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A Biographical Analysis of the Life and Career of Rabbi Richard C. Hertz

Pamela Barr Silk

Thesis submitted in partial fulfillment of the requirements for Ordination

Hebrew Union College-Jewish Institute of Religion
February 27, 2003
Referee, Professor Gary P. Zola

Digest

Richard C. Hertz, 1916-1999, was ordained a rabbi in 1942 by the Hebrew Union College in Cincinnati. He began his career as an assistant rabbi in the Chicago area and, in 1953, he moved to Detroit to serve Temple Beth El. He remained in that pulpit for the rest of his life. In addition to his pulpit experiences, Hertz served as a military chaplain during World War II (while serving in the Chicago area). Hertz's rabbinate gave expression to his liberal values and, at times, his path–breaking initiatives.

Throughout his professional life Richard Hertz was actively involved with many historically significant issues. As a military chaplain during the Second World War, Hertz became personally acquainted with the ferocious military struggle by supporting the American soldier though pastoral care and spiritual support.

Hertz was one of Reform Judaism's earliest spokesmen for Soviet Jewry. He illuminated what life for Jews behind the Iron Curtain was really like. In this arena he was clearly a pioneering advocate. The level of his impact in this realm was nationally recognized when President Eisenhower sent Hertz to the former Soviet Union in order to investigate the Jewish situation.

Hertz's work for the betterment of others extended beyond the Jewish community. His dedication to interreligious cooperation and relationship building was demonstrated through his participation in local forums and committees directed toward this goal, in addition to his teaching on behalf of the Jewish Chautauqua Society.

Hertz labored for the cause of racial equality during the Civil Rights Movement. A liberal

politically and philosophically speaking, Hertz was actively involved in civil rights organizations that were created in the aftermath of the tensions that arose in the wake of the Detroit race riots of 1967. Hertz's sermons on this topic are especially illuminating, as they provide us with a deeper understanding of how Hertz preached to his congregation on this subject.

This thesis analyzes Rabbi Richard C. Hertz's rabbinic activities thematically. Specifically, Hertz's military chaplaincy, his involvement and dedication to Soviet Jewry, his commitment to interreligious relationship building, and his work on behalf of the civil rights struggle. While this study is not a full-scale biography of Hertz's life, it does provide historians with a case study of how a rabbi working within a major metropolitan Jewish community from 1942 until the mid–1990s contributed to a variety of salient communal issues. The study also adds depth to our understanding of how American Jewry responded to some of the most noteworthy events of the twentieth century.

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Acknowledgments

I was raised in Farmington Hills, Michigan, and my family belonged to Temple Beth El of Bloomfield Hills. Rabbi Hertz was my childhood rabbi. His relationship with my family began when he came to Detroit in 1953. Hertz officiated at family weddings, including my parents' in 1967, and named my sister and me in 1983. In my childhood eyes he was my first rabbinic role model. From these early experiences I associated him with what I now understand to be tangential elements: he was always impeccably dressed, greeted me with a warm embrace and kind word, and read the *yarzeit* list with his distinctive ebb and flow of the voice. When I decided to apply to rabbinical school, Rabbi Hertz was enthusiastic about my decision and offered to write a letter of recommendation on my behalf. Unfortunately, due to a debilitating stroke that he suffered in 1997, he was never able to compose that letter. Upon finding out that the Hertz Collection was located in the Jacob Rader Marcus Center of the American Jewish Archives in Cincinnati, Ohio, a thematic study of Hertz's career became a significant and meaningful opportunity to uncover the rich details of his rabbinate. This study brings me full circle in my relationship with Rabbi Hertz. As he was prepared to write on my behalf in order to help me enter rabbinical school, now I write about him as I prepare to enter the rabbinate.

Without the assistance and support of many devoted people, this thesis could never have been completed. My advisor Rabbi Gary P. Zola inspired me to engage in serious study and writing in a way that I never had before. He patiently guided me through the path of writing a rabbinic thesis with endless support and kindness. Dr. Fred

Krome unselfishly took time away from his own work to read and critique draft chapters and encouraged me with his stories. The entire staff of the Jacob Rader Marcus Center of the American Jewish Archives helped tirelessly to access documents, prepare database reports, schedule appointments, and print drafts while offering unconditional support. To all of you I offer my deepest thanks. Finally, I thank my family members and friends for their support and encouragement over the last year and a half.

Introduction

Richard C. Hertz was born to Abram and Nadine Hertz on Yom Kippur, October 7, 1916, in St. Paul, Minnesota. He grew up in Milwaukee, Wisconsin, where he received a public school education and attended religious school at Temple Emanu-El B'ne Jeshurun. By the time Hertz graduated from Riverside High School in 1933, he had decided to pursue a career in the rabbinate. While memorializing his childhood rabbi, Dr. Joseph Baron, Hertz recalled the factors influencing his career choice.[1]

> I attended post-confirmation classes at a time when Hitler assumed office as chancellor and Nazi Germany was unleashing its rabid assault on the Jews. The rising tide of anti-Semitism was no longer a myth; it was a hideous reality by the time I graduated Riverside High School in 1933. The temple and the religious school seemed more important to me than ever, because they anchored me to a feeling of security. In high school I was beginning to wonder what I should do with my life. The synagogue seemed to be the only institution capable of stemming the tide engulfing the Jewish people and bringing courage and meaning to the battle for Jewish survival.
>
> My rabbi, Dr. Joseph L. Baron, was a very important influence in shaping the decision about my future. I went to him and told him about my concern over anti-Semitism and the battle to save the Jews. He asked me what I intended to do about it. 'Can a rabbi do anything to protect and defend the Jews?' I wondered. I concluded that no career could better prepare me as a defender and protector of Jews and Judaism than the rabbinate. Dr. Baron encouraged me in my aspiration to become a rabbi. He helped prepare me for entering HUC. I knew no Hebrew; I came from a classical Reform background; my parents and my grandparents had been born in America and I had experienced little direct ties with organized Jewish life. At that time I did not even know what the word 'Zionism' meant.' All I did know was that my religious school experience in a Reform congregation had taught me to love Judaism, to respect my Jewish identity, and to want to do whatever I could in life to serve my people.[2]

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[1] Rabbi Joseph L. Baron, 1894-1960, served as rabbi of Temple Emanu-El B'ne Jeshurun from 1926 until 1951. Passionate about learning, Baron lectured at the University of Wisconsin and served as a professor in philosophy at Milwaukee State College. He worked diligently throughout his career to establish a Chair of Hebrew Learning at the University of Wisconsin, a goal accomplished shortly before his death. (Leon Fram, "Joseph L. Baron," *Central Conference of American Rabbis Yearbook* 71 (1962), 198.)

[2] Richard Hertz, "The Legacy of Joseph L. Baron and the Pursuit of Excellence," *Journal of Reform Judaism* (Spring 1980): 55-56.

Hertz received his bachelor's degree from the University of Cincinnati in 1938 and was ordained, with honors, by the Hebrew Union College in 1942.

Immediately following ordination, Hertz served as a wartime replacement rabbi at North Shore Congregation Israel in Glencoe, Illinois, and was named the congregation's assistant rabbi in 1943.[3] In the fall of 1943 Hertz began his service as a chaplain in the United States Army. Hertz held the rank of captain and served in the army until 1946. Upon completion of his chaplaincy service, Hertz returned to North Shore Congregation Israel, where he remained the assistant rabbi for one year. In 1947 Hertz became the assistant rabbi of Sinai Temple of Chicago, working under his father-in-law, Dr. Louis Mann.[4] Hertz continued his education while working full time as an assistant rabbi and, in 1948, he received a Ph.D. in religious education from Northwestern University. Hertz remained at Sinai Temple until 1953, when he succeeded the late Rabbi B. Benedict Glazer as senior rabbi at Temple Beth El in Detroit.[5]

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[3] North Shore Congregation Israel, originally functioning and named as the North Shore Branch of Sinai Congregation, was founded in 1920. Forty founding families living on the North Shore wanted a congregation located closer to their community. Rabbi Emil G. Hirsh of Sinai Congregation served as the group's first" traveling rabbi." In 1924 the Winnetka-based congregation of one hundred and ninety eight families affiliated with the UAHC. On April 19, 1926, the membership voted to become independent of Sinai Congregation and moved to its current location in Glencoe. In June of that same year the congregation changed its name to North Shore Congregation Israel. (North Shore Congregation Website: "About Us.": http://www.nsci.org/about_us/about_us.php3?page=90#.)

[4] Chicago Sinai Congregation is one of the oldest Reform congregations in America. Founded in 1861, the congregation was originally located in what is now the financial district in Chicago's Loop. To this day the congregation remains dedicated to its classical Reform roots. (Chicago Sinai Congregation Website: "Our Heritage": http://www.chicagosinai.org/heritage.html.)
Rabbi Louis L. Mann, 1890-1966, became the rabbi of Chicago Sinai Congregation in 1923 when he was thirty three years old and served there for forty years. Mann helped found the National Conference of Christians and Jews, as well as the national Hillel Foundation Movement, for which he was its first national director. In addition to his pulpit work, Mann taught courses and seminars in Judaism at the University of Chicago.
(Richard Hertz, "Louis L. Mann," *Central Conference of American Rabbis Yearbook* 76 (1966), 144.)
Hertz married Mary Louise Mann on November 25, 1943. While the details of their meeting and courtship are not recorded in the Hertz collection, the two probably met upon Hertz's arrival to Chicago following ordination and were married just after he began his military service.

[5] Rabbi B. Benedict Glazer, 1902-1952, was ordained by the Hebrew Union College in 1926. Following his first assignment as a UAHC Regional Rabbi in Pittsburgh and assistantship at Congregation Rodef Shalom, Glazer became the senior associate rabbi of Temple Emanu El in New York City, the nation's largest

When Hertz arrived in Detroit, Temple Beth El had a membership of fifteen hundred families and was in its one hundred and third year of existence. A program from Hertz's April 3, 1954, installation as senior rabbi acclaimed him as "one of the most brilliant of the younger rabbis in America."[6] Some members of Temple Beth El referred to Hertz as the "Bar Mitzvah rabbi" not only because he was the congregation's thirteenth rabbi, but because he reinstated the celebration of Bar Mitzvah as a valued life-cycle event in the congregation.[7]

In addition to the many responsibilities that Hertz fulfilled as the senior rabbi at Temple Beth El, he authored five books: *The Education of a Jewish Child*, *Prescription for Heartache*, *The American Jew in Search of Himself*, *What Counts Most in Life*, and *What Can a Man Believe*.[8] In 1970 Hertz became an adjunct professor at the University of Detroit and helped to establish and ultimately direct the school's Judaic Studies Department.

After serving as the senior rabbi of Temple Beth El for thirty years, Hertz retired in 1982, having been named rabbi emeritus of the congregation. He remained active in

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Jewish congregation. In 1941 Glazer went to Temple Beth El in Detroit to succeed Dr. Leo M. Frankin. While in this post Glazer created an annual interfaith program renamed in his memory following his death. (http://www.tbeonline.org/Rfranklinarchive1/exhibit3/e30025a.htm.)
Temple Beth El, founded in 1850, is the oldest Jewish congregation in Michigan. The congregation's beginnings can be traced to twelve German immigrant families who came together to form the "Beth El Society." The original members met in the Detroit home of Isaac and Sarah Cozens. The congregation moved into its first synagogue building in 1861 and remained in the city of Detroit until 1973. Temple Beth El erected a new synagogue designed by Minoru Yamasaki that is located in Bloomfield Hills, Michigan.

[6] Program, installation service, and inaugural sermon of Dr. Richard C. Hertz as senior rabbi, April 3, 1954, Near Print File. Richard C. Hertz Papers. Jacob Rader Marcus Center of the American Jewish Archives, Cincinnati, Ohio. (From this point on, all primary documents from this collection will be referenced by their Box and Folder location in the collection.)

[7] "A celebration of Rabbi Richard Hertz on his 75th birthday," October 9, 1991, Near Print File.

[8] Richard Hertz, *The Education of a Jewish Child: A Study of 200 Reform Jewish Religious Schools* (New York: Union of American Hebrew Congregations, 1953); Hertz, *Prescription for Heartache* (New York: Pageant Press, 1958); Hertz, *The American Jew in Search of Himself: A Preface to Jewish Commitment* (New York: Bloch Publishing Company, 1962); Hertz, *What Counts Most in Life?* (New York: Bloch Publishing Company, 1963);
Hertz, *What Can a Man Believe?* (New York: Bloch Publishing Company, 1967).

his retirement by continuing to teach at the University of Detroit, serving as the rabbi on cruise ships, and participating in the life of the temple and larger Jewish community.[9] In the fall of 1997 Hertz suffered a debilitating stroke and died on July 3, 1999.

While this thesis does not propose to be a full-scale biography of Hertz's life, the following chapters constitute a thematic study of four prominent aspects of Hertz's career. They are intended to provide historians with a case study of how a rabbi working within the military chaplaincy and a major metropolitan Jewish community from 1942 until the mid–1990s contributed to a variety of significant trends in both American and American Jewish history. The following four chapters chronicle Hertz's involvements in the military chaplaincy, the free Soviet Jewry movement, the interfaith movement, and the struggle for civil rights.

THE RABBI AS MILITARY CHAPLAIN

More Jews participated in the war effort during World War II than in any previous military campaign. Following Pearl Harbor, rabbis volunteered to serve as military chaplains in record number. The military chaplain's responsibilities included leading worship services, preaching, providing pastoral care and support to G.I.s of all different faith backgrounds, and completing administrative tasks.[10] Of the over three hundred rabbis who served as wartime chaplains, the majority were Reform.[11] Hertz's experience as an army chaplain at Ford Ord is a case study of the historic Jewish involvement in the

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[9] Hertz, "Why Retired Rabbis Enjoy Conventions," *National Jewish Post*, May 16, 1990, Near Print File.
[10] This is a familiar term referring to the soldier and derives from the expression "government issue."
[11] Albert Slomovitz, *The Fighting Rabbis* (New York: New York University Press, 1999), 74, 79, 81.

as an army chaplain at Ford Ord is a case study of the historic Jewish involvement in the American military effort of World War II and specifically the life and experience of a Jewish army chaplain.

THE RABBI AND THE CAMPAIGN ON BEHALF OF SOVIET JEWRY

In spite of the fact that the mistreatment of Jews behind the Iron Curtain did not gain the world's attention until after the mid–1960s, the movement to free Soviet Jewry began in Israel in 1952. Lishkat Hakeshar, a group of Soviet Jews who immigrated to Israel in the 1920s, initiated contact with their coreligionists who remained in the Soviet Union and began educating world Jewry about the threat to Jewish existence in the U.S.S.R.[12] Once Hertz became aware of the hardships facing Soviet Jews, he committed himself to educating Americans about the situation, an endeavor that included a historic fact–finding mission to the Soviet Union in 1959. Hertz's early involvement in the plight of Soviet Jews helps us to gain a better understanding about the early years of the movement to free Soviet Jews which took shape in the United States.

[12] Murray Friedman and Albert Chernin, *A Second Exodus-The American Movement to Free Soviet Jews* (Hanover: University Press of New England, 1999), 2.

THE RABBI AND THE INTERFAITH MOVEMENT

Interfaith initiatives in the United States can be traced back to the nineteenth century; however, the formal beginning of the interfaith movement in America is often attributed to the late 1920s and the founding of the National Conference of Christians and Jews. With the establishment of this organization, aimed at improving relationships between the two faiths, Jews and Christians began entering into dialogues that often highlighted the commonalities of their religions.[13] Programs like The Tolerance Trio, National Brotherhood Week, and Institutes on Judaism for Christian Clergy introduced interfaith activities into the American mainstream. From the time of his ordination and throughout his entire career, Hertz emphasized the commonalities of humankind that crossed religious lines in his sermons, teaching, and organization involvements. Hertz's involvement in interfaith work illustrates various elements of the movement from the mid–1940s through the 1990s and sheds light on how one rabbi integrated interfaith initiatives into the warp and woof of his rabbinate.

THE RABBI AND CIVIL RIGHTS

The formal beginning of the Civil Rights Movement is often traced to the well-known Supreme Court decision of May 17, 1954: *Brown v. Board of Education of Topeka, Kansas.* Significantly, before this time Jews had been involved in the struggle to

[13] Egal Feldman, *Catholics and Jews in Twentieth Century America* (Chicago: University of Illinois Press, 2001), 69, 129.

increase the rights and opportunities afforded blacks. Jews were among the earliest members of the Pennsylvania Society for Promoting the Abolition of Slavery, the nation's first antislavery organization founded in 1774. A black-Jewish alliance began to take organizational shape with the founding of the NAACP in 1909.[14] Following World War II a new generation of professionals was leading the three major Jewish defense organizations. These second-generation American Jews led the Jewish community into the Civil Rights Movement.[15] Hertz's career proved itself to be a case in point. His involvement in the cause of civil rights began during his military chaplaincy and continued throughout the 1960s. Hertz's organizational involvements, his participation in significant civil rights programs, and his sermons about civil rights contributed to our overall understanding of how Reform rabbis responded to the civil unrest and social upheaval that occurred when this nation was embroiled in what Hertz referred to as a "crisis of conscience."

Through this work Hertz's rabbinate comes to life. This study of Hertz's involvement in these four areas increases the historian's understanding of these themes in the wider context of the American Jewish experience.

[14] Murray Friedman, *What Went Wrong? The Creation and Collapse of the Black Jewish Alliance* (New York: The Free Press, 1995), 23, 45.
[15] Stuart Svonkin, *Jews Against Prejudice: American Jews and the Fight for Civil Liberties* (New York: Columbia University Press, 1997), 17.

Richard Hertz as Army Chaplain: 1943-46

After ordination Richard Hertz's first major pulpit was in Glencoe, Illinois. Within the first year of his pulpit contract he joined the U.S. Army as a military chaplain. The purpose of this chapter is to examine the details of Hertz's career as a military chaplain and to assess its impact on his subsequent career.

Because more Jews participated in the war effort of World War II than in any previous effort, more rabbis were needed to provide for their spiritual care. Up until this time in history, rabbis were hesitant to enter the service out of concern for job security, but following Pearl Harbor rabbis volunteered in record number.[16] An examination of this era is important because it serves as a case study enabling us to better understand not only Hertz's rabbinic career, but the Jewish military experience in World War II. More specifically, it elucidates the role that a Reform rabbi played as an army chaplain in the war effort.

Anti-Semitism was widespread in the United States during World War II.[17] Many critics insisted that American Jews shirked their military obligations. In response to this the Jewish Welfare Board created the Army and Navy Public Relations Committee, whose task it was to inform the general public about the full participation of Jews in the military effort.[18] Hertz's chaplaincy story, among others, serves as a testimony for Jewish

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[16] Albert Slomovitz, *The Fighting Rabbis* (New York: New York University Press, 1999), 79-80. Rabbis wanted to ensure that they would have jobs to return to upon completion of their service. The Reform movement helped promote rabbinic participation in the war by ensuring that a rabbi could take over his prior position as soon as possible following his return and establishing that the congregation from which he came would pay the difference between the rabbis' congregational pay and military pay.
[17] Leonard Dinnerstein, *Anti-Semitism in America* (New York: Oxford University Press, 1994), 131.
[18] Slomovitz, *The Fighting Rabbis*, 79.

involvement in the war and ultimate protection from the accusation that Jews were not patriots.

The military experience had a profound effect on Hertz's entire career. Ordained only a year before beginning his service, his experience in the military chaplaincy literally became the foundation of his rabbinate. Issues and concerns that emerged during this period of his professional development became integrated into his work for the remainder of his career. Hertz's dedication to interfaith work illustrates this point. While a military chaplain, Hertz quickly determined that the military situation was unique in its placing men of different faith groups together, often for the first time. This challenge provided the opportunity for men to become more tolerant of one another and develop bonds of brotherhood that crossed religious lines and altered preconceived notions. After completing his service, Hertz continues to preach on this topic from his own pulpit, in addition to serving as guest lecturer and preacher at local churches and interfaith programs.

The story of Jewish involvement in the military and, more specifically, Jewish military chaplaincy is only now receiving scholarly attention. For example, Albert Slomovitz's *The Fighting Rabbis* examines this topic on a macro level. One chapter of this work focuses exclusively on World War II. From this source it is known that during the Second World War over three hundred rabbis served in the military, ministering to over five hundred and fifty thousand Jews and millions of other personnel.[19] Of those rabbis who served, the majority were Reform.[20] In addition to explaining the institutions involved with military chaplaincy and the numeric statistics of Jewish participation in the

[19] Ibid., 74.
[20] Ibid., 81.

war, Slomovitz sheds light on the activities of some individuals who served in the chaplaincy. More individual accounts are needed if the story of Jewish G.I.s and the overall Jewish contribution to the American military effort is to be properly reconstructed. This chapter seeks to contribute to this field of study by analyzing and interpreting the case study of one particular Reform rabbi.

