

THE Jewish OBSERVER

Elul 5764 • September 2004 • VOL XXXVII/NO. 7
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- RISKY PARENTING**
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Statement of Policy

The Jewish Observer has devoted a great deal of space to the perils of the Internet and to the need for everyone to be extremely vigilant in its use. We have echoed the pleas of our *gedolim* that it should not be in use, unless it is an unavoidable necessity, and then only with all suitable safeguards. While its dangers must be recognized and con-

trolled to every possible degree, our *gedolim* recognize that many people and businesses require its use, and therefore it has not been banned. This is why we accept advertisements listing website addresses, but in no way does this imply that the *gedolim* or The Jewish Observer condone casual use of the Internet.

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The Branja Conspiracy

THE ISRAELI ELITE'S USURPING OF POWER

"THE ARROGANCE OF ISRAEL'S ELITES" – REVISITED

Israelis have coined the term the *branja* (clique) to describe a small group of less than a hundred men and women concentrated in the judiciary, media, and the law enforcement system who exercise inordinate influence over Israeli public debate and power over elected officials.

Nearly five years ago, we published in these pages a lengthy critique of the manner in which Israel's traditional elites maintain control of the national agenda and seek to thwart various democratizing trends in Israel society.¹ The immediate occasion for the earlier article was the far-ranging criticism of the Israeli Supreme Court voiced by Professor Ruth Gavison, one of Israel's most respected constitutional law professors, in an interview with *Ha'aretz's* Ari Shavit. Professor Gavison explicitly framed her criticism of the Court in

terms of efforts by Israel's old elites to maintain their dominant role in establishing public norms. Those elites, she said, "have a natural tendency to aggrandize the power of the Court in order to curb or restrain the process of democratization [of Israeli society]."

That Court, due to Israel's unique judicial selection system, which gives the three Supreme Court justices on the judicial appointments committee virtual control over the process, has, in Gavison's opinion, become "a closed sect, which is uniform and self-perpetuating." Too often, she charged, the Court uses its power "to give priority to the values of one group in society at the expense of the values held by other groups."

And when it does so, its methods recall "the period of the philosopher-king, who informs the citizens from on high what their values are supposed to be." In sum, said Professor Gavison, "one court, which effectively appoints itself, creat[es] the constitution by means of interpreting the Basic Laws, and without any of the control mechanisms that exist in the United States.... From the

point of view of democracy..., this poses a not inconsiderable problem."

Though Gavison's focus was the Supreme Court, she also touched on the connection between the power of the Court and the media, another of the remaining bastions of old elite power. The accumulation of power by the Court is aided and abetted by the sympathetic media in two ways. First, the media convey the impression that the judicial philosophy of Court President Aharon Barak is shared by all right-thinking jurists worldwide. Deep disputes within academia about the Court's approach to specific subjects, and about the Court's judicial activism, in general, rarely reach the popular media.

In addition, both the judicial system itself and its fawning media respond to any criticism with dire warnings of threats to the rule of law posed by such criticism. As Professor Gavison observed, a system that is forgiving of any sharp statement made about politicians "is hypersensitive about every critical statement directed at the judicial system."

Ari Shavit expanded Professor Gavison's criticism of how the media treats the Court to a more generalized

Rabbi Rosenblum, who lives in Jerusalem, is a contributing editor to *The Jewish Observer*. He is also director of the Israeli division of Am Echad, the Agudath Israel-inspired educational outreach effort and media resource.

¹ "The Arrogance of Israel's Elites" (December 1999.)

critique of how the flow of information to the Israeli public is filtered through a very specific lens:

In present day Israel, there exists an almost absolute identity between those persons dedicated to the idea of peace in its most radical-dovish version and those journalists, lawyers, and academics, who are charged with setting the civic and legal norms and the flow of information.... A certain camp, very well defined, fulfills three or four functions: they are the players, and the judge, and they both report and explain the process of various media outlets.

When Professor Gavison first voiced her criticisms of the Court, she was viewed as something of a Cassandra. In the last year, however, various aspects of elite power have come under scathing attack from the leading figures within the law enforcement system.

Last November, Elyakim Rubinstein, then the Attorney General and today a justice on the Supreme Court, set off a storm with a blistering attack on the symbiotic relationship between certain investigative journalists, on the one hand, and leading criminal investigators in the police and prosecutors in the State Attorney's office, on the other. In June, current Attorney General Meni Mazuz created an even greater stir with a frontal attack on the culture of the State Attorney's office, in the course of a press conference announcing that he would not indict Prime Minister Ariel Sharon and his son Gilad on charges of receiving bribes from businessman David Appel.

Rubinstein and Mazