewish descent or not. After two years' of requests that they share the burden, American Catholic leaders investigated the situation in late 1943. By then the American bishops, in order to channel National War Fund money into Catholic relief projects, had established a new branch of the National Catholic Welfare Conference, the War Relief Services. When those funds became available, the War Relief Services-NCWC started to send money to Portugal. Soon afterward, it opened its own office in Lisbon to assist Catholic refugees. The NCWC also began to contribute to the Representation in Spain of American Relief Organizations, a Jewish-Protestant venture that for over a year had been caring for Catholics along with other refugees.³¹

At the heart of Christianity is the commitment to help the helpless. Yet, for the most part, America's Christian churches looked away while the European Jews perished. So did another part of the public that might have been expected to cry out for action, American liberals. The *Nation* and the *New Republic* did speak, throughout the war, warning of what was happening and pressing for rescue. From time to time, some prominent individual liberals also urged action. But rescue never became an important objective for New Dealers or other American liberals. Even as thoroughly liberal an institution as the New York newspaper *PM*, though it did call for rescue, did not make it a major issue.¹²

The AFL and the CIO frequently endorsed Jewish organizations' appeals for rescue. In a notable change in labor's traditional restrictionism, both unions began in 1943 to urge at least temporary suspension of immigration laws to open the doors for Jewish refugees. But there was no movement to arouse the rank and file, to build active support for rescue on that broad base.¹³

Most American intellectuals were indifferent to the struggle for rescue. Dorothy Thompson and Reinhold Niebuhr were exceptions, as were those who helped the Bergsonite Emergency Committee. Overall, Jewish intellectuals remained as uninvolved as non-Jews. To note one example among many, Walter Lippmann, a highly influential news columnist who dealt with practically every major topic of the day, wrote nothing about the Holocaust.¹⁴

American Communists contributed virtually nothing to the rescue cause. In the wake of the Bermuda Conference, they publicly agreed with the diplomats: "It would be foolhardy to negotiate with Axis satellites for the release of Hitler's captives." They insisted throughout the war that the only answer for European Jewry was the swiftest possible Allied victory. Nor would they tolerate criticism of the President for his limited rescue steps. "Roosevelt," they argued, "represents the forces most determined on victory"; those concerned about the Jews should "speak helpfully" about him or keep silent. This, of course, coincided with the Communists' view of what was best for Soviet Russia.¹⁵

An organization formed in early 1944 by the American Jewish Conference seemed to open the way for effective action by prominent non-Jews. The National Committee Against Nazi Persecution and Extermination of the Jews, with Supreme Court Justice Frank Murphy as chairman, included such distinguished Americans as Wendell Willkie and Henry Wallace and other political, religious, and business leaders. But this all-Christian committee failed to attract adequate funding and

amounted to little more than a paper organization. Moreover, it did almost nothing to advance its main objective, "to rally the full force of the public conscience in America" against the extermination of the Jews and for vigorous rescue action. Instead, the Murphy committee channeled its meager resources into what it announced as its second priority, combating anti-Semitism in the United States. Murphy and others contributed, in speeches and in print, to the battle against American anti-Semitism. But the rescue issue fell by the wayside.³⁶

One reason ordinary Americans were not more responsive to the plight of the European Jews was that very many (probably a majority) were unaware of Hitler's extermination program until well into 1944 or later. The information was not readily available to the public, because the mass media treated the systematic murder of millions of Jews as though it were minor news.

Most newspapers printed very little about the Holocaust, even though extensive information on it reached their desks from the news services (AP, UP, and others) and from their own correspondents. In New York, the Jewish-owned *Post* reported extermination news and rescue matters fairly adequately. *PM's* coverage was also more complete than that of most American papers. The *Times*, Jewish-owned but anxious not to be seen as Jewish-oriented, was the premier American newspaper of the era. It printed a substantial amount of information on Holocaust-related events but almost always buried it on inner pages.* The *Herald Tribune* published a moderate amount of news concerning the Holocaust but seldom placed it where it would attract attention. Coverage in other New York City newspapers ranged from poor to almost nonexistent.³⁷

The Jewish-owned *Washington Post* printed a few editorials advocating rescue, but only infrequently carried news reports on the European Jewish situation. Yet, in October 1944, it gave front-page space for four days to a series attacking the Bergson group. (Inaccuracies soon forced a retraction.) Nothing else connected with the Holocaust even approached comparable prominence in the *Post*. The other Washington newspapers provided similarly limited information on the mass murder of European Jewry.³⁸

Outside New York and Washington, press coverage was even thin-

* To note one typical example, the *Times* on July 2, 1944, published "authoritative information" that 400,000 Hungarian Jews had been deported to their deaths so far and 350,000 more were to be killed in the next three weeks. This news (which was basically accurate) received four column-inches on page 12. The *Times* found room on the front page that day to analyze the problem of New York holiday crowds on the move.

ner. All major newspapers carried some Holocaust-related news, but it appeared infrequently and almost always in small items located on inside pages.³⁹

American mass-circulation magazines all but ignored the Holocaust. Aside from a few paragraphs touching on the subject, silence prevailed in the major news magazines, *Time*, *Newsweek*, and *Life*. The *Reader's Digest*, *American Mercury*, and *Collier's* released a small flurry of information in February 1943, not long after the extermination news was first revealed. From then until late in the war, little more appeared. Finally, in fall 1944, *Collier's* and *American Mercury* published vivid accounts of the ordeal of Polish Jewry written by Jan Karski, a courier sent to Britain and America by the Polish resistance. Karski described what he himself saw in late 1942 at the Belzec killing center and in the Warsaw ghetto.* Except for these and a few other articles, the major American magazines permitted one of the most momentous events of the modern era to pass without comment.⁴⁰

Radio coverage of Holocaust news was sparse. Those who wrote the newscasts and commentary programs seem hardly to have noticed the slaughter of the Jews. Proponents of rescue managed to put a little information on the air, mainly in Washington and New York. Access to a nationwide audience was very infrequent. The WRB even had difficulty persuading stations to broadcast programs it produced.⁴¹

American filmmakers avoided the subject of the Jewish catastrophe. During the war, Hollywood released numerous feature films on refugees and on Nazi atrocities. None dealt with the Holocaust. Despite extensive Jewish influence in the movie industry, the American Jewish Congress was unable to persuade anyone to produce even a short film on the mass killing of the Jews. The very popular *March of Time* news series did not touch the extermination issue, nor did the official U.S. war films in the *Why We Fight* series.⁴²

There is no clear explanation for the mass media's failure to publicize the Holocaust. Conflicting details and inconsistent numbers in the different reports from Europe may have made editors cautious. But no one could have expected full accuracy in data compiled under the difficulties encountered in underground work.

Another problem was the fabricated atrocity stories of World War I. This time, editors were very skeptical. Yet, well before word of the "final solution" filtered out, numerous confirmed reports of Nazi crimes

61
* In July 1943, Karski saw Roosevelt, told him what he had witnessed at Belzec, and informed him that the Germans unquestionably intended to exterminate all the Jews in Europe and were well on the way to doing so."

against civilian populations had broken down much of that barrier to belief.⁴⁴

The way war news flooded and dominated the mass media may have been a factor. Holocaust events merged into and became lost in the big events of the world conflict. For example, information on the destruction of the Hungarian Jews was overwhelmed by news about preparations for the cross-channel invasion, the invasion itself, and the dramatic reconquest of France that summer.

It is possible that editors took a cue from the *New York Times*. Other newspapers recognized the *Times*'s superior reporting resources abroad and looked to it for guidance in foreign news policy. A perception that the Jewish-owned *Times* did not think the massive killing of Jews was worth emphasizing could have influenced other newspapers. Again, Roosevelt's failure until March 1944 to mention the extermination of the Jews in his press conferences may have led editors to conclude that the issue was not a major one.⁴⁵

The mass media's response to the Holocaust undoubtedly was also affected by the complicated problem of credibility. Publishers and broadcasters feared accusations of sensationalism and exaggeration. They may also have had difficulty themselves in believing the reports. Annihilation of an entire people was a concept that went well beyond previous experience. Moreover, extermination of the Jews made no sense, because it served no practical purpose. The German explanation that Jews were being deported to labor centers seemed more plausible.⁴⁶

The problem of disbelief may be illustrated by a conversation in December 1944 between A. Leon Kubowitzki of the World Jewish Congress and Assistant Secretary of War John McCloy. Kubowitzki recorded the episode:

"We are alone," he [McCloy] said to me. "Tell me the truth. Do you really believe that all those horrible things happened?"

His sources of information, needless to say, were better than mine. But he could not grasp the terrible destruction.⁴⁷

On a broader level, the enigma was reflected in the way that military leaders, government officials, newsmen, and members of Congress re-

* On the other hand, many observers had no real difficulty believing the extermination information. To name only a few of them: the Jewish leadership, editors of the Catholic periodicals *Commonweal* and *America*, the foremost British church leaders, Treasury Department officials, and even State Department policymakers.⁴⁸

acted to what was found when American and British forces liberated German concentration camps in spring 1945. They were stunned. Yet most had been exposed for a long time to information about the camps and the extermination of the Jews—information augmented by two striking disclosures released as recently as August and November 1944.

In August, a month after the Red Army captured the Majdanek killing center, near Lublin, Soviet authorities permitted American reporters to inspect the still-intact murder camp—gas chambers, crematoria, mounds of ashes, and the rest. One American voiced the reaction of all who viewed Majdanek: "I am now prepared to believe any story of German atrocities, no matter how savage, cruel and depraved."⁴⁹

The newsmen sent back detailed accounts, which were widely published in American newspapers and magazines, in many cases on the front pages. A few reports pointed out that Jews were the main victims, but most mentioned them only as part of a list of the different peoples murdered there. And none of the correspondents or their editors connected Majdanek with the extensive information available by then about the systematic extermination of European Jewry. Author Arthur Koestler had tried to explain the phenomenon earlier that year. People, he wrote, can be convinced for a while of the reality of such a crime, but then "their mental self-defense begins to work." In a week, "incredulity has returned like a reflex temporarily weakened by a shock."⁵⁰

The second disclosure, released to the press by the War Refugee Board in November, was the Vrba-Wetzler report of mass murder at Auschwitz. It had reached McClelland in Switzerland in June. He soon telegraphed a condensation to the WRB in Washington, but was unable to forward the complete text until mid-October.⁵¹

The full Auschwitz report—officially issued by a government agency—received prominent notice throughout the country, including Sunday front-page coverage in many newspapers. News accounts were long and graphic; many newspapers followed up with editorials. Radio also spread the information.⁵²

* The delay apparently resulted from the low priority the American legation in Bern gave to WRB matters. The long wait may have been costly. The full report hit with much more force than the telegraphed summary had. It convinced Pehle for the first time that he should put strong pressure on the War Department to bomb the Auschwitz gas chambers. If it had arrived earlier, it might have heightened the urgency of rescue efforts.⁵³

† Shortly before the document was available to the press, the editors of the Army magazine *Yank* asked the WRB for material for an article on atrocities. The board supplied a copy of the Auschwitz report. *Yank's* editors decided not to use it. It was

Despite the reports on Majdanek and Auschwitz (and numerous other accounts of extermination), many well-informed Americans failed to comprehend what was happening. This explains, in part, the wave of amazement that resulted when German concentration camps were opened in April 1945. Military men were appalled and astonished at what they saw. Hardened war correspondents found the horror "too great for the human mind to believe." General Eisenhower called the "barbarous treatment" inflicted on inmates "almost unbelievable."³⁵

To dispel any doubts about the accuracy of reporters' accounts, Eisenhower requested that a dozen congressmen and a delegation of American editors fly to Germany to look at the camps. The legislators emerged from Buchenwald "shocked almost beyond belief." Editors, expecting to find that correspondents had overstated the situation, came away convinced that "exaggeration, in fact, would be difficult."³⁶

Failure to grasp the earlier information about Nazi camps was the key cause for this astonishment. Another reason was that camp conditions, ordinarily deplorable, sank to appalling depths during the last part of the war. As the Third Reich crumbled, administration systems broke down. Transportation of food and supplies failed. And as they retreated, the Germans shifted thousands of inmates from outlying camps to the already overloaded ones in the interior of Germany. Conditions were abysmal: massive starvation, unchecked disease, terrible crowding, thousands of unburied corpses.³⁷

Ironically, these camps (Buchenwald, Belsen, Dachau, and so on) were not among the most destructive. They were not extermination camps. The horrors that took place within their confines were on a different plane from the millions of murders committed at Auschwitz, Majdanek, and the four other killing centers, all situated in Poland.

The American press, which for so long had barely whispered of mass murder and extermination, exploded with news of the German camps. For over a month, stories ran in all the newspapers and news magazines, frequently on the front pages, accompanied by shocking photographs. And newsreels, made by Hollywood studios from Army Signal Corps footage, confronted millions of American moviegoers with stark scenes of the carnage.³⁸

During spring 1945, American newspaper editors blamed the false atrocity stories of World War I for their earlier skepticism about Nazi war crimes. One of the congressmen who saw the camps explained that "it was always a question whether the reports were propaganda and

"too Semitic." They wanted "a less Jewish story," one that would not stir up the "latent anti-Semitism in the Army."³⁹

now they can be confirmed." In fact, after the Nazis obliterated the Czech village of Lidice, in mid-1942, the press had not hesitated to publicize German atrocities against occupied populations. But it had consistently pushed information about Europe's Jews into the inner pages, or omitted it entirely. This minimized a substantial body of evidence that pointed to a hard-to-believe fact—the systematic extermination of a whole people.*⁵⁹

In the last analysis, it is impossible to know how many Americans were aware of the Holocaust during the war years. Starting in late 1942, enough information appeared that careful followers of the daily news, as well as people especially alert to humanitarian issues or to Jewish problems, understood the situation. Probably millions more had at least a vague idea that terrible things were happening to the European Jews. Most likely, though, they were a minority of the American public. Only three opinion polls (all by Gallup) asked Americans whether they believed the reports about German atrocities, and only one of them dealt directly with Jews. The first survey, in January 1943, specifically referred to news reports of the killing of two million Jews. Forty-seven percent thought the reports were true. (Twenty-nine percent did not, and 24 percent gave no opinion.)⁶¹

Late in the war, in mid-November 1944 and again in May 1945, the pollsters asked whether reports that the Germans had murdered "many people in concentration camps" were true. The November poll indicated that 76 percent believed the information was accurate. By early May, following three weeks of steady news about the liberated concentration camps in Germany, the figure had risen to 84 percent. On the face of it, public knowledge of Nazi atrocities had reached a high level by November 1944. But the last two polls furnish no real evidence about awareness of the extermination of the Jews, because Jews were not mentioned in either of them.⁶²

Throughout the war, most of the mass media, whether from disbelief or fear of accusations of sensationalism or for some other reason, played

* To some extent, the pattern continued during spring 1945. News reports about the liberated camps mentioned Jews among the various types of victims, but the fact that they were the main victim did not come across clearly.

The crowning irony occurred in May, when the Soviets released an official report on their investigations at Auschwitz. The long summaries sent from Moscow by American reporters did not mention Jews, although most of those killed at Auschwitz were Jews. One reason was probably Soviet unwillingness to distinguish Jews from other citizens. Also, apparently, the American correspondents were unaware of or disbelieved earlier reports on Auschwitz, including the much publicized one released by the WRB the preceding November.⁶⁰

down the information about the Jewish tragedy. As a result, a large part of the American public remained unaware of the plight of European Jewry. Hesitation about giving full credence to reports of the systematic extermination of an entire people may be understandable. But those who edited the news surely realized, at the very least, that European Jews were being murdered in vast numbers. That was important news. But it was not brought clearly into public view.

Popular concern for Europe's Jews could not develop without widespread knowledge of what was happening to them. But the information gap, though extremely important, was not the only limiting factor. Strong currents of anti-Semitism and nativism in American society also diminished the possibilities for a sympathetic response. A quieter, more prevalent prejudice, a "passive anti-Semitism," was another major barrier to the growth of concern. It was reflected in opinion surveys taken by the Office of War Information. They showed that the impact of atrocity information on the average American was seven times stronger when it involved atrocities in general than when it referred specifically to atrocities against Jews. A Christian clergyman with extensive connections in Protestant circles reached a similar conclusion: "Not only were Christians insensitive and callous [about rescue]; . . . there was an anti-Semitism there, just beneath the surface."⁶¹

The American government did not respond decisively to the extermination of Europe's Jews. Much of the general public was indifferent or uninformed. What about American Jews—how did they meet the challenge? †

* Another obstacle to American concern for the European Jews was the preoccupation of most people with the war and with their personal affairs. Public opinion research disclosed that typical Americans, still acutely aware of the Great Depression, were mainly concerned about their jobs and their job chances after the war. They also worried about their boys and men away from home. And they gave a lot of attention to such questions as how to spend and save and when they could drive their cars for fun again. These personal matters crowded out even headline issues, except for the progress of the war.⁶²

† Most American Jews who maintained connections with Jewish life probably knew about the ongoing extermination. The Yiddish daily press, which reached 30 percent of American Jewish families, reported on it frequently. Many of the periodicals sponsored by the numerous Jewish organizations emphasized the terrible news. Anglo-Jewish weekly newspapers, published in most sizable cities and in all regions of the United States, provided substantial coverage (drawn mainly from Jewish press services). And information must have spread by word of mouth at synagogues and other centers of Jewish activity. Wide Jewish knowledge of the extermination is evidenced by the fact that hundreds of thousands of American Jews attended rallies and mass meetings for rescue held throughout the United States.⁶³

American Jewish leaders recognized that the best hope for rescue lay in a strong effort to induce the U.S. government to act. The obvious approaches were two: appeals to high government officials and a national campaign to publicize the mass killings with a view to directing public pressure on the Roosevelt administration and Congress. Jewish leaders made progress in both directions, but their effectiveness was severely limited by their failure to create a united Jewish movement and by their lack of sustained action.⁶⁶

A unified effort by the main Jewish organizations did take place for two weeks in late 1942, coordinated by the "Temporary Committee." For ten additional weeks, from early March to mid-May 1943, cooperative action resumed under the Joint Emergency Committee on European Jewish Affairs. During those twelve weeks, some advances were won, but that amount of time was too brief to budge the Roosevelt administration. Besides, none of the cooperating organizations gave top priority to the rescue problem. And they refused the Bergsonites' requests to be included in the effort.⁶⁷

The basis for united action existed throughout the war. All Jewish organizations agreed on the need for rescue and the need to abolish the White Paper and open Palestine to European Jews. But the split over the issue of Zionism proved unbridgeable. It was the chief obstacle to formation of a united drive for rescue.⁶⁸

The outcome was that non-Zionist organizations (American Jewish Committee, Jewish Labor Committee, B'nai B'rith, and the ultra-Orthodox groups) went their separate ways and accomplished little in building pressure for rescue. The Zionists, who were the best organized of the Jewish groups, were more effective in pushing for rescue action. But the major part of their resources went into the effort for a postwar state in Palestine.⁶⁹

The Bergsonite Emergency Committee tried to fill the gap in the rescue campaign. Its work was vital in finally bringing the War Refugee Board into existence. But the Bergsonites were too weak to generate enough pressure after the formation of the board to force the Roosevelt administration to give it the support that it should have had. The situation was not helped when they divided their limited energies by launching their own statehood movement through the Hebrew Committee for National Liberation and its partner, the American League for a Free Palestine.⁷⁰

The fact that the tiny Bergsonite faction accomplished what it did toward the establishment of the WRB is compelling evidence that a major, sustained, and united Jewish effort could have obtained the rescue board earlier and insisted on its receiving greater support than

it did. Such an effort could have drawn on substantial strengths. The Zionist groups had mass followings, organizational skills, some financial capability, a few prestigious leaders, and valuable contacts high in government. The American Jewish Committee combined wealth and important influence in high places. The Jewish Labor Committee was backed by a sizable constituency and could count on help from the American Federation of Labor. B'nai B'rith held the allegiance of a broad cross section of American Jews. Agudath Israel represented a very active element of Orthodoxy. And the Bergson group offered energy, publicity skills, fund-raising proficiency, and the capacity to win friends in Congress and elsewhere in Washington.

Along with the lack of unity, American Jewry's efforts for rescue were handicapped by a crisis in leadership. The dominant figure, Stephen Wise, was aging, increasingly beset by medical problems, and burdened with far too many responsibilities. Abba Hillel Silver's rise to the top was slowed by his rivalry with Wise and by his own tendency to create enemies. He was, nonetheless, a forceful leader; but his single-minded commitment to postwar Jewish statehood meant that he did not participate in the campaign for government rescue action. No other leaders approached the stature of these two.⁷¹

The scarcity of fresh, innovative leadership aroused concern at the time. In 1944, the editor of the Brooklyn *Jewish Examiner* asserted that "not a new personality with the possible exception of Henry Monsky has come to the fore in the past decade." As evidence he listed the leading Jewish spokesmen of 1933 and pointed out that, except for two who had died, "the names today are the same; there are no new ones." A tendency among second- and third-generation American Jews to minimize their Jewishness may have hindered the emergence of strong new leadership during the 1930s and 1940s.⁷²

An additional problem was the inability of American Jewish leaders to break out of a business-as-usual pattern. Too few schedules were rearranged. Vacations were seldom sacrificed. Too few projects of lesser significance were put aside. An important American Zionist remarked years later that the terrible crisis failed to arouse the "unquenchable sense of urgency" that was needed. Even from afar, this inability to adapt was painfully clear. In late 1942, Jewish leaders in Warsaw entrusted a message to Jan Karski, the Polish underground agent who was about to leave for Britain and the United States. It called on Jews in the free nations to turn to unprecedented measures to persuade their governments to act. But the Polish Jews had no illusions. Before Karski departed, one of them warned him:

Jewish leaders abroad won't be interested. At 11 in the morning you will begin telling them about the anguish of the Jews in Poland, but at 1 o'clock they will ask you to halt the narrative so they can have lunch. That is a difference which cannot be bridged. They will go on lunching at the regular hour at their favorite restaurant. So they cannot understand what is happening in Poland.*"

Despite the obstacles and failures, American Jews were responsible for some important achievements. Finding the mass media largely indifferent, they devised ways to spread the extermination news and create limited but crucial support among non-Jews. This, combined with pressures from the American Jewish community, helped bring the War Refugee Board into existence.

American Jewish organizations also carried out valuable rescue and relief work overseas. During World War II, the American Jewish Joint Distribution Committee provided more aid to European Jews than all the world's governments combined. In doing so, it paid for nearly 85 percent of the work of the War Refugee Board. The Hebrew Sheltering and Immigrant Aid Society dealt effectively with migration and ocean transportation problems. The World Jewish Congress, though chronically short of funds, undertook important rescue projects in collaboration with overseas Zionist organizations and anti-Nazi underground movements. Vaad Hahatzala, grounded in the requirements of Jewish law for the preservation of human life, turned to all available rescue tactics, however unconventional. Other American Jewish organizations contributed, though on a smaller scale.⁷⁴

In the end, American Jewish groups and their overseas affiliates were central to most of the WRB's direct-action projects. This fact, while reflecting great credit on American Jewry, must cast a shadow over the rest of the nation. Voluntary contributions from American Jews—in the millions of dollars—funded these organizations and thus most of the limited help that America extended to Europe's Jews.

* To some extent, the anti-Semitism of the time was another factor limiting American Jewish action for rescue. It undoubtedly put Jews on the defensive and kept some from speaking out. It should not be overemphasized, however. Many thousands of Jews were publicly vocal on a variety of controversial issues.

What Might Have Been Done

What could the American government have achieved if it had really committed itself to rescue? The possibilities were narrowed by the Nazis' determination to wipe out the Jews. War conditions themselves also made rescue difficult. And by mid-1942, when clear news of the systematic murder reached the West, two million Jews had already been massacred and the killing was going forward at a rapid rate. Most likely, it would not have been possible to rescue millions. But without impeding the war effort, additional tens of thousands—probably hundreds of thousands—could have been saved. What follows is a selection of twelve programs that could have been tried. All of them, and others, were proposed during the Holocaust.⁷⁵

(1) Most important, the War Refugee Board should have been established in 1942. And it should have received adequate government funding and much broader powers.

(2) The U.S. government, working through neutral governments or the Vatican, could have pressed Germany to release the Jews. If nothing else, this would have demonstrated to the Nazis—and to the world—that America was committed to saving the European Jews. It is worth recalling that until late summer 1944, when the Germans blocked the Horthy offer, it was far from clear to the Allies that Germany would not let the Jews out. On the contrary, until then the State Department and the British Foreign Office feared that Hitler might confront the Allies with an exodus of Jews, a possibility that they assiduously sought to avoid.⁷⁶

In a related area, ransom overtures might have been much more thoroughly investigated. The use of blocked funds for this purpose would not have compromised the war effort. Nor, by early 1944, would payments of limited amounts of currency have hurt the progress of the war. In particular, the Sternbuch-Musy negotiations could have received fuller American backing.⁷⁷

(3) The United States could have applied constant pressure on Axis satellites to release their Jews. By spring 1943, the State Department knew that some satellites, convinced that the war was lost, were seeking favorable peace terms. Stern threats of punishment for mistreating Jews or allowing their deportation, coupled with indications that permitting them to leave for safety would earn Allied goodwill, could have opened the way to the rescue of large numbers from Rumania, Bulgaria, Hungary, and perhaps Slovakia. Before the Germans took control of Italy,

in September 1943, similar pressures might have persuaded the Italian government to allow its Jews to flee, as well as those in Italian-occupied areas of Greece, Yugoslavia, and France.⁷⁸

(4) Success in setting off an exodus of Jews would have posed the problem of where they could go. Strong pressure needed to be applied to neutral countries near the Axis (Spain, Portugal, Turkey, Switzerland, and Sweden) to take Jews in. To bypass time-consuming immigration procedures, these nations could have been urged to set up reception camps near the borders. In return, the Allies should have offered to fund the operations, supply food, and guarantee removal of the refugees. At the same time, havens of refuge outside Europe were essential to accommodate a steady movement of Jews out of the neutral countries. Thus the routes would have remained open and a continuing flow of fugitives could have left Axis territory.

(5) Locating enough outside havens, places beyond continental Europe where refugees could safely await postwar resettlement, would have presented difficulties. The problems encountered in finding havens for the limited numbers of Jews who did get out during the war pointed up the callousness of the Western world. But an American government deeply concerned about the Jews and willing to share the burden could have used its prestige and power to open doors. If a camp existence was all that was offered, that was still far preferable to deportation and death.

Ample room for camps was available in North Africa. In the United States, the immigration quotas were almost untouched; in addition, a government committed to rescue would have provided several camps besides Fort Ontario. A generous response by the United States would have put strong pressure on the Latin American nations, Canada, the British dominions, and Palestine. Instead, other countries used American stinginess as an excuse for not accepting Jews. For instance, in Jerusalem on his 1942 trip around the world, Wendell Willkie confronted the British leadership with the need to admit large numbers of Jews into Palestine. The British high commissioner replied that since the United States was not taking Jews in even up to the quota limits, Americans were hardly in a position to criticize.⁷⁹

(6) Shipping was needed to transfer Jews from neutral countries to outside havens. Abundant evidence (summarized later in this chapter) proves that it could have been provided without interfering with the war effort.

The preceding steps, vigorously pursued, might have saved scores or even hundreds of thousands. Instead, important opportunities were lost by default. Early in 1943, the United States turned its back on the



Rumanian proposal to release 70,000 Jews. It was a pivotal failure; seizure of that chance might have led to other overtures by Axis satellites.⁸⁰

At the same time, Switzerland was willing to accept thousands of children from France if it had assurance of their postwar removal. After refusing for more than a year, the State Department furnished the guarantee. But by then the main opportunity had passed. During the summer of 1943, the way opened for evacuating 500 children from the Balkans. But a boat had to be obtained within a month. The State Department responded with bureaucratic delays. Allied actions, instead of encouraging neutral countries to welcome fleeing Jews, influenced them to do the opposite. For instance, it took more than a year to move a few hundred refugees out of Spain to the long-promised camp in North Africa. With a determined American effort, these failures, and others, could have been successes.⁸¹

(7) A campaign to stimulate and assist escapes would have led to a sizable outflow of Jews. Once the neutral nations had agreed to open their borders, that information could have been publicized throughout Europe by radio, airdropped leaflets, and underground communications channels. Local currencies could have been purchased in occupied countries, often with blocked foreign accounts. These funds could have financed escape systems, false documentation, and bribery of lower-level officials. Underground movements were willing to cooperate. (The WRB, in fact, carried out such operations on a small scale.) Even without help, and despite closed borders, tens of thousands of Jews attempted to escape to Switzerland, Spain, Palestine, and other places. Thousands succeeded. With assistance, and assurance of acceptance into neutral nations, those thousands could have been scores of thousands.

(8) Much larger sums of money should have been transferred to Europe. After the WRB was formed, the earlier, tiny trickle of funds from the United States was increased. But the amounts were still inadequate. Besides facilitating escapes, money would have helped in hiding Jews, supplying food and other essentials, strengthening Jewish undergrounds, and gaining the assistance of non-Jewish forces.⁸²

(9) Much more effort should have gone into finding ways to send in food and medical supplies. The American government should have approached the problem far sooner than it did. And it should have put heavy pressure on the International Red Cross and British blockade authorities on this issue.

(10) Drawing on its great prestige and influence, the United States could have applied much more pressure than it did on neutral govern-

ments, the Vatican, and the International Red Cross to induce them to take earlier and more vigorous action. By expanding their diplomatic missions in Axis countries, they would have increased the numbers of outside observers on the scene and perhaps inhibited actions against Jews. More important, the measures taken by Raoul Wallenberg in Budapest should have been implemented by all neutral diplomatic missions and repeated in city after city throughout Axis Europe. And they should have begun long before the summer of 1944.⁶¹

The United States could also have pressed its two great allies to help. The Soviet Union turned away all requests for cooperation, including those from the WRB. An American government that was serious about rescue might have extracted some assistance from the Russians.⁶²

Britain, though more responsive, still compiled an abysmal record. Until 1944, Roosevelt and the State Department let the British lead in setting policy regarding European Jews. Even when the United States finally took the initiative, Roosevelt did not press for British cooperation. British officials resented the WRB, dismissed it as an election-year tactic, and tried to obstruct its work. The situation did not have to develop that way. An American president strongly committed to rescue could have insisted on a more helpful British response.⁶³

(11) Some military assistance was possible. The Air Force could have eliminated the Auschwitz killing installations. Some bombing of deportation railroads was feasible. The military could have aided in other ways without impeding the war effort. It was, in fact, legally required to do so by the executive order that established the WRB.⁶⁴

(12) Much more publicity about the extermination of the Jews should have been disseminated through Europe. Allied radio could have beamed the information for weeks at a time, on all possible wavelengths, as the Germans did regarding the alleged Russian massacre of Polish officers at the Katyn forest. This might have influenced three groups: the Christian populations, the Nazis, and the Jews. Western leaders and, especially, the Pope could have appealed to Christians not to cooperate in any way with the anti-Jewish programs, and to hide and to aid Jews whenever possible.⁶⁵

Roosevelt, Churchill, and the Pope might have made clear to the Nazis their full awareness of the mass-murder program and their severe condemnation of it. If, in addition, Roosevelt and Churchill had threatened punishment for these crimes and offered asylum to the Jews, the Nazis at least would have ceased to believe that the West did not care what they were doing to the Jews. That might possibly have slowed the killing. And it might have hastened the decision of the SS, ultimately taken in late 1944, to end the extermination. Even if top Nazis had

brushed the threats aside, their subordinates might have been given pause.⁸⁸

The European Jews themselves should have been repeatedly warned of what was happening and told what the deportation trains really meant. (With good reason, the Nazis employed numerous precautions and ruses to keep this information from their victims.) Decades later, Rudolf Vrba, one of the escapees who exposed Auschwitz to the outside world, remained angry that the Jews had not been alerted. "Would anybody get me alive to Auschwitz if I had this information?" he demanded. "Would thousands and thousands of able-bodied Jewish men send their children, wives, mothers to Auschwitz from all over Europe, if they knew?" Roosevelt, Churchill, other Western leaders, and major Jewish spokesmen should have warned Jews over and over against the steps that led to deportation and urged them to try to hide or flee or resist. To help implement these actions, the Allies could have smuggled in cadres of specially trained Jewish agents.⁸⁹

None of these proposals guaranteed results. But all deserved serious consideration, and those that offered any chance of success should have been tried. There was a moral imperative to attempt everything possible that would not hurt the war effort. If that had been done, even if few or no lives had been saved, the moral obligation would have been fulfilled. But the outcome would not have been anything like that barren. The War Refugee Board, a very tardy, inadequately supported, partial commitment, saved several tens of thousands. A timely American rescue effort that had the wholehearted support of the government would have achieved much more.

A commitment of that caliber did not materialize. Instead, the Roosevelt administration turned aside most rescue proposals. In the process, government officials developed four main rationalizations for inaction. The most frequent excuse, the unavailability of shipping, was a fraud. When the Allies wanted to find ships for nonmilitary projects, they located them. In 1943, American naval vessels carried 1,400 non-Jewish Polish refugees from India to the American West Coast. The State and War departments arranged to move 2,000 Spanish Loyalist refugees to Mexico using military shipping. In March 1944, blaming the shipping shortage, the British backed out of an agreement to transport 630 Jewish refugees from Spain to the Fedala camp, near Casablanca. Yet at the same time, they were providing troopships to move non-Jewish refugees by the thousands from Yugoslavia to southern Italy and on to camps in Egypt.⁹⁰

When it was a matter of transporting Jews, ships could almost never be found. This was not because shipping was unavailable but because

the Allies were unwilling to take the Jews in. In November 1943, Breckinridge Long told the House Foreign Affairs Committee that lack of transportation was the reason the State Department was issuing so few visas. "In December 1941," he explained, "most neutral shipping disappeared from the seas. . . . There just is not any transportation." In reality, ample shipping existed. Neutral vessels crossed the Atlantic throughout the war. Three Portuguese liners, with a combined capacity of 2,000 passengers, sailed regularly between Lisbon and U.S. ports. Each ship made the trip about every six weeks. Most of the time, because of the tight American visa policy, they carried only small fractions of their potential loads. Two dozen other Portuguese and Spanish passenger ships crossed the Atlantic less frequently but were available for fuller service. In addition, several score neutral cargo vessels could have been obtained and refitted to transport refugees.⁹¹

American troopships and lend-lease and other cargo vessels could also have carried thousands of refugees across the Atlantic, clearing neutral European countries of fugitives and opening the way for a continuing exodus from Axis territory. War and State department correspondence shows that returning military transports could have performed this mission without hampering the war effort. In fact, U.S. Army authorities in North Africa offered in 1943 to take refugees to the United States on returning military ships. But the State and War departments blocked the plan.⁹²

In spring 1944, Roosevelt himself informed Pehle that the Navy could bring refugees to the United States on returning troopships. The War Shipping Administration believed that Liberty ships could also have transported refugees effectively. While the State Department was claiming that transportation for refugees was unavailable, Liberty ships were having difficulty finding ballast for the return trips from North Africa.⁹³

The United States and Britain leased Swedish ships to carry food from the Western Hemisphere to Greece. Sweden readily furnished replacements and additions to this fleet. Despite repeated pleas, however, the two great Allies never managed to provide a single boat to ferry Jews from the Balkans to Turkey or to shuttle Jews across the Mediterranean to safety. Yet the War Department admitted to the War Refugee Board in spring 1944 that it had "ample shipping" available for evacuating refugees; the problem, it agreed, was to find places where they could go.⁹⁴