In 1943, just before Rosh Hashanah, Hertz left Illinois for Fort Ord, California, where he began his service as an army chaplain.[21] Following the first few months of service, Hertz attended the Army Chaplain's School at Harvard for five weeks. There he studied map reading, army morale, administration, army organization, customs and courtesies, graves registration, chemical warfare, military law, sanitation and drill.[22] Upon completion of this required training, Hertz returned to Fort Ord, where he remained until the fulfillment of his service in 1945.

Hertz had many responsibilities as an army chaplain. His regular tasks included leading worship services, which involved preaching responsibilies, providing pastoral care and support to both Jewish and non-Jewish G.I.s, and carrying out a variety of administrative tasks. During his time in the service, Hertz took on additional job responsibilities. He acted as the part-time rabbi for a local Reform congregation,[23] and he served as chaplain for the nearby U.S. Navy training school in Del Monte, California.[24] In addition, he organized interfaith programs for the community and maintained a close correspondence with his congregants in Illinois.

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[21] Fort Ord was located just north of Monterey, California.
[22] Hertz, Class notes from the Army Chaplain's School, January 1944, Box 14, folder 10.
Slomovitz, *The Fighting Rabbis*, 75.
[23] General correspondence with the Salinas congregation, Fall of 1945, Box 14, folder 9.
[24] Hertz, Handwritten documentation of where and when sermons were delivered, March 16, 1945, Box 1, folder 7.

How did Hertz understand the military chaplaincy and his role as a rabbi in the U.S. armed forces? This information can be found within the context of his sermons, presentations, and correspondence. Hertz's dedication to military chaplaincy began at the time of his service and continued throughout his rabbinic career. He quickly realized that his principle duty as an army chaplain was to be a counselor, an advisor, and a pastor to his flock.[25]

Hertz initiated a radio show called "Chaplain USA" on July 9, 1944. The purpose of this program was to give the radio audience a better understanding of the chaplain's function–what he does, how he serves, and whom he helps. Within the introductory greeting of the first show, Hertz described the role of the army chaplain as he envisioned it.

> I am the chaplain... your boy's chaplain...the best friend a soldier has. I'm with him wherever he eats, wherever he fights, wherever he dies. I see him at reveille, at formation, on the march, aboard ship, in foxholes. Where he goes I go...and where he marches I march. His thoughts are my thoughts, his loneliness my loneliness. His joy, my joy. I am his chaplain. I stand beside him sustaining his spirits, boosting his morale, helping him to live hopefully. My office is always open to your boy. He comes for advice, for help, for strength. He comes to the chaplain because he needs a friend. I represent the cathedral, the church, the synagogue. I'm a busy man in the Army, but never too busy to put down what I am doing and listen to a private, a corporal, or a sergeant. I hear his gripes, moans and groans. I share his smiles during a short ten minute break. I sense your boy's desires and sustain his spirits. I'm stone and concrete and light and noise. The chaplain links the home and camp together.[26]

The show's format was designed so that each Sunday Hertz invited a guest chaplain, rotating among Catholics and Protestants, to emphasize the common bond between chaplains and the three great faiths.[27] This is an example of how Hertz saw his role as being a support for both Jewish and non-Jewish soldiers and how chaplaincy suspended

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[25] Hertz, "What have we brought home with us," March 29, 1945, Box 2, folder 1.
[26] Hertz, "Chaplains who serve," radio broadcast scripts, July 9, 1944, Box 14, folder 4.

the particularities of any one religion in order to provide the support and care for each individual. This was a welcome challenge for Hertz. The extent to which Hertz praised interfaith work in his sermons demonstrated his enjoyment of this component of his position. While the interfaith work provided a new opportunity, it was within the Jewish community that Hertz faced the most significant religious struggles.

As a Reform rabbi, Hertz found it difficult serving the Jewish military personnel of Fort Ord. This was a common struggle for Jewish chaplains, because half of the Jewish chaplains were Reform rabbis, whereas, according to Hertz, 90 percent of the Jewish soldiers were "Orthodox Jews."[28] He recognized that creating a worship service that met the needs of all Jewish soldiers and officers was impossible. With Jews of varying ritual customs, Hertz found that he was either creating a service too observant for the minority or too liberal for the majority. He recognized that through compromise neither one of the groups would be totally satisfied, but at least each side had some familiar elements of the worship service it desired. As a result, Hertz introduced an Orthodox service preceding the regular Shabbat evening service.[29] Although the initial response was positive, after the third week attendance dropped so low that it was difficult to assemble a minyan, and the additional service was discontinued.

Hertz quickly learned that chaplaincy de-emphasized traditional preaching. He wrote in a sermon that "The greatest sermon he preaches is not in the pulpit but in the mess hall, out in the field and in the barracks." He went on to explain that "Every minister worth his salt will have conference hours behind closed doors where

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[27] Hertz, Chapel notes, vol. 5, no. 18, July 7, 1944, Box 13, folder 1.
[28] Hertz, "When chaplains meet," Lecture outline, August 4, 1944, Box 1, folder 5.
Hertz meant that 90 percent of the Jewish soldiers associated themselves as Orthodox, however, we know that these men were not literally Orthodox.

congregants, and perhaps even those not affiliated will seek out his advice; where men and women wrestling with everyday problems will open their hearts with confidence in the minister's judgment. And just as the chaplain's reputation for sound counseling spreads in the barracks, so the minister's reputation will likewise spread in the community. It will make him or break him!" [30] It is clear from these personal reflections that Hertz understood that army chaplaincy was primarily about the pastoral support he could provide for others.

Hertz recognized that one of the rewards of the chaplaincy was the privilege of seeing men in their most vulnerable and unguarded moments. "When in the privacy of the chaplain's office, a man can discard his fears and inhibitions and stand as his true, real self."[31]Hertz understood that this openness occurred once a man put his trust and confidence in the chaplain. He recognized that the chaplain's objectivity allowed him to really see and understand what was bothering the men. Hertz saw himself as the objective presence that made men comfortable enough that they were willing to share the issues that plagued their souls.[32]

Hertz considered his role of army chaplain as the link between the soldier and home. As chaplain, he often saw men suffering from homesickness in need of some connection to home.[33] He facilitated that connection by assisting soldiers in getting up–to–date information about their communities and the Jewish world. Even though it was the job of the education and information officer (EIO) to keep officers and men posted on news and events of the world, Jewish news that might be of interest to Jewish

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[29] Hertz, Monthly report for JWB, April 9, 1945, Box 13, folder 8.
[30] Hertz, "The effect of the chaplaincy on the rabbinate," July 24, 1944, Box 1, folder 5.
[31] Hertz, "What is the army doing to your life?" July 7, 1944, Box 1, folder 5.
[32] Ibid.

personnel was usually outside the EIO's scope of activity. Therefore, Hertz took it upon himself to fill this gap. He reflected on this element of his job when writing, "Its part of the Jewish Chaplain's job to help you keep perspective and not lose it. For after all, we are not in the Army for life, even though some of us occasionally get to feeling that way! We are going back home, to our civilian communities, to our families and friends, and it will be a lot easier for us if we keep an ear to the ground, so to speak, as to what's happening back home."[34]

Because Hertz believed the pastoral element of the chaplain's job was so important, almost every aspect of his chaplaincy reflected this conviction. His sermons were definitely pastoral in content. Hertz delivered a sermon every Friday night. Through the sermon he attempted to give the Jewish enlisted man a sense of purpose. For example, in a sermon titled "The mind of a soldier," Hertz emphasized the role that faith plays in the life of the soldier. He asserted that "the qualities of faith which must be crystal clear to the mind of a soldier can be ground down to three touchstones: freedom, equality, opportunity. These are the three keystones of democracy which the mind of every soldier must grasp if he is to know why he serves and what he can hope for in the days to come."[35] Within this message Hertz helps the individual examine and determine why he is serving.

Hertz was capable of recognizing the pain and hardship that soldiers confronted while serving in the armed forces. His sermons reassured his flock that the fear and concerns they experienced were natural and understandable.[36] Focusing on these personal

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[33] Hertz, "Homesickness–The number one ailment in the army," March 16, 1945, Box 1, folder 7.
[34] Hertz, "Taking stock of 1944," December 29, 1944, Box 1, folder 6.
[35] Hertz, "The mind of a soldier," April 21, 1944, Box 1, folder 4.
[36] Hertz, "The faith of a soldier: Part II–The Heart of a soldier," April 28, 1944, Box 1, folder 4.

challenges from the pulpit was a form of pastoral care. Likewise, Hertz preached against hate. He recognized that hatred was more detrimental to the hating individual than to the object of the hatred. As a result, he taught that hating the Japanese people was not part of the military battle and that hatred was not something a religious person did. He urged the soldiers to engage in the war against the enemy on a military level, not a personal one.[37]

Some specific pastoral needs of the soldier are revealed in Hertz's sermons. In a sermon titled "See here private Kaplan," Hertz describes a Jewish G.I. who is exposed to forms of Judaism different from those with which he was accustomed.[38] Hertz indicated that this topic emerged from the real experiences that many soldiers faced.

Along these same lines, many Jewish G.I.s struggled to maintain a Jewish identity while in the army. The inability to procure kosher food and worship regularly was a reality of army life. Hertz responded to this challenge in a sermon titled "Unobservant Orthodox, strictly Reform, and 50-50 Conservative Jews."[39] In it he wrote, "I am very keenly aware of the fact that many a sensitive Jewish soul is sorely troubled over the compromises demanded by army life." Hertz recognized that Jews with all different backgrounds experienced the army differently in relation to their Judaism. His pastoral response was rooted in tradition. After citing Talmudic ruling regarding military necessity, he charged the Jewish G.I.s to "do the best you can to be true to your religion, your people and your conscious, and leave the rest to the Almighty to understand. Not

[37] Hertz, "The spirit of a soldier: Part III," May 12, 1944, Box 1, folder 5.
[38] Hertz, "See here, Private Kaplan," September 1944, Box 1, folder 6.
[39] Hertz, "Unobservant Orthodox, strictly Reform, and 50-50 Conservative Jews," January 5, 1945, Box 1, folder 7.

form but substance, not empty words but meaning, not idle prayer but kavannah,[40] not ceremonies but spirit are what count."

Hertz helped Jewish soldiers far from home embrace Judaism as a coping mechanism. This is illustrated in a sermon titled "What every Jew should know."[41] He wrote, "Perhaps I have not been assigned close enough to front-line combat areas, but even at Fort Ord, which is something of a jumping off point for parts unknown, we are surely far enough away from our homes, our dear ones, out communities and our synagogues to feel the need for Judaism." In his sermons he used Judaism as the implement to help soldiers feel more comfortable when away from home and family.

As the war approached its end, Hertz maintained a pastoral tone in his sermons. Instead of preaching about how to best cope with the challenges of army life, Hertz began focusing on how the soldier could prepare for the transition to civilian life.[42] In a sermon titled "While waiting to go home," Hertz juxtaposed the hopes of the G.I. returning home from service with the realities to be confronted. Likewise, he urged soldiers to realize the effects that military experience had on them personally and the new assets they would undoubtedly bring home with them. Periodically during the war, while the country remained actively involved in military battle, Hertz urged his soldiers to be prepared for life after the army.[43]

In addition to sermons, Hertz provided pastoral care and support for the army soldiers and officers through programming. In addition to the aforementioned short-lived early Orthodox minyan on Shabbat, he initiated a daily minyan in the hospital chapel so

[40] *Kavannah* is the term for the unscripted personal intention that one brings to prayer.
[41] Hertz, "What every Jew should know," January 20, 1945, Box 1, folder 7.
[42] Hertz, "While waiting to go home," January 18, 1946, Box 2, folder 1.
[43] Hertz, "Your education after the war," June 23, 1944, Box 1, folder 5.

that inpatients in mourning had a regular opportunity to say Kaddish.[44] Hertz created a consecration service for those who had never had the privilege of either becoming a Bar Mitzvah or a confirmand.[45] The consecration served as an opportunity for servicemen feeling disconnected from their faith to renew their commitment to Judaism. Hertz also organized large, festive holiday celebrations.

The Passover seder was one of the largest and most successful programs of Hertz's army chaplaincy. Approximately four hundred people were expected to attend the seder in 1944,[46] whereas in 1945 the event grew and Hertz expected between seven and eight hundred attendees.[47] In addition to the soldiers and officers, Hertz invited many military dignitaries and local clergy to attend. The seder was very elegant but clearly festive.[48] Because he recognized how difficult it was to be away from home and loved ones on the holiday, Hertz made the holiday as meaningful as possible. As an added touch Hertz sent letters home to the families of those soldiers who attended the seder detailing the service and meal so that family members would have some sense of their loved one's Passover celebration.

Along these same lines, Hertz recognized that some Jewish soldiers were unable to attend the scheduled seder. When this occurred he made special efforts to ensure that they too would be able to mark the Passover holiday. One example of this involved soldiers who were in the hospital at the time of the seder. On the second night of Passover, Hertz conducted an additional seder in the hospital.[49] For Pesach of 1944 there is yet another example of Hertz taking the seder to the soldier. Several days before

[44] Hertz, Monthly report to the JWB, December 10, 1945, Box 13, folder 8.
[45] Hertz, Program of Consecration, June 11, 1944, Box 1, folder 5.
[46] Hertz, Letter, March 13, 1944, Box 13, folder 8.
[47] Hertz, Letter to Graubert, March 13, 1945, Box 13, folder 10.

Passover, when Hertz discovered that there were a large number of Jewish soldiers on maneuver at the Humter Liggett Reservation who would be unable to leave to attend a seder, he arranged to go there and hold services.[50] These examples demonstrate Hertz's dedication to providing religious services for Jewish servicemen and bringing Jewish communal life to them wherever they were.

But his pastoral efforts went beyond that of worship or specifically religious opportunities. Hertz initiated a discussion group following Shabbat evening services.[51] In this forum contemporary issues were presented for discussion with the opportunity for questions, opinions, observations, and remarks. This program also functioned as a form of pastoral care because it engaged the soldiers on issues that were relevant and concerned them. The first topic Hertz introduced in this forum was anti-Semitism.[52] The forum received such active participation and interest by the soldiers in attendance that Hertz went on to present both a sermon and official lecture on the same topic.[53] In addition, Hertz used the lessons he derived from this discussion as the basis for the sermon he delivered on September 9, 1944, as the guest preacher at Sherith Israel in San Francisco.[54] By accumulating the sentiments that had been discussed in this forum, Hertz was able to articulate how young servicemen felt about anti-Semitism. Hertz used this opportunity to help the congregation gain perspective on the young Jew in the military.

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[48] Passover seder photographs, 1944/1945, Box 13, folders 3&4.
[49] Hertz, Chapel notes, vol. 5, no. 3, March 17, 1944, Box 13, folder 1.
[50] Hertz, Letter to families of army service forces, Ninth Service Command, April 12, 1944, Box 13, folder 8.
[51] Hertz, "Chapel notes," August 11, 1944, Box 13, folder1.
[52] Hertz, "Open discussion: What can we do about anti-Semitism?" April 11, 1944, Box 1, folder 5.
[53] Hertz, "Postscript to last week's discussion about what shall we do about anti-Semitism," August 18, 1944, Box 1, folder 5.
Hertz, Lecture notes, Box 1, folder 5.
[54] Hertz, "When soldiers discuss anti-Semitism," September 9, 1944, Box 1, folder 5.

Another way Hertz provided pastoral care and support for those in the army was through the forum called "Chapel Notes." "Chapel Notes" was likely a weekly bulletin.[55] In it Hertz listed the weekly Torah portion, his sermon topic, current events, rabbinic commentary on the holidays, as well as inspirational quotes and community announcements.

Hertz also reached out to the servicemen in a less formal fashion. He and his wife welcomed G.I.s into their home for weekend gatherings and refreshments.[56] He recognized that the soldiers needed to have a place to gather outside of the military chapel and mess hall, a more home-like atmosphere that Hertz could provide. These gatherings became a point of contention between Hertz and the Jewish Welfare Board because of the finances involved.[57] So while they could not occur frequently, home hospitality was a highlight for the servicemen.[58]

Hertz's role as army chaplain included a tremendous amount of administrative detail. This aspect of the work occupied a significant block of time. He was compelled to respond to numerous bureaucratic duties required of him by the United States Army, the Jewish Welfare

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[55] "Chapel Notes" were not all clearly dated or ultimately kept, so it remains unclear when this bulletin was first disseminated, how regularly, and how long it continued in its same forum. Because it listed Hertz's sermon for the coming Shabbat, in addition to any special events, it was probably a weekly bulletin.

[56] Hertz, "Chapel News," Box 13, folder 1.

[57] Hertz, Letter correspondence with Rabbi Philip Graubert of JWB, December 1944, Box 13, folder 10. Part of Hertz's administrative responsibilities included submitting his job–related expenses. There are several letters between Hertz and Graubert where Graubert questioned Hertz's expense and Hertz explained the expense in question. One of the specific instances of this occurred when Hertz requested reimbursement for the refreshments he served during an open house he and his wife hosted for the Jewish soldiers of Fort Ord. Graubert questioned this expense.

[58] When Hertz and his wife invited the Fort Ord Jewish community to their home, it was well publicized as an event not to miss in the "Chapel Notes." In addition, Hertz received thank–you notes from soldiers and their parents who heard about the events in their sons' letters home, following the open houses.

Board, in addition to maintaining his own professional contacts. Hertz's collection is filled with official and less formal correspondence.[59]

He functioned as a liason between the Jewish G.I. and the army. Administratively, Hertz kept records of the religious activities on the base and requested furloughs for those wishing to return to family or have time off for Jewish holidays.[60] Hertz often joked about this aspect of his duties when giving sermons at local congregations or when back in Illinois, because he recognized that many young men came to see him for that very reason.

The administrative tasks required by the Jewish welfare (i.e., JWB) were even more demanding and involved than those the army required. Hertz submitted regular reports to the JWB that included detailed lists of his program and activities. He also kept a tally of those for whom he provided services and pastoral care. These records became part of the larger collection assembled by The Bureau of War Records.[61]

A significant amount of correspondence emerged from the fact that the Jewish Welfare Board supplied prayer books, haggadoth, mezuzoth, calendars, ritual supplies, and reading material on a wide range of Jewish subjects.[62] As the official advocate of the individual Jewish soldier, it was Hertz's job to procure these materials. For example, Hertz composed a letter on behalf of a soldier in order to procure any available kosher

[59] According to the correspondence preserved in his collection, it was not uncommon for Hertz to receive ten letters a week from his congregants and colleagues, all of whom he responded to in a timely manner.
[60] Informal check lists of soldiers approved for furlough, September 1944, Box 13, folder 5.
[61] This was a government department office that documented the role of Jewish military personnel in the war effort.
[62] Hertz, "Taking stock of 1944," December 29, 1944, Box 1, folder 6.

food.[63] He also attempted to obtain enough haggadoth so that each seder attendee could use his own.

An elaborate array of letters and handbooks detailing the JWB's expectations and policies were included in Hertz's collection.[64] He was constantly receiving correspondence from JWB officials asking him to obtain information from a soldier or support a soldier whose family had contacted the JWB. In addition, he was sent many mailings and written materials from the JWB, and he was responsible for disseminating this information to the soldiers. Among these were Anglo-Jewish newspapers, bibles, and prayer books.

As noted above, Hertz's chaplaincy career included a significant amount of interfaith work. As just one member of a team of clergy who met the religious and spiritual needs of the Fort Ord community, Hertz worked closely with his Catholic and Protestant colleagues. Hertz described the nature of his working relationship in a sermon called "The Spirit of the Chaplains," delivered at a celebration honoring the one hundred and seventieth anniversary of the Chaplains Corps.[65]

> All chaplains, Catholic, Protestant, Jewish, wear the same OD uniform. Here in the States, they share the same chapel. An office in the front, two in the rear, they work side by side, helping men who need help, counseling men who need counsel, strengthening men who need strength. They worship under the same roof. Yes, the Army chapel serves all three faiths. It is a chapel of brotherhood, of religion in action. Ministers, priests, and rabbis from all over America--from Florida's swamps, and Oregon's forests, from Minnesota's wheat fields and Mississippi's cotton fields, from teeming cities like New York and Chicago and from tiny villages nestled under the white mountains and the Black Hills...these ministers of God represent America, and they are in the Army to teach the American way.

[63] Hertz, Letter to Fay, January 14, 1946, Box 13, folder 7. After Hertz received a memo from the Jewish Welfare Board stating that a limited amount of kosher canned meat was available, he announced it to those attending the following Shabbat services. One G.I. was interested and Hertz requested, on behalf of the single soldier, a portion of the available supply.
[64] JWB, Letters and booklets for Jewish chaplains, 1944-45, Box 13, folder 12.
[65] Hertz, "The Spirit of the Chaplain," July 29, 1945, Box 1, folder 8.