Another stock excuse for inaction was the claim that Axis governments planted agents among the refugees. Although this possibility needed to be watched carefully, the problem was vastly overemphasized and could have been handled through reasonable security screening. It

was significant that Army intelligence found not one suspicious person when it checked the 982 refugees who arrived at Fort Ontario. Nevertheless, potential subversion was continually used as a reason for keeping immigration to the United States very tightly restricted. Turkey, Latin American nations, Britain, and other countries used the same exaggerated argument. It played an important part in blocking the channels of rescue.⁹⁵

A third rationalization for failing to aid European Jews took the high ground of nondiscrimination. It asserted that helping Jews would improperly single out one group for assistance when many peoples were suffering under Nazi brutality. Equating the genocide of the Jews with the oppression imposed on other Europeans was, in the words of one of the world's foremost churchmen, Willem Visser 't Hooft, "a dangerous half-truth which could only serve to distract attention from the fact that no other race was faced with the situation of having every one of its members . . . threatened by death in the gas chambers."⁹⁶

The Roosevelt administration, the British government, and the Intergovernmental Committee on Refugees regularly refused to acknowledge that the Jews faced a special situation. One reason for this was to avoid responsibility for taking special steps to save them. Such steps, if successful, would have confronted the Allies with the difficult problem of finding places to put the rescued Jews.⁹⁷

Another reason was the fear that special action for the Jews would stir up anti-Semitism. Some asserted that such action would even invite charges that the war was being fought for the Jews. Emanuel Celler declared years later that Roosevelt did nearly nothing for rescue because he was afraid of the label "Jew Deal"; he feared the political effects of the accusation that he was pro-Jewish. The Jews, according to artist Arthur Szyk, were a skeleton in the democracies' political closet, a matter they would rather not mention. "They treat us as a pornographical subject," he wrote, "you cannot discuss it in polite society."⁹⁸

The fourth well-worn excuse for rejecting rescue proposals was the claim that they would detract from the military effort and thus prolong the war. This argument, entirely valid with regard to projects that actually would have hurt the war effort, was used almost automatically to justify inaction. Virtually none of the rescue proposals involved enough infringement on the war effort to lengthen the conflict at all or to increase the number of casualties, military or civilian.¹⁰⁰

Actually, the war effort was bent from time to time to meet pressing

* The White House even avoided mentioning Jews in a brief presidential message commemorating the first anniversary of the Warsaw ghetto uprising.⁹⁹

humanitarian needs. In most of these instances, it was non-Jews who were helped. During 1942, 1943, and 1944, the Allies evacuated large numbers of non-Jewish Yugoslavs, Poles, and Greeks to safety in the Middle East, Africa, and elsewhere. Difficulties that constantly ruled out the rescue of Jews dissolved. Transportation somehow materialized to move 100,000 people to dozens of refugee camps that sprang into existence. The British furnished transport, supplies, much of the camp staffing, and many of the campsites. The United States contributed lend-lease materials and covered the bulk of the funding through UNRRA. Most of these refugees had been in desperate straits. None, though, were the objects of systematic annihilation.¹⁰¹

Between November 1943 and September 1944, 36,000 Yugoslavs escaped to southern Italy. Most crossed the Adriatic by boat, thousands on British naval craft. Some even came out in American troop planes. The aircraft, sent mainly to evacuate wounded partisans, in many cases returned with civilians, including hundreds of orphaned babies. Using troopships, the British moved most of the Yugoslavs from Italy to camps in Egypt.¹⁰²

About 120,000 Poles, mostly men of military age and their dependents, came out of Russia during 1942 and passed into British-controlled camps in Iran. They were part of the remnant of a million and a half Poles the Soviets had deported to Siberia after the seizure of eastern Poland in September 1939. The Soviets released these thousands to join the British armed forces. Two-thirds of them did; the other 40,000 became refugees. Iran did not want them, supplying them was difficult, and conditions at the camps were bad. Most were moved out, mainly on British troopships, between August 1942 and August 1943. Ultimately, about 35,000 went to camps in Africa, India, Mexico, and the Middle East. The greatest numbers were placed in British colonies in East Africa, where camps were made available by shifting thousands of prisoners of war to the United States.*¹⁰³

Despite the demands of war, the United States, with British support, extended significant help to the Greek people. Food for Greece moved freely through the blockade, and ships to carry it were located without trouble. American lend-lease funds paid for the project.¹⁰³

The Allies also helped thousands of Greeks to flee Nazi control and

S * In all, nearly 425,000 prisoners of war were brought to the United States during World War II. Except for rare instances such as the above-cited transfer from East Africa, America's acceptance of POWs must be regarded as part of the war effort. Thus it is not directly relevant to the question of what could or should have been done in regard to taking in refugees.¹⁰⁴

provided sanctuary for them in the Middle East and Africa. By 1944, 25,000 Greeks had been evacuated. The largest numbers, reported at between 9,000 and 12,000, were taken to Palestine—most to a former army installation at Nuseirat, near Gaza. Palestine also sheltered 1,800 of the non-Jewish Polish refugees. While the British, intent on keeping the small White Paper quota from being filled, turned back endangered Jews, they generously welcomed these other victims of the storm.*¹⁰⁶

In all, Britain and the United States rescued 100,000 Yugoslav, Polish, and Greek refugees from disastrous conditions. Most of them traveled by military transport to camps where the Allies maintained them at considerable cost in funds, supplies, and even military staff. In contrast, the United States (with minimal cooperation from the British) evacuated fewer than 2,000 Jews to the three camps open to *them*, the ones at Fedala, Philippeville, and Oswego.¹⁰⁸

Illustrative of the different responses to Jews and non-Jews was the double standard applied regarding British East Africa. In 1942, distressed about the *Struma* disaster, Eleanor Roosevelt suggested to Sumner Welles that Jewish refugees turned away from Palestine be taken into British colonies in East Africa. Welles answered, as American and British authorities habitually did, that no facilities existed for refugees in that area and no ships were available to transport them there. The question came up a year later, at the Bermuda Conference. That time the diplomats concluded that Jewish refugees could not go to British East Africa because 21,000 non-Jewish Polish refugees were already on their way there.¹⁰⁹

It was not a lack of workable plans that stood in the way of saving many thousands more European Jews. Nor was it insufficient shipping, the threat of infiltration by subversive agents, or the possibility that rescue projects would hamper the war effort. The real obstacle was the absence of a strong desire to rescue Jews. A month before the Bermuda Conference, the Committee for a Jewish Army declared:

We, on our part, refuse to resign ourselves to the idea that our brains are powerless to find any solution. . . . In order to visualize the possibility of such a solution, imagine that the British people and the American nation had millions of residents in Europe. . . . Let us imagine that Hitler would start a process of annihilation and would slaughter not two million Englishmen or Americans, not hundreds of thousands, but, let us say, only tens of thousands. . . . It is clear that the governments of Great Britain [and] the

* During 1942 and 1943, approximately as many non-Jewish Greeks and Poles were accepted into Palestine as were Jewish refugees.¹⁰⁷

United States would certainly find ways and means to act instantly and to act effectively.¹¹⁰

But the European Jews were not Americans and they were not English. It was their particular misfortune not only to be foreigners but also to be Jews.





Easter at Bermuda

The most intriguing document left by the Bermuda Conference was the transcript of a frank discussion held on Easter Sunday, April 25, by the full American delegation. No British were present. By then the conference had made its decisions; but not until then did the American chairman, Harold Dodds, call in all the American technical experts for a thorough airing of the issues. Finally, George Backer, who was well informed about the extermination and refugee situations, was asked for his views. "We have never seen your comments," said Dodds, "and I would like to have you take the floor and begin from the beginning." For the rest of the morning and through a special evening session, the American delegates for the first time saw beyond the confines of State Department and Foreign Office thinking.¹

As Backer spoke, a genuine dialogue emerged. Dodds, and to a lesser extent Lucas and Bloom, began to perceive the problem in terms of people rather than bureaucratic processes. For a time, they seemed to

Will The Jews Be Abandoned Again?

Reprinted Courtesy Atlanta Jewish Times

By MELVIN KONNER

Pogrom.

Between the fires of the Inquisition and the ovens of the Holocaust, this was the most feared word in the Jewish vocabulary.

Although I am a naive American, it still sends shivers down my spine. It's a Russian word; grom means thunder, and the verb means to strike like a thunderbolt, to destroy without pity.

The term was apt, since in practice it meant an officially sanctioned or tolerated riot against Jews by the surrounding non-Jewish majority. The result was wholesale slaughter of Jews - pretty much what Haman planned in Shushan.

Only the overwhelming, numbing figures and facts of the Holocaust - dwarfing any other form of Jewish or human suffering - have inured us to the terrifying meaning of "pogrom."

The word came into use in English newspapers in

1905 and 1906, during the great pogroms that accompanied the rumblings of revolutionary turmoil.

The first was in Kishinev in 1903, but this wave of burning and killing was preceded by another in the early 1880s - the one that made my own grandparents flee Russia - and followed by others.