One interfaith program that Hertz organized was an educational seminar for the whole Fort Ord community. He arranged for a trio of speakers, a priest, minister, and rabbi to address "intercultural education." This trio met with all of the units, officers and men, assembled at orientation hours.[66] The speakers met with nineteen different orientation sessions over the course of three days. They emphasized the commonalities of the three faiths and warned against the inroads of Nazi prejudice being made in America.[67] In addition, they pleaded for an increased spirit of liberty, equality, and brotherhood among servicemen. The officers and men reacted positively to the program and Hertz recommended that the Committee on Army and Navy Activities (i.e., CANRA) encourage Jewish chaplains stateside to arrange similar programs on other bases. In addition to arranging this program for the army community in Fort Ord, Hertz helped to orchestrate the trio's session at a local high school.

As well as planning events and coordinating activities with clergy of different faiths, Hertz emphasized the message of fellowship and mutual cooperation in his sermons. For example, his sermon titled "This is the Nation's Power"[68] stressed the credo of democratic faith and how, when as a nation we help people of faith exercise their faith in the spirit of freedom of religion, we help guarantee the existence of all faiths. This message was not only delivered in the Fort Ord chapel, but in local churches and at many community events as well.

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[66] Hertz, Jewish chaplains monthly report, December 15, 1944, Box 13, folder 8.
Orientation hours were mandatory sessions soldiers attended where military etiquette and the subject "Why We Fight" were taught.

[67] Correspondence regarding the national conference of Christians and Jews, letters and memos, January 1944-December 1944, Box 14, folder 1.

[68] Hertz, "This is the nation's power," May 6, 1945, Box 1, folder 8.

Military chaplaincy played an influential role in Hertz's rabbinate even beyond his thirty two months of active duty.[69] He continued his relationship with chaplaincy by serving on the Central Conference of American Rabbis (CCAR) committee of chaplaincy and, eventually, becoming its chairman in the fall of 1965. In addition, he served on the National Jewish Welfare Board's Commission of Jewish Chaplaincy. Hertz was affiliated with these committees while functioning as the senior rabbi of Temple Beth El in Detroit, Michigan.

Through his own experience as an army chaplain, Hertz came to realize the necessity of rabbis in the military. A case involving a newly ordained rabbi and the requirement to serve in the military illustrates Hertz's position of maintaining a rabbinic presence in the service.[70] When Barton Shallat appealed to the Committee on Chaplaincy requesting an exemption from service, Hertz approved the request on the strict condition that there were enough rabbis to fill the open positions. Hertz's notes on this case establish that had there not been enough rabbis to serve Jewish military personnel, he would not have approved Shallat's request.[71]

Years later, during the Vietnam era when many rabbis did not support the war, Hertz maintained his position of rabbis in the chaplaincy. Following the time when Shallat submitted his request for deferment there was a shortage of rabbis for military

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[69] Hertz, "What have we brought home with us," March 29, 1946, Box 2, folder 1.
[70] Hertz, Letter to Bertram Wallace Korn regarding Shallat's request, October 26, 1965, Box 17, folder 6. Rabbi Bertram Wallace Korn, 1918-1979, served as a chaplain with the U.S. Navy from 1944 to 1946. Following the war, he served as a congregational rabbi in Mansfield, Ohio, for two years. He was an assistant professor in American Jewish history at the Hebrew Union College and became the senior rabbi of the Reform Congregation Keneseth Israel, where he remained until his death in 1979. Korn's service on the CCAR's JWB Commission on Jewish Chaplaincy was the basis of his correspondance with Hertz regarding Barton Shallat.
[71] Hertz, Letter to Bertram Wallace Korn, October 26, 1965, Box 17, folder 6.

service. Writing in his column in the Temple Beth El bulletin, Hertz addressed the matter of the chaplaincy crisis:

> Personally I feel strongly that Rabbis must be available to serve Jewish personnel in the Armed Forces. Regardless of my personal views on the immoral war of Vietnam, there are Jewish boys stationed there. They need and deserve to be served by our Rabbis. Only a soldier who is lonely and homesick and is serving perhaps involuntarily can understand what it means to have his chaplain available. I shudder to think what our young Jewish boys will say when they return from service and testify, 'we had no rabbis. They deserted us when we needed them.' I believe that adequate chaplaincy service must be maintained.[72]

It is interesting to note that despite his dedication to the chaplaincy, he would not force a rabbi to serve. In a later correspondence, Hertz argued that "no rabbi should be forced into chaplaincy."[73]

As head of the CCAR chaplaincy committee, Hertz was invited to the annual conference of Jewish chaplains to deliver a message about using homiletics in the military. He was recognized for this role due to his reputation as a compelling speaker. The letter inviting him to speak attested to his prominent reputation as an orator. The invitation read, "From your printed sermons which I have read, I believe you are the ideal person to present such material to the men. Your subjects are practical, handled logically, full of good examples, and effused with Jewish thinking."[74] Contributing to his reputation were many sermons that were printed and published regularly and widely disseminated among not only military personnel, but other chaplains and rabbis in the field during his years of service at Fort Ord. More than twenty years after he left active duty, Hertz was still recognized as a compelling speaker and asked to teach the younger generation developing these skills.

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[72] Hertz, "Crisis on Chaplains," May 1968, Box 19, folder 6.
[73] Hertz, Letter to Korn regarding Shallat, December 7, 1965, Box 17, folder 6.
[74] National Jewish Welfare Board, Letter to Hertz, October 23, 1967, Box 19, folder 5.

In 1972 Hertz was invited by the secretary of the army to conduct retreats for Jewish chaplains of the armed forces in Berchtesgaden, Germany.[75] He conducted seminars and lectures and was able to meet one on one with the chaplains to learn about their concerns and interests. In addition to leading the chaplain's retreat in January 1973, Hertz conducted a Torah convention for two hundred and twenty seven officers and men where he delivered a Shabbat sermon, two lectures, and participated in panel discussions titled "Ask the Rabbi." At the discussions, the servicemen asked Hertz questions about Judaism and religion in general.[76]

While every stage of his rabbinate contributed the overall portrait of Hertz's career, his experience as an army chaplain taught him that a rabbi needed to be a good pastor, speaker, and attend to interfaith issues. These skills would resonate throughout his rabbinate. Hertz recognized the transformative nature of his chaplaincy experience. "Rabbis returning with army experience will be very different kinds of rabbis. Their ministries will never be the same as before they left. They will be more the counselor. The rabbi will be the one to call on for an objective, detached, and impartial opinion on vital problems."[77] His years as an army chaplain taught Hertz that helping all people–Jews and non-Jews–with their vital problems was one of the most important and rewarding facets of the rabbinate.

[75] Chief of Chaplains of the U.S. Army, Letter to Hertz, October 9, 1972, Box 19, folder 8.
[76] Hertz, Letter to Aryeh Lev, January 16, 1973, Box 19, folder 8.

Richard Hertz: Pioneer in the American Movement to Free Soviet Jews

In 1953 Richard Hertz became the senior rabbi of Temple Beth El in Detroit, Michigan. During the early years of his career at Beth El, he became interested and involved in the plight of the Jewish people in the Soviet Union. The purpose of this chapter is to examine the details of Hertz's involvement with the struggle to ameliorate the oppressive conditions under which Soviet Jewry existed.

The world's attention was not focused on the mistreatment of Jews behind the Iron Curtain until the mid–1960s. Hertz's interest in the issue emerged in the late 1950s. He learned about the problem from the published reports of Rabbi George Lieberman's[78] seventeen-day mission to Russia and the mission of a British delegation that was in Russia during the summer of 1956.[79] Upon learning of the hardships facing Soviet Jews, Hertz presented the facts to his congregation in a sermon titled "Jews Behind the Iron Curtain." From this point on, Hertz remained dedicated to uncovering Jewish persecution in Russia. He also became an activist on behalf of the Soviet Jewish community. This study of the grass–roots movement which eventually blossomed in the late 1960s and early 1970s helps us understand how the movement to free Soviet Jews began in the United States. An examination of this subject is important because it serves as a case study that not only sheds light on Hertz's rabbinic career, but also contributes to our

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[77] Hertz, "The effect of the chaplaincy on the rabbinate," July 24, 1944, Box 1, folder 5.
[78] Rabbi George Lieberman, 1910-1984, was a congregational rabbi at Eoff St. Temple in Wheeling, West Virginia; Temple Israel in Canton, Ohio; and Central Synagogue in Rockville Centre, New York. He served as president of the Association of Reform Rabbis of New York and was the first chairman of the CCAR Committee on Soviet Jewry. (Milton Himmelforb and David Singer, eds., "Lieberman, George B.," *American Jewish Year Book* (1986), 441.) From now on this source will be documented as *AJYB* year:page.
[79] Hertz, "Jews Behind the Iron Curtain," January 11, 1957, Box 5, folder 4.
Rabbi Lieberman led a group of New York Rabbis who went to Russia to find out what was happening to the nearly three million Jews inside the USSR.

understanding of how some American rabbis involved themselves in the plight of Jews in the Soviet orbit following World War II.

During World War II the Soviet government used all of its citizen groups, including minorities, to combat the German invaders. The Jewish Anti-fascist Committee of the Soviet Information Bureau was initiated by Joseph Stalin in 1941. During the war, this group functioned as a propagandistic tool to demonstrate, mainly to the United States, that the Soviet army was actively involved in the struggle against the common enemy.[80] Following the war the committee became the central focal point of the spiritual life of Soviet Jews. Although the Jews were treated well when the government needed a united front, following the war the same government initiated a campaign of repression and anti-Semitic rhetoric that grew harsher as time went on.

The Soviet Jewish struggle first began to emerge after the end of World War II.[81] When S. M. Mikheols, a central personality in the Soviet Union's Jewish theater and co-chair of the Anti-fascist Committee, was killed in 1948, it signaled the beginning of a "campaign to eradicate the remnants of a once vibrant Jewish cultural life on the Soviet Union." These events marked what later came to be known as the "shvartze yoren" (the "black years").[82]

Hertz described these years in a sermon titled "Anti-Semitism in the Soviet Union Today."[83]

> The years between 1948 and 1953 have come to be known as "The Black Years," the period during which all of Jewish culture was liquidated and the most creative Jewish spirits destroyed. It was a period when Jewish intellectuals were attacked

[80] Ibid., 15.
[81] Murray Friedman and Albert Chernin, eds., *A Second Exodus-The American Movement to Free Soviet Jews* (Hanover, N.H.: University Press of New England, 1999), 2.
[82] Ibid., 16.
[83] Hertz, "Anti-Semitism in the Soviet Union Today," November 21, 1958, Box 27, folder 7.

> as rootless cosmopolitans, when Jewish leaders were arrested, tried and executed on trumped up charges of disloyalty and treason, and when it was widely believed that Stalin planned to deport the whole of Soviet Jewry to Eastern Siberia--a diabolical conception-- from which the Jews were saved only by the tyrant's death....[84]

Through this sermon Hertz attempted to inform his congregants of the horrors that their coreligionists in Russia confronted. The rabbi began to disseminate the information at a time when the matter was still relatively unknown.

In a sermon titled "What Khrushchev Forgot to Include in His Memoirs About Soviet Jewry,"[85] Hertz summarized--in retrospect--how the relationship between the Soviet government and its Jews changed.

> The Jewish Anti-Fascist Committee asked that Crimea be made a Jewish Soviet Republic within the USSR since the entire Tartar population had been deported because of collaboration with the Nazi's during occupation. Stalin saw behind this proposal the hand of American Zionists trying to set up a Jewish state in order to wrest Crimea away from the USSR and establish an American outpost on the Russian shores. The result was that all who were involved in the activities of the Jewish Anti-Fascist Committee were either executed or deported to Siberia.[86]

This period marked the beginning of the strangulation of Jewish cultural life in Russia. The American Jewish movement to free Soviet Jews began as an awareness of these conditions slowly began to dawn on Jews who lived in North America. Through the work of this movement, the outside world became aware of the difficulties Jews experienced behind the Iron Curtain.

In fact, the start of the campaign to support and later free Soviet Jews came out of Israel in 1952. A group of Soviet Jews who had come to Israel in the 1920s gathered in Tel Aviv and decided to initiate contact with their coreligionists who remained in the

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[84] Ibid., 7.
[85] Hertz, "What Khrushchev Forgot to Include in His Memoirs About Soviet Jewry," May 21, 1971, Box 10, folder 2.
[86] Ibid., 6. Friedman and Chernin, *A Second Exodus*, 16-17.

Soviet Union. The group, known as Lishkat Hakeshar, had two agendas. First, they wanted to awaken a sense of Jewish cultural awareness in their Russian brethren. Second, they helped bolster, through immigration, the fledgling Jewish State. One of the group's most important initiatives came as a result of their efforts to educate world Jewry about the threat to Jewish cultural existence in Russia.[87]

It was not until the early 1960s that a significant grass–roots movement to free Soviet Jewry started in the United States. Several factors contributed to the ten-year lag time between the start of the movement to free Soviet Jews in Israel and the eventual participation of American Jews in the struggle. First, American Jews were attempting to acclimate to life in America and were focused on their "upward climb in American life."[88] Second, American Jews were preoccupied with the struggle for Civil Rights that seemed a wholly American cause. Third, many Jewish Americans still believed in the Socialist system as a possible way of ending poverty and unemployment and reducing the disparity that existed between the rich and the poor. Becoming involved in the movement to free Soviet Jewry was, for many American Jews, perceived as a conflict of interest when participating in any one or combination of these three.

Once the severity of the situation facing their coreligionists in the Soviet Union began to dawn in American Jewry, the movement to liberate Soviet Jewry gained momentum. The still fresh wounds that all Jewry felt as a result of the Holocaust played an important role in boosting American Jewish participation in the new movement. "There was no mistaking, of course, the overriding sense of guilt American Jews felt following World War II that was clearly at work in the extraordinary efforts they

[87] Friedman and Chernin, *A Second Exodus*, 2.
[88] Ibid., 3.

mounted on behalf of Soviet Jews. They were determined to learn from this experience and never again remain silent when their brethren were endangered."[89] American Jewry's participation in the effort to free Soviet Jews soon became a major issue on the communal agenda. Following the 1971 World Conference on Soviet Jewry in Brussels, the American Jewish community overtook Israel and became the primary force in the movement to free Soviet Jews.[90]

Once Hertz became aware of the situation facing Soviet Jews, he decided to travel to the region and investigate for himself what life was like for Jews living in Russia.[91] His personal reasons for taking the trip were recorded in a letter to Yaacov Ro'I, a professor at Tel Aviv University.

> My purpose in going to the USSR came from a meeting I had with a friend, Rabbi George Lieberman while in Jerusalem in the summer of 1956.[92] He was a native of Russia and recounted the unbelievable story of the Jews of the USSR. My purpose in making this trip is to study Jews and Judaism and the effect of the USSR regime upon both. To this end, I need to have first hand, eyewitness information and experience, to augment what I read and study. To be a responsible leader in a dynamic city like Detroit, I feel keenly that I must know more than what others can read as well as I can. In the case of my trips to Israel, it was to keep up with what so many in my congregation already had experienced. In this case, it is to experience in advance of others what they have, for the most part, not experienced and thus to be in a better position to speak with authority on the Jewish problem of the day. I hope also to have a better understanding of the

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[89] Ibid., 6.

[90] Ibid., 8.

[91] Hertz, Letter to Joseph Hollander, May 28, 1959, Box 42, folder 4.
In this letter Hertz confirms his plans to travel with Rabbi Max Schenk's group to Russia during the summer of 1959.

[92] Hertz's trip to Israel in July 1956 occurred before it was commonplace to make such a visit. In a sermon titled "20 Questions about Israel, 1956: Part 1 of 4," delivered on October 12, 1956, Hertz described the trip as a "pilgrimage fo the sacred soil of the Holy Land." Hertz went on this trip "to learn about the process and problems of modern Israelis, but also to see the shrines of our ancestral religious faith." (Hertz, "20 Questions About Israel, 1956: Part 1 of 4," October 12, 1956, Box 5, folder 3, 1-2.) While in Israel Hertz kept a journal of the trip where he documented each day's activities. One learns from this source that Hertz's trip to Israel was not for business purposes, nor did he engage in any sory of official work. He and his wife were part of a sightseeing group that included Rabbi and Mrs. Philip Howitz, Rabbi Malcolm Cohen, Dr. Clarence Ephrayamson, Mrs. Lenore Cohen Ross, and Rabbi George Lieberman who joined the group late into their trip. Together this group traveled all over the country with a private guide. (Hertz, "Impressions of Israel: My First Trip," July 1956, Box 48, folder 3, 3.)

> refugee situation as it is being served by JDC out of Vienna, and incidentally to have a look-see at Berlin, since it is the focal center of the East-West conflict and struggle for peace....[93]

But it was not only his personal convictions that propelled his travels behind the Iron Curtain. The letter to Ro'I continues by explaining Hertz's connection with Robert Merriam:

> My friendship with him goes back to my Chicago days when I was Assistant Rabbi at Chicago Sinai Temple and he was a young politico on the rise.[94] He became Deputy Assistant to the President when Eisenhower was elected president. I had spoken with him several times after he went to the White House and he knew of my deep concern for Soviet Jewry. When Khrushchev was coming to the United States in 1959, Merriam asked me if I would undertake a fact-finding study very quietly to fill in the President, so that at the appropriate time when Khrushchev and Eisenhower would be at Camp David, the President could casually ask him, 'by the way, Mr. Chairman, what about the Jews in the USSR?'[95] There seemed no other way to get the Jewish question on the agenda, and I agreed to undertake this mission at my own expense as a private citizen and report back to Bob Merriam when I returned.[96]

Upon making the decision to travel to Russia, Hertz began studying the existing situation with the help of the American Jewish Committee Reports.[97] From these materials Hertz learned more about the plight of Soviet Jews.

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[93] Hertz, Letter to Prof. Yaacov Ro'I, September 20, 1983, Box 42, folder 5.

[94] Based on the sources in Hertz's collection and other public records, the details of how Hertz and Merriam came to know one another and become friends is unclear. According to his papers that are archived at the Dwight D. Eisenhower Library in Abilene, Kansas, Merriam was the director of the Metropolitan Housing Council from 1946 to 1947 and a chairman of the Commission on Housing and the Emergency Commission on Crime from 1947 to 1955. During these years Hertz served as an assistant rabbi in the Chicago area at North Shore Congregation Israel and Chicago Sinai Congregation. It is likely that as an assistant rabbi actively involved with the larger Chicago community, Hertz came to meet Merriam and even work with him as a member of one of these Chicago organizations.

[95] "Khrushchev's tour through America lasted from September 15 to September 27, 1959. He was the first Soviet leader to visit the United States. He visited factories, farms, shopping centers and housing projects; he met with business tycoons in New York City, labor leaders in Pittsburgh, and show business people in Hollywood." During his American tour, Khrushchev and Eisenhower met for a series of private discussions at Camp David. "Khrushchev made a strong and favorable impression on the American people, and he regarded the trip as a personal triumph. He also viewed the trip as a milestone in the growing relationship between the two countries."
(Robert Grogin, *Natural Enemies: The United States and the Soviet Union in the Cold War, 1917-1991* (Lanham, Md.: Lexington Books, 2001), 223-224.)

[96] Ibid.

[97] Desser, Hanna, Letter to Hertz, May 20, 1959. Box 42, folder 6.

According to Ravina, this is his status with relation to Rav Ashi.

By simply looking at the Talmud, we see the complexity of the issue of competition with one's *rav* and realize that there is no final answer in the Talmud. We see arguments and conflicting examples. The only thing that is clear is that there are limitations to what a student may do, with or without permission, while their *rav* is still living. With no answer, however, we are left with several questions:

5. How exactly are we supposed to understand *hora'ah*?
6. How does a *rav* go about giving his student permission to make halakhic judgments?
    1. What was the understanding of *s'michah* at that time, and how do we understand it today?
7. Are there different levels of students?
8. Are there different levels of teachers?
    1. Does a student have one *rav* that is more important than the others?
9. What exactly constitutes making a judgment?
10. What role does distance from the *rav* play in whether or not a student may practice *hora'ah*?

There is far more at stake than simply whether or not the student is prepared to engage in *hora'ah*, and as we look at these *halakhot* we will see all of the salient issues mentioned above come into play.

3) Ways in Which a Student Shows Honor to his *Rav* (15-24)

Honoring one's *rav* is not simply an issue of competition, and in these *halakhot* we see the vertical level of respect that exists between the student and his *rav*. While we have already mentioned a comparison between *rav* and father, we will also see an element of the original meaning of *rav*, master. The student/*rav* relationship is a combination of both of these, creating a unique relationship whose intricacies are seen in detail in this section of the chapter.

Mishnah Avot 4:12 ends, "let your reverence for your *rav* be as your reverence for the heavens." As we see the comparison of *rav* to father and master, ultimately we see a parallel between honoring one's *rav* to honoring God, Torah, and the people Israel. The things that the student does to honor his *rav*, be it in speech, physical presence, or service, go beyond the student, the *rav*, and the community and ultimately represent this greater idea.