Notably, the Bolshevik revolution of 1917 and the ensuing civil war produced what the Red Cross calculated as 1,326 pogroms, resulting in 70,000 murdered Jews.

But of course this phenomenon only extended a long tradition of systematic riots against Jews in Europe. Crusaders waged pogroms hundreds of years earlier.

Bogdan Chmielnicki, the dreaded Cossack leader in the Ukrainian uprising of 1648, slaughtered thousands, possibly tens of thousands of Jews with a sadism

matched by few nazis.

During that turmoil, as one historian put it, "Jews were slaughtered by almost everyone." This has typified every wave of pogroms. General conflict provides the background. Deep hatreds generate widespread violence, ideological, religious, or ethnic; but every warring group finds a way to blame the Jews.

In 1882 they were blamed for the assassination of the Czar as well as the oppression of the peasants; in 1905 for rebellion and for the war

year seminar funded by the Wexner Heritage Foundation, designed to prepare us for future community leadership.

Most of our group is convinced that this is a moment for decisive action. We became convinced in Houston last month, when we attended a national conference of Wexner seminars from five cities.

David Harris of the American Jewish Committee, who has been involved with the plight of Soviet Jews for many years, declared in a speech that this is a crucial juncture in the multi-thousand year history of our people.

Rabbi Herbert Friedman, a former UJA executive chairman, compared our task to the one his generation faced in 1940. He personally rose to the challenge by fighting throughout World War II and then going to fight in the Israeli War of Independence, but he noted the political and diplomatic foot-dragging and failures of that terrible era.

He insisted that the very least we can do is transfer some of our vast wealth to underwrite the Soviet Aliya; that we must consider giving ten times the level of donations we have given in the past, in addition to our usual gifts.

He urged us to consider how we will answer our grandchildren when they ask us what we did in 1990 - just as we asked our parents

and grandparents what they did in 1940.

All the seminar participants were galvanized. Why this urgency?

The New York Times Magazine reported extensively in January on the activities of Pamyat, the Russian nationalist movement now rising in the atmosphere of glasnost.

Pamyat anti-Semites are direct historical heirs of the perpetrators of the old-fashioned Russian pogroms, and in typical style they are blaming Jews for everything from the killing of Christ to - yes - the crimes of Stalin.

Those who know are very worried. Nathan Sharansky says that Soviet anti-Semitism is just beginning. Mikhail Chlenov, a Soviet Jewish journalist, says that the Soviet Jews moving to Israel now at the rate of 1,000 a week - the largest aliya in the history of the state - are motivated by panic and hysteria, and that Soviet anti-Semitism is a boiling pot that may explode at any time.

This is a process of enormous magnitude, and is enormously expensive. Motta Gur said it would cost three billion dollars to transfer 100,000 Soviet Jews to Israel in decent conditions - an average of \$30,000 a person. That is the price on the head of each Soviet Jew.

But the number that want to leave may be 10 or 20

times that 100,000 figure.

Time may be running out. A thousand a week is tremendous, but it only transfers 50,000 a year. Will we have two years to move 100,000? Twenty to move a million? Or will we live to see the Soviet Jews decimated by new pogroms before they have had a chance to be rescued?

One of our group, Toby Director Goldman, has written four additional questions to be asked at our Seders this year. One of these questions is: If you could have saved one family from the nazis, just by giving money, how much would you have been willing to give?

This is the great question of pidyon sh'vuyim, and it applies right now to Soviet Jews. I find myself asking it when I pick up my children at Hebrew school, when I jog around my nice neighborhood trying to stay in shape, when I write the checks to pay for any number of items that I know in my heart I don't really need.

And more and more I am thinking about how I will answer my grandchildren when they ask me what I did in 1990.

(Editor's Note: Dr. Melvin Konner teaches at Emory University. He writes frequently for the Los Angeles Times, The New York Times, and other national publications.)

"If you could have saved one family from the nazis, just by giving money

..."

against Japan; in 1920 for revolution and counter-revolution both.

Could all this happen again?

Yes. This is the inescapable conclusion from a reading of present-day Soviet turmoil against the background of a study of Jewish history, which is what I and some other young Jewish Atlantans were engaged in.

We are members of a two-

WEXNER ALUMNI RETREAT

Evergreen Conference Center - Atlanta

April 26-28, 1991

CRISIS AND LEADERSHIP

A crisis is usually thought of as one cataclysmic event - an earthquake, a bank failure, a presidential assassination - and leadership usually knows how to respond.

A much more deadly crisis is a historical trend - harder to perceive and analyze, not always recognized until serious damage is done, often impossible to repair, therefore irreversible.

The two most powerful Jewries in the world seem to be entering historical crises at the end of the 20th century - and the respective leaderships have not shown signs of meeting them adequately.

In America, the great wave of migration which started a little more than 100 years ago, bringing millions of Jews here, who were hovering at that time between a traditional form of life in the ghetto and shtetl, and the temptations

of a more emancipated form of life in the new world - that migration has brought you, the third generation, 100 years later, into a full-blown assimilation which some Cassandras predict will seriously threaten the very continuity of the Jewish population on this continent.

In Israel, we seem also to be entering a historical crisis, for after its 100 years, i.e. a half century of pioneering settlement, plus almost another half century of sovereign statehood, the nation has indeed created many miracles, but the present mood is one of confusion as to goals and systems in Israeli society, which has produced a government that is in disarray, and a people adrift, uncertain of itself, split into many movements offering different nostrums.

The Israeli crisis is one of failing to express Jewish values in the new condition of sovereignty and physical power. Peace, democracy, equal rights for all citizens, in other words, the creation of the model moral society - still elude the grasp of the government and citizens. The state has created an instrument of power which has successfully defended it against ferocious and continuous onslaughts, thank G-d for that - but a wonderful army is only a means, not an end in itself. The end is a particularistic Hebrew society envisioned by the Biblical prophets in which the needy are nourished, the rich are idealistic, the nation is dedicated to morality, thus serving as an example leading to a universal repair of the entire world -Tikkun Olam.

There is some impatience, even annoyance, on the part of diaspora Jewry that Israel, already 43 years old, has not yet achieved the desired moral goal. We want her to move faster toward that state of grace in which the brilliant theories will become practical realities. We want a steady stream of achievements and victories, for this is our image of her glorious potentiality - and we are alienated as we analyze her poor governmental performance or inflexibility when dealing with the pressing subjects of Arabs, Palestinians and peace. We forget that she wins the wars and absorbs the millions of immigrants. We should be appreciative of her progress, while at the same time reminding her that she should not remain rooted in a 19th century combination of shtetl politics plus fear of the outside world. She will never serve as a model for the world if she constantly operates under the paranoia that the whole world is against her because she is a Jewish state. How can she inspire what she considers to be an enemy?

Having said all this - we must leave it largely to her citizens to impress upon their leaders that this crisis, involving purpose, modalities, and destiny, demands solutions, and if the leadership comes up short, then changes must be sought in every sphere which influences society - namely, the government, the religious establishment, the universities, and many others.

The American Diaspora crisis is totally something else - having nothing to do with instruments of power, for we have none, but dealing rather with the voluntary self-determination of a large affluent community to remain linked to a future continuity as Jews. We have two choices - to maintain our strong sense of identity and peoplehood by all possible means, or to allow ourselves to drift off into the large sea of American permissiveness in which all barriers are down and we can disappear without trauma or difficulty. Our crisis is Shakespearean - to be or not to be - and the solution depends on our leaders and ourselves - no one else.

The Jewish mass in America is undoubtedly moving into a crisis phase - there are many signs of it - many people who feel it. Arthur Hertzberg's latest book ends on a pessimistic and distressed note regarding the future of the American Jew. His last paragraphs state: "In fact, the mass of American Jews are only 50 years out of the ghetto ... and it is already possible in this new age of America to evaporate out of being Jewish without making a decision to be anything else ... They remain proud to be Jews but they are less and less likely to live their lives within the ethnic community...Jews who cared about being Jewish knew, if only in their bones, that they had to turn to religion, and most did not know how to begin ... Most Jews could not accept the fundamentalism of the Lubavitcher rebbe, the most striking leader of the Orthodox revival. If a spiritual revival does not happen, American Jewish history will soon end and become a part of American memory as a whole."

Nothing drastic will happen in the U.S. The American democratic tradition will not self-destruct and turn this country into some monstrous military dictatorship which will swallow up its Jews. Rather the permissiveness, which enables anyone who strives hard enough to reach any heights, envelops the Jews in an embrace so seductive as to cause a loss of specifically Jewish identity. We have as much to fear from death by a kiss of equality as death by some murderous genocide. It is so easy in America to forget one's Judaism, cease practicing it, grow lazy about passing on the tradition to our children that, almost without our realizing it, the ethnic ties that bind lose their power, memory of the Holocaust fades, the special tug of Israel weakens as we take it for granted - and we slide into living like single-identity Americans instead of double-identity American-Jews.