4) Mourning for a *Rav* (25-30)

While the laws of mourning are intricate and complicated in themselves, we see a small sampling of these laws in this section and gain insight into the way they were

traditionally applied by the student in the event of the death of his *rav*. While the mourning rituals for a *rav muvhak* do not completely imitate those for a parent, they are quite close, with only the period of *sh'loshim*, thirty days of mourning, being removed, but ultimately, the student observes a year-long mourning period for his *rav* that is comparable to that of a father, and the implications are great.[60]

5) Concluding Thoughts (31-34)

These final *halakhot* remind us that while it is important to honor the *rav*, it is not to the demise of all others who are deserving of honor. The father still deserves respect, and according to some, if he is paying the *rav* for his time, the father retains all the honor of the *rav muvhak*.[61] In addition, the student of Torah also has quite a bit of responsibility and thus is deserving of respect: from himself, from the community, and from his *rav*. While the honor of a student of Torah and honor towards parents are addressed in other chapters of the *Shulkhan Aruch*, their inclusion in the concluding *halakhot* of this chapter reinforce their importance.

Throughout the *halakhot* of chapter 242 we will see all of the salient questions and issues addressed. While everyone agrees that one should honor their *rav*, there is no single agreement to how and to what degree, and we will see different answers from different sources and how those different answers are ultimately resolved into the *Halakhah* as viewed by Caro and Isserles.

We have seen that the rabbi of today is different from the *rav* being written about here, but there are still several ways in which this way of honoring a "master" might be able to be applied today, both in the world of the rabbinate and outside. Anyone who has a teacher, a mentor, or a boss needs to show that person respect. They will find themselves in a position where they are asked to do that which their teacher, mentor, or boss would usually do, and they must then decide whether or not doing so would be disrespectful to their "superior."

As we think about the modern application of this issue, we will consider the relationship between teachers and their students as well as other relationships including mentoring: artists, business people, chefs, mechanics etc... We will explore the responsibility of apprentice to master at the beginning of the relationship and at its end. We will also look at a variety of helping professions such as doctors, lawyers, therapists, and even rabbis and explore what kind of responsibility they each have to their community during their time as a student and after their studies are complete.

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60 See *halakhah* 28 – The son is supposed to atone for his father's sins for the year following death to assure the fate of his soul, and this responsibility is given to the students of the *rav*.

61 Isserles to *halakhah* 34

Halakhic Process

This *halakhah* has its roots in the last *mishnah* of chapter 2 of *Baba Metzia* (33a). In occasions of finding lost property, relieving of a burden, or ransoming a captive of both one's father and their *rav*, helping the *rav* takes precedence to helping the father.[62] The reasoning is related to the *mitzvah* of honoring your mother and father. The *mishnah* states, "his father brings him into this world (*olam ha-zeh)* but his *rav* brings him into the world to come (*olam ha-ba*)."[63] In other words, there is some kind of holy parental relationship between a student and his *rav*.

The gloss of Isserles comes from the *mishnah* as well where it is stated that if one's father is also a scholar, he helps his father first in the occasions listed above. However, for the distinction Isserles makes of the father being the *rav muvhak* (main teacher[64]) of the child, we must look further in the *gemara*.

The *gemara* to the *mishnah* quotes a *baraita* that states "The *rav* that they are talking about is a teacher of wisdom and not a teacher of Bible, or *Mishnah*." Rabbi Yehuda concludes that one's *rav* is the one from whom they have received the majority of their wisdom. While this definition of *rav muvhak* is picked up by Rambam[65] and presumably understood by the *Tur* and Caro, there is a dissenting opinion that follows in the *gemara*. Rabbi Yosi says that even if someone clarifies one *mishnah* for another person, that person becomes a *rav* for the other. No matter how little the item taught, that item creates a teacher/student relationship.

Rambam takes the issue of father vs. *rav* one step further. While the *Mishneh Torah* states that one should help his *rav* before his father, Rambam says that if the father is also a *rav*, even if he is not as learned as the rabbi, he is ransomed first and helped first. This discussion will be clarified in *halakhah* 34.

1 א Man is obligated to honor his *rav* and to fear him more than he does his father. *If his father is his main* rav *(*rav muvhak*), he calls him by the name,* "rav," *but if he is not his main* rav, *he calls him father.*

62 See *halakhot* 34 and 35

63 We find basis for this reasoning in *Mishneh Torah* (Talmud Torah 5:1) and the *Tur* (242)

64 Literally distinguished *rav*

65 *Gizla v'avdah* 12:2

Questions for Today

A current debate in the educational world relates to the purpose of the public schools. One side would say that the purpose of the schools is to provide basic information in reading, writing, math, science, and history to the students. This usually leads to standardized testing to ensure that all students reach a certain level of testable knowledge. Another school of thought, however, would say that the purpose of the schools is to create students who will be able to function in society. Members of the first school of thought would say *this* responsibility falls on the parents, and the level of education suffers when teachers have to worry themselves with these issues.

This *halakhah* seems to stress the important role a teacher can play in a student's life, regardless of whether or not the parents are doing their job. While no licensing or prior knowledge is needed to be a parent, the role of teacher does have requirements, sometimes quite intense, and this makes one think about the respect that these teachers, both religious and secular, deserve from their students.

As we continue throughout the chapter we will see the variety of arenas and avenues through which the student was expected to respect his *rav*. Through all of these, we will address the relationship to how one treats their other teachers, including their parents, and the following questions may be helpful as we explore these roles.

- What do you think about the role of a teacher versus the role of a parent in a child's life?
  - Is one more important than the other?
- What can a parent do to strive to be their child's "main" teacher, even if they are not teaching them the fundamental subjects?
- When does one person become another's "teacher?"
  - Do you agree with Rabbi Yehuda or Rabbi Yosi?
- Are there different levels of respect due to different levels of teacher?

2 ב Anyone who disputes his *rav* it is as if he has disputed the *shechinah.*[66] Anyone who causes strife for his *rav*, it is as if he has caused strife for the *shechinah.* Anyone who rebels against him it is as if he has rebelled against the *shechinah.* And anyone who criticizes his *rav* [or thinks impure thoughts about him] it is as though they have done so for the *shechinah.*

Halakhic Process

In the *Beit Yosef*, Caro calls our attention to *Mishnah Avot* 4:12 which states "Rabbi Elazar ben Shamua said, 'let the honor of your student be as dear to you as your own, [let] the honor of your friend be as your reverence for your *rav*, **and [let] your reverence for your *rav* be as your reverence for the heavens**'"[67]

This comparison of respect for a *rav* correlating to respect for God also appears in the *gemara*. *Sanhedrin* 110a is expounding on the story of Korach's rebellion against Moses. One lesson of the story, according to the *gemara*, is that of Rav Chisda who said, "one who challenges his *rav* [as Korach challenged God's messenger Moses] it is as if they are challenging the *shechinah*."[68] They use Numbers 26:9 which recalls Dathan and Abiram, members of Korach's rebellion, who "agitated against the Lord." The use of the Lord rather than Moses is reason that this verse is used as a proof text for the claim.

The relationship between one's *rav* and the *shechinah* specifically comes from *Berakhot* 27b which says that you should not pray next to your *rav* or behind your *rav*. The text continues with a *baraita* where Rabbi Eleazar says that one who prays behind his *rav*, gives or returns a normal greeting to his *rav*, or says something that he did not hear from his *rav* causes the *shechinah* to go away from Israel.[69]

From *Mishnah Avot* we see the relationship between reverence for a *rav* and reverence for God, and in *Berakhot* the Rabbis teach that the consequence for dishonoring a *rav* is removal of the *shechinah* from the people.[70] We will also see the connection between honor for a *rav* and honor for God and Jewish tradition in the final *halakhah* of the chapter.[71]

Questions for Today

As opposed to the Catholic Church and some streams of Chassidic Judaism, for most of

66 God's presence on Earth

67 See Rashi's commentary to Exodus 17:9, Numbers 11:28, and 12:11

68 שכינה God's presence on Earth

69 This will be addressed specifically in *halakhot* 16 and 24, but it is important here as it creates the connection between the *rav* and the *shechinah*

70 Shabbat 63a tells us that two Torah scholars who listen to each other please the Lord, and those who do not cause the *shechinah* to depart from the people. This same passage also mentions that the Lord loves one who teaches another the Law, presuming that his original teacher is not living in the village. Even the act of learning together is regulated to preserve the honoring of one's teacher.

71 See *halakhah* 36

the Jewish world the rabbi is not viewed as any more "holy" than anyone else. Although now encompassed in our modern view of what a rabbi does, in reality a rabbi is not needed to lead services or perform life-cycle events. For most elements of Jewish life a community is all that is required. A rabbi's job, then, is to teach that community so that they can perform these roles and live a Jewish life.

Even in a context where the rabbi is leading worship and officiating at life cycle events in addition to teaching, there is nothing inherently "holier" about the rabbi as a person. However, when we read a *halakhah* like this one, it seems almost as though the teacher, or the rabbi, is gaining a place that may be viewed as holier than the rest of the community. As we continue to look at the following *halakhot* this feeling may be increased, causing the reader to ask, what is it about this *person* that deserves respect compared to that due to God.

- If the rabbi does not have a closer connection to God, why is the disrespect of this teacher related to the disrespect of God?
- If a teacher's teachings are leading to the holiness of the community, could that work be considered holy?
- What becomes the status of a person whose work brings about holiness?
- Assuming the rabbi him or herself is not any holier, what is the meaning of this *halakhah*?
- Are there other jobs that we could say bring about holiness?
    - Would the holders of those jobs be due the same respect as is described for the *rav*?

3 א Who is one who disputes his *rav*? Anyone who establishes a *beit midrash*[72] in which he settles down, expounds and teaches without the permission of his *rav*, and his *rav* is living; [This is the case] even if he is in a different land.
But he is allowed to dispute him in any disjunction or decision if he has evidence or precedent supporting his judgments.

Halakhic Process

Here we gain interesting insight into the world-view of the Rabbis. What exactly is it that constitutes disputation with a *rav*? According to this *halakhah* it is teaching in competition with your *rav*. While this *halakhah* seems to be addressing the establishment of a school, there is some conflict as to what degree this prohibition applies. It might seem that any form of teaching or judging while your *rav* is alive is forbidden, and we will see examples of that. Perhaps, however, if you are far from your *rav*, or the answer is obvious, teaching and judging is allowed, and we will see examples of that opinion as well. This *halakhah* serves as a transition into the section on *hora'ah* that follows.

Here we see an example of the lack of citations in a *sefer p'sakim* presenting a potential problem. In the *Beit Yosef* Caro questions the origin of this idea that disputing one's *rav* involves establishing a *beit midrash*. First of all, the *Tur* does not cite this as from the *Mishneh Torah* (where it seems to originate), even though he does cite the *Mishneh Torah* for the next *halakhah*. Caro questions if perhaps it is originally from another source. It turns out that this is, in fact, Rambam's interpretation of what it means to dispute one's *rav*, without foundation from another source.