Given two generations of such a life-style, the crisis phase, so discernible now in the high intermarriage rate, lowering conversion rate and low knowledge base, will no longer be discernible because the crisis will have passed, and the patient will have entered that pleasant comatose state whose end will be the disappearance of most Jews by immersion in the vast majority, leaving behind a nucleus of far-right religious people and a centrist secular group caring for some communal infrastructure capable of sustaining a minimal Jewish existence. Two generations of active indifference will be sufficient to create the conditions for a gentle reduction of the Jewish community into almost zero.

Contemporary thinkers and scholars take this crisis feeling very seriously, and seek nostrums and solutions. Recently, one of the major theologians, Rabbi Eugene Borowitz of the H.U.C.- J.I.R., who edits a journal called Sh'ma, wrote an essay stating his premise that the twin themes of Holocaust and Israel are not enough any longer to retain a sense of Jewishness for American Jews. What is needed, he says, is a "new priority" - namely, religion and faith. Only these are strong enough to buttress our sense of identity. Ethnicity is not enough, and "The Holocaust-Israel symbols, for all their remaining potency, have lost their recent authority."

His argument runs as follows: "The American economic boom transformed us into the country's wealthiest ethnic group; the Ivy League colleges gladly accepted our kids almost without discrimination; and Jews disproportionately enlivened American culture...We now belonged, only to discover that equality gave us so much personally that it made our Jewishness comparatively superfluous...Israelocentrism no longer can be the engine driving American Jewish life, keeping us ahead of the assimilation threatening to overtake us.

Belief is now our major priority...I don't think that Jewish education without believing teachers and parents will help us much. More than ever, the key issue is religious. Are we Jewish 'Unitarian' Americans or devoutly Jewish Jews who are also humanitarian Americans? Our community's answer to this

question will determine its future Jewish vitality."

Borowitz invited a number of people to respond to his premise, and their replies were published in subsequent issues of Sh'ma.

1. Rabbi Harold Schulweis of California said that not ideology, but chavurot, were necessary, to bring Jews together, and thus unite them in determination to survive.
2. Tom Dine of AIPAC said that Israel is not dead, still claims the hearts of American Jews, and in supporting Israel the American Jews will rejuvenate their own community.
3. Rabbi Walter Wurzberger believes that what really matters to American Jews is their life-cycle events (birth, marriage and death) and participation in rituals such as Seder or Chanukah candles.
"The real challenge confronting our religious leadership is to devise strategies to employ...Jewish ethnic loyalties as the foundation for building an imposing structure of Judaic values."
4. Jonathan Woocher of JESNA, author of "Sacred Survival", says that pulling away from Israel won't help, that the issue is religious, and that we must believe (in some mysterious way) that we are a special people with a special way of life which, for us, is supremely rewarding, and for the world is part of the slow process of redemption.

5. Professor Lawrence Hoffman of HUC-JIR believes that ethnicity alone no longer guarantees Jewish survival. He agrees with Borowitz that "Jews will have to find their way to God, not just peoplehood, or they may...abandon both." He also believes that "we require as well a reassertion of the ethical mandate which has been called prophetic Judaism." A combination of these elements - reform of worship by spirituality, peoplehood and ethical conduct - will sustain us into the 21st century.
6. Rabbi Michael Berenbaum, of the U.S. Holocaust Memorial, says that the old Emancipation slogan "Be a Jew at home and a universal man in the street" must now be reversed. Many American Jews are "Jews in public" but their private lives are devoid of Jewish content. "American Jews will either choose high intensity Jewish identities, or their identity will wither away."
7. Rabbi Balfour Brickner of the Stephen Wise Synagogue in New York agrees with Borowitz that a religious revival is necessary, but is worried about who will do it. Rabbis don't have audiences; academics don't get paid to share their knowledge; writers could perhaps be commissioned to write dramatically on issues of belief; Christians could help by asking curious questions, thus forcing Jews to focus on their beliefs. Our continuity is not in question, only the quality of our self-identification.

8. Professor Ellen Umansky of Swarthmore College believes that "the hierarchical model of leadership that still dominates much of Jewish communal life must be altered. Leaders should not lead through control, but should be facilitators, helping their congregants or members to get involved in lay committees for creating programs and new rituals; also welcoming those "minimal Jews" who stay out of organized community because they are uncomfortable or non-conformist.
9. Professor Henry Feingold of CUNY says that modern secular Jews can no longer be great believers. There is a conceit in proposing that a religious elite can lead Jews back to Judaism in a secular age. But the secular can become a saving remnant. Look at the fascinating amalgam between religious and secular in Israel where the whole nation observes the religious calendar which enriches secular life. In America we may yet see a Judaization of the secular mind-set. That is far more likely than a forced march back to religion.

From all the above it is clear that savants and scholars are far from agreeing on a diagnosis of and prescription for the disease which might lead to disappearance. While they argue, let us look once more into the magic of Israel, to make certain that we do not dismiss too lightly the luminous incandescent power of her miraculous presence.

I don't agree with Borowitz that Israel has lost its magnetic attraction. I think we haven't even begun to plumb the possibilities Israel has for awakening spirit and determination in American Jewry. I think we must solve the twin historical crisis for both Jewries by linking them more closely together, and having each help solve the crisis of the other. A stronger connection with Israel can help strengthen American Jews, by giving them a greater pride in a truly Jewish Israel, if that very Israel overcomes its inadequacies and achieves the state of moral height which is her true potential. What I am describing is a mobius knot, in which the intertwining could bring each of the two elements into an unbreakable and mutually supportive condition, beneficial to both.

American Jews must learn to relate to Israel in a much deeper fashion - beyond slogans, occasional tourist trips, admiration for military prowess and willingness to accept all immigrants who come, whatever the difficulty. These are aspects which provide thrill and pleasure at the display of sovereign power, but in many ways they are superficial.

We must understand the deeper meanings - that Israel is the vehicle of supreme Jewish identity, the container carrying the message of redemption for the whole world. We have to dig into that concept - really to grasp it, internalize it, live with it without embarrassment, call it by its right name - the mission of the chosen people and the chosen land.

If we look for this in Israel's soul, we can find it in the secular heart of the kibbutz farmer, the intensity of the fighter pilot, the dedication of the business man who has remained and not emigrated out. We can find it in the religious heart of the modern Orthodox. We can find it in the astounding cultural level of a high civilization, embracing music and art and science and literature.

- Our dissatisfactions with Israel are legitimate - for there is an unnecessary discrepancy between ideals and actions in the areas of peace-making, political process, religious freedom, civil rights, to mention only some of the issues which irritate and confound us.

But on balance the inspirational aspects of Israel far outweigh its shortcomings - and in the words of the song we should accentuate the positive.

YOU'VE GOTTA ACCENTUATE THE POSITIVE
ELIMINATE THE NEGATIVE
LATCH ON TO THE AFFIRMATIVE
DON'T MESS WITH MR. IN-BETWEEN.
YOU GOTTA SPREAD JOY UP TO THE MAXIMUM
BRING GLOOM DOWN TO THE MINIMUM
HAVE FAITH OR PANDEMONIUM'S
- LIABLE TO WALK UPON THE SCENE.
TO ILLUSTRATE - MY LAST REMARK
JONAH IN THE WHALE - NOAH IN THE ARK
WHAT DID THEY DO
JUST WHEN EVERYTHING LOOKED SO DARK
MAN THEY SAID WE'D BETTER.....

Further, we deepen the manner in which we seek to obtain more insights,
to understand the inner definitions. More of us must:

Learn the Hebrew language;

Live there for periods of time;

Send our children for periods of education;

Develop a new tool to improve Israeli society - i.e. citizen
voluntarism, replacing the tradition of expecting the
government to solve all problems.

Do everything possible to move Israel from being the last Bolshevik society on earth to a free-market economy;
Assist in Israel's industrial development, which will create employment and stimulate exports.

I have one idea linked to Israel, which could achieve the objective of combatting assimilation among American Jews and instilling a fierce determination toward continuity. This plan could at the same time restore Israel's faith in itself, and restore her to a central place in the Diaspora's soul. In other words, this plan could avert the historical crisis in both centers of Jewish life with subsequent similar effect throughout the entire Diaspora. This idea requires your acceptance of a basic premise - namely, that you can more easily learn your Judaism by living for a time in the Jewish state where you will have every variety of experience at your fingertips. Living in Israel, even for a period as short as one year, will produce startling results, if your time is properly programmed, in a specially crafted educational environment.

I am proposing an International Family Village on its own campus with all facilities for housing, feeding, socializing, recreating, studying - all the physical features which are often unsatisfactory and overly expensive when one family tries to create such a total environment all by itself. Each arriving family can move into the pre-arranged housing and the very next day begin living and learning instead of trying to get organized for living. Solve the logistics in

advance. Avoid the aggravations of dealing with lots of mechanical problems. To avoid creating an American ghetto, make arrangements to incorporate tens of Israeli families to come live in your village and study with you. There are Israeli candidates galore, your peers in age, experience and outlook, who are also ignorant of and hungry for Judaic knowledge. Lastly, you have an enormous source of power with which to create this campus. Counting all the alumni of Wexner, plus all the Young Leadership programs, started by the UJA and replicated in hundreds of federations, over 30 year period, you have a corps of thousands of persons who are potential contributors of money, expertise and experience. I think the Family Village is exciting and easily doable.