From the other sources, it seems that the problem is solely *hora'ah*, teaching or making halakhic judgments without permission from the *rav* while he is still living. This is the major discussion from the Talmud which will be discussed in the next *halakhah*, but it seems as though Rambam is simplifying the prohibition beyond our other codes. For Rambam, the student is forbidden to teach at all or make halakhic judgments in the presence of his *rav*[73], and he is forbidden to create a competing school during his *rav's* lifetime, however all of the conditions and regulations, which we are about to see are quite complicated, are not present in Rambam's teaching.

Especially as we are looking at the importance of honoring one's *rav*, that is to say respecting a source of information, it will be interesting to look further at when sources are cited in the text and when they are not.

Questions for Today

Many larger cities contain more than one synagogue, and often those synagogues are "break-off synagogues," meaning that a group of congregants, and sometimes a rabbi

72 House of study
73 With exceptions we will look at later

from the synogogue, decided that something about their synagogue was not appealing, and they should start their own. Sometimes this happens affably and sometimes it does not, but it is important to consider how this *halakhah* and those that follow have been applied, could have been applied, and possibly should have been applied in such scenarios. The creation of a new synagogue when the founders, be they lay or rabbinical, have a relationship with the other rabbi affects both the vertical and horizontal levels of honoring the *rav*. The relationship between the rabbi and his colleagues and congregants as well as the perception of the outside community are all impacted by such a change, and ignoring the implications could be detrimental to all involved parties.

Looking outside the rabbinate, perhaps the best comparison that can be made for the relationship between a teacher and his student at this time is the relationship between an artist and an apprentice or a businesswoman and her protege. It is fair to say that when an accomplished artist spends their time training an apprentice, it is problematic once that apprentice begins to be viewed as competition; however, many teachers would say that their greatest accomplishment is seeing the successes of their students. The question then becomes, how does one draw the line of balance. The *Shulkhan Aruch*, following the teaching of Rambam, gives us one fence that he believes should not be crossed. For the rabbi it is establishing a *beit midrash*, or today his/her own synagogue, for an artist this might be setting up their own store, and for the businesswoman/man it might be viewed as a break off company. As we continue studying the *halakhot* of this section and begin to look at the Talmudic debates we will see future possibilities for how to deal with this balance of using a learned craft vs. being disrespectful to one's teacher.

- Before looking at the following *halakhah*, where do you see the boundary between a) using the knowledge you've been given and b) showing disrespect to the one who gave it to you?
  - Is it about competition or merely acknowledging that you may not be as qualified as your mentor?
- Isserles' gloss adds a condition of having proof that your teacher is wrong and that you are right. This seems to be using a different definition of "dispute" than Rambam's original interpretation, but either way, how do you respond when you know your teacher is wrong?[74]
  - Are there different levels at which this occurs?
  - Do they require different responses?

74 This question is also addressed in *halakhot* 11 and 22

4 ד Man is always prohibited from *hora'ah in front of his *rav*, and one who does practice *hora'ah* in front of his *rav* is liable [for punishment] by death.[75]**
***Even if he has received permission there is no change if it is within eight miles[76]. [This applies] for your main* rav.**
And if he is far from his *rav*, more than eight miles, and a man asks regarding an issue of *halachah* along the way, he can answer. But if he appoints himself for *hora'ah*, even if he is at the end of the world [from his *rav*] he is forbidden to do so until his *rav* dies or gives him permission.
***All of this is if [the* rav*] is his* rav muvhak. *If [the student] is a* talmid chaver*, *even within eight miles, it is allowed. And some say that in any case it is extremely forbidden in front of his* rav, *even if he is not exactly facing him. If he begins, in the name of respecting his* rav, *to say that he should ask his* rav, *or that the* rav *is distinguished in his wisdom and age, the student should not teach in the city of his* rav.**
And some say that a *talmid gamur* [who practices *hora'ah*] within eight miles is punishable by death. If he does so outside of eight miles he is exempt, but it is forbidden.**
And some say that [this is] especially [the case] if it is normal for [the* rav*] to come to the city of the student,[77] but if it is not normal for him to come there, only occasionally by chance, he is allowed, as long as he is eight miles away [from his* rav*].
A *talmid chaver* within eight miles is exempt, but it is forbidden, and outside eight miles he is allowed. Even though he has obtained permission from one *rav*, it is not enough until he has obtained permission from all his distinguished *rabanim*.
***That is the distinguished [*rabanim*] that are not discussed in the rest [of the discussion pertaining to] his main* rav *from whom he gets most of his wisdom. If it is so, it is not possible for him to have more than one main* rav, *but rather he means to say a* talmid gamur *rather than a* talmid chaver *who has excelled in [the study of Torah] and has become a colleague to his* rav, *and he is close to being greater [in knowledge] to his* rav. *Be as this may, there are those who dispute and hold that it is enough to receive permission from one* rav. *From here [it is allowed] to make judgments outside of eight miles [from your* rav.*] But within eight miles, it is not allowed. And some say that one who does not have a main* rav, *from whom he received the majority of his knowledge, he is [treated like] a* talmid chaver.**

Halakhic Process

Sanhedrin 5b: "If [a student] is proficient [in the *Halakhah*] why does he need permission

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75 This would not be a death penalty by other humans, but rather represents an understanding of "a punishment of death from the heavens." Most of the time that the *Halakhah* speaks of punishment by death, it is with the understanding that such a punishment is carried out in its time through God's hand in the natural world.

76 The text switches between 3 *parsaot* and 12 *mil* which are equivalent in length. This is somewhere between 7 and 9 miles, and is the approximate distance taken up by the children of Israel in the wilderness with Moses. (Artscroll SH 5b)

77 The *Siftei Cohen* tells us that this refers to a situation where the teacher would come weekly to the city of his student for the market or something similar

[for *hora'ah*]?" The *gemara* continues with several examples where a student, even though he knew the proper information, did not have the wisdom to know how the community would react. A complication between two words that sound similar, *beitzim* and *b'tzaim*, eggs and marsh water, caused an entire community to use utensils that were not kosher.[78]

Before continuing, we must address a question that will be essential to the understanding of the following section of the chapter.

* **What is *Hora'ah*?** Here we get to the central halakhic issue of the section. Up to this point we have spoken theoretically, but here we find out how all the ethical implications of honoring one's *rav* actually play themselves out. What are the regulations placed on a student during the lifetime of his *rav*? It is important to begin with a reminder of what exactly the role of a rabbi at this time was. The main role of the rabbi was that of *posek*, one who answers halakhic questions brought to them by their constituents. When the text uses the word *l'horot* or *hora'ah*, which today we translate as to teach, it is referring to these answers and these judgments. This was the job for which rabbis were depended, and this was the job that ultimately provided their livelihood. For the purposes of this translation and commentary, all forms of *l'horot* and *hora'ah* will be translated as "issuing halakhic rulings" or "make halakhic judgments," but it is important to note Rambam's inclusion of all forms of teaching as viewed in the previous *halakhah*. However, when we look at *halakhah* 7 we see Caro's understanding of the term.

This section looks overwhelmingly complicated, and it is. We are working with quite a bit of Talmudic materially that is ultimately confined to one halakhic statement. Isserles' concern with the degree to which this was done and incorporation of *Ashkenazi* practice is seen in the excess of glosses. We also see a wealth of commentary in Caro's *Beit Yosef*.

First, I urge you to reread the introduction to this section as it contains the introduction to the discussion in the *gemara*. The central issue of the discussion, as seen in this *halakhah*, is that there is a difference in level of student and the distance at which they may make judgments. There is a lot of information, and a variety of minority opinions in the text and the commentaries, but most important is the establishment of boundaries.

Remember that Ravina claimed to be a *talmid chaver* of Rav Ashi. Let us look at the two kinds of students mentioned in the text:

** *Talmid Chaver* (תלמיד חבר): Rashi defines a *talmid chaver* as one who is "as wise as his *rav*, but he learned one thing or more from [the *rav*].[79]

78 See *halakhah* 10

79 Rashi commentary to *Eruvin* 63b

not reached the level of his *rav*.

We focus now on the statement of Rava from the Talmud: [A student] is forbidden [to issue halakhic rulings] in the presence [of his *rav*] and to do so is punishable by death. [If he] is not in the presence [of his *rav*] it is forbidden, but not punishable by death.[80]

- What exactly is meant by "not in the presence of his *rav*?"
- Is Rava referring to all students or only the *talmid gamur*?
- Is there a distance at which a student may make judgments?

Now we look at differing levels of distance between the student and the *rav*. It is important to note that all of these are assuming that the *rav* has not given permission for the student to issue halakhic rulings:

B'fanav : In the presence of the *rav*. It is quite apparent that, regardless of status, one is forbidden from *hora'ah* in the physical presence of their *rav*[81]. The Talmud states that the punishment for doing so is death, and the codes agree. We even see an example of a student who issued a halakhic ruling in the presence of his *rav* and died during that year. Isserles writes that even with the permission of the *rav*, one may not make judgments in his presence.

Shalosh parsa'ot (shneim asar mil): According to *Sanhedrin* 5b, 3 *parsaot* (or 12 *mil*)[82] (between 7 and 9 miles) was the distance taken by the children of Israel in the wilderness with Moses. This is the distance assumed as the realistic constituency of a rabbi. We read in *Sanhedrin* 5b, "A student may not make halakhic judgments in the place of his *rav* unless he is further than three *parsaot* away from him." This came immediately after the prohibition earlier stated of making judgments at all without permission. Even with this statement, there is conflict of opinion over the restrictions within this approximate distance of an 8 mile circle around one's *rav*. The *Tosafot*, in their commentary to *Eruvin* 62b, say that this *baraita* from *Sanhedrin* refers to the *talmid chaver*. Therefore all students would be prohibited from judging within this circle. Rashi, however, in his commentary to *Sanhedrin* 23a claims that the *talmid chaver* is only prohibited from judging in the presence of his *rav*. Both agree that the *talmid gamur* is prohibited from judging within this eight mile circle, but the Rashba says that this is the same

80 *Eruvin* 63a

81 Except for emergency occasions where he would be preventing the profanation of God's name which will be discussed later in the section

82 The text switches between 3 *parsaot* and 12 *mil* which are equivalent in length. This is somewhere between 7 and 9 miles, and is the approximate distance taken up by the children of Israel in the wilderness with Moses. (Artscroll *Sanhedrin* 5b)