Before going into the details of how the campus would be constructed, we must first establish the premise I referred to a moment ago. You must believe in the value of spending that year in Israel, and you must plan for it long in advance. Planning is easier or harder depending on the ages of your children and your personal financial status. The older you are - the easier. Children are grown and away on their own. Your financial condition is more secure. The younger you are - the harder. Children's needs must be considered. You would have to arrange a leave of absence from job or profession; older kids could be enrolled in an Israeli university; younger kids could be gathered into an elementary school to be organized right on the campus. You pick the right time in your life, preparing for it several years in advance, and making a reservation for a house at a time best suited for your family.

Once you move in you are no longer a tourist. You will enter into the very bloodstream of the nation. You will learn Hebrew - enough to read the headlines in the afternoon paper Maariv, not enough to follow the news on TV; enough to handle the shopping, the bank and the post office, not enough to follow a play at the theater. You will go to the great public ceremonies on Independence Day or Holocaust Memorial Day in the midst of streams of people who walk to the stadium or the cemetery or the parade - not sitting in special reserved sections which the UJA has arranged for you, but mixed in with the masses. You will spend Friday evenings at Israeli friends' homes, worrying with them about their kids in the army and talking about the chances of the next war. You will stand in the lines created by uncaring bureaucrats and figure out how to beat the system. You will thrill to the magic of the sudden sunset in Jerusalem or witness the huge red globe slipping into the Mediterranean while walking on the beach in jeans and sneakers instead of looking at it through the windows of the tourist's hotel.

Taste the land, smell it, love it, hate it - but live in it, from listening to the morning radio news to walking the midnight watch in the civil guard. This is the only way you will ever come to feel that it is really yours in a hard, true practical fashion, rather than just admiring it in some distant sentimental manner.

Not only will this be better for you, but also for the country, because, as you live the problems, you will itch to solve them. And only by staying there, for a while at least, will you make a dent. Through your American experience in creating voluntary organizations and making things happen, you will establish a similar tradition in Israel. Most Israelis think in conservative and centralized patterns. They believe that if there is a problem, the government should solve it. There are only the primitive beginnings of citizens' organizations trying to take things in their own hands. What is a century-old practice in the United States has yet to take root in Israel - but it can be done. Waves of you, coming year after year, for a decade or two, will help voluntarism to catch on.

Really major matters, like religion-state relationships, racial and ethnic suspicions between population groups, civil rights, women's rights, electoral reform, religious pluralism are all waiting for solutions or at least improvements. These can come about, slowly but surely, if there is a constant turn-over of people like you, coming into the country, sensing the problems, seeking change, and creating movements for improvement.

I am not talking about the heavy portentous matter of "making aliyah" for the rest of your life. I am talking about a new kind of aliyah - organizing your life in the United States to enable you to come to Israel for a year, even two - with the double purpose of acquiring knowledge of your Judaic heritage, for your own and your children's self-improvement, and then improvement of Israel's

systems of society. This means learning something of the Hebrew language and living inside an Israeli skin, as much as possible. It will be marvelous for you - magnificent for the country - and help re-navigate the course. I'm suggesting it not only as a pleasure - but also as a duty. You owe a duty to Jewish continuity and Israeli advancement. This is a call to duty, like so many other calls to which you are trained to respond.

In quick outline, let me present some of the details of the International Family Village:

I. Purposes

1. House families coming for extended periods to study.
2. Provide instant mix with israelis, by inviting families with similar study purposes to take up residence.
3. Invite families from other countries (U.K., Western Europe, South Africa, Australia, Russia) to join.
4. Provide faculty from nearby universities to study all relevant subjects. Basic one year curriculum to be devised, combination of compulsory and optional subjects.
5. Provide Ulpan, for basic Hebrew.
6. Serve as base for intensive touring.
7. Provide counselling and advisory services, to assist with integration into present life, and offer advice for possible future permanent life in Israel.

II. Physical Description

1. Residential quarters for 50-100 families; condominium style, basic 3-bedroom, 2-bathroom, fireplace, all amenities.
2. Clubhouse type facility - large lounge; big stone wall with fireplace; lots of comfortable furniture; game rooms; billiard tables; dining room, et.
3. Education building - class rooms; auditorium, library with study carrels; all audio-visual facilities; administration offices.
4. Sport facilities:
 - a) outdoor - 8 tennis courts; volleyball courts, baseball, football, and soccer fields, olympic swimming pool.
 - b) indoor - gymnasium; machine rooms; squash courts, basketball court with bleacher seating; pool.
5. Parking lot - busses, private cars, luggage handling.

III. Sites

1. Build near a university.
2. Possibility of building three, slightly smaller, rather than one, larger. If one, site it between Herzliya and Netanya (i.e. near Tel Aviv University). If a second, site it near Carmiel in the Galilee (i.e. near Haifa University). If a third, site it near Beersheba (i.e. near Ben Gurion University).

IV. Operational Procedure

1. Develop various curricula - for varying periods of time - i.e. define one semester as 4 months - make up curricula for one, two and three semesters.
2. Develop individual tutorials in selected list of subjects.
3. Develop Hebrew language courses - at various levels, beginner, intermediary, advanced; one, two or three semesters.
4. Make up brochure describing all above.
5. Set up administrative office in United States.
6. Recruit by mail, phone, networking - take reservations for fixed period.

V. Personnel

1. In United States -
Executive director, with necessary staff, for recruiting, registration, handling finances - all administration.
2. In Israel -
President of college, for inspiration and policy.
Vice-President, for administration.
Dean, for academic direction and affairs.

VI. Funding

1. Create 501-c)-3 non-profit corporation to raise funds and construct the campus - possible cost \$25 million.

Approximate Capital Costs

(Average Condo - 150-180 m² (1650-1980 sq. ft.)

100 Condominia @ \$150,000 each =	\$	15.	mill.
Club-house 2000 m ² x \$1000 per meter =		2.	mill.
Educational Bldg. 5000 m ² x \$500 per meter =		3.5	mill.
Gymnasium Bldg. 3000 m ² x \$500 per meter =		1.5	mill.
Sport fields + landscaping, etc. =		<u>2.</u>	<u>mill.</u>
Land Acquisition		<u>1.</u>	<u>mill.</u>
Approximate Capital Cost	\$	25.	mill.

2. Determine operational costs. Fees charged for rent, board in dining room (if desired), studies, touring, overhead must enable operations to be self-liquidating. Determine whether you want to recover any of the capital investment. Total amount charged must be reasonable - should not exceed \$1500 per month, if possible.

Conclusion

It will take several years to plan and build the Family Village, to recruit the first pioneers, to work out the operating system. Let that process start now, even while our major concentration during these same several years must be on the immediate challenge of absorbing the Russians and the few remaining Ethiopians. There is no conflict. The fund-raising for taking the next million into Israel has priority. But the planning process for the Family Village can proceed simultaneously.

Planning releases all sorts of juices. Someone might suggest a youth village, as a special parallel project; another idea might be a fine money-making conference center. There is not a single professionally designed conference center in the entire country. Imagine if we had a place such as this, in which to live and study. Start to think of Israel as a potential Switzerland (for it will not be many years before she reaches the actual population of Switzerland, 7.5 million). Let your imagination race ahead, feel the adrenalin start to flow, and translate that into a source of energy which will activate, stimulate, nourish an American Jewish community into a deeper understanding of itself.

The crisis here is one of identity. Leaders must devise a strategy of survival. Yes - Rabbi Borowitz - strengthening faith and belief is a good

thing - but I feel it is an uncertain remedy in this secular scientific age. Linkage to Israel, in matters of culture, language, economy, pride and peoplehood, including religion, seems a better prescription - at least for the 21st century.

Previous generations of Jews erected the community buildings and institutions in America. This was relatively easy. They were motivated by a sense of ethnic Jewish identity, which they expressed through financial generosity and an instinct that the physical manifestation of ethnic community was necessary in America. The non-Jewish neighbor had his church, we had to have our synagogue, beautiful and prominent, as proof of our existence, whether we entered it very often, or not. And so with our community center and federation building and old folks' home.

Your generation, the third in America, has the harder task of building systems, not necessarily buildings, for learning the contents of the heritage, the knowledge without which everything your fathers and mothers built physically might fall apart through disuse and neglect. Learning is the opposite of abandonment. You must go and learn, if you would not make a mockery of your ancestors.

What a crisis, what a testing, what a challenge! Are you up to it? Your generation, and perhaps your children, no more than that, will face the

judgment of history. You will earn the applause of the future if your leadership meets the present crisis, or you will be branded as failures, guilty of abetting the disappearance of American Jewry in the fourth century of its existence. Link to Israel, draw inspiration from it, from land and peoplehood, from heritage and faith, to fashion a strong creative American Judaism, while at the same time shaping Israel into the reality carried in our dreams. May you succeed with honor.

Notes

1. This paper was written before the election of the Rabin Government, and before the word "continuity" became a new slogan.
2. The Family Village proposal is found on pages 13-20.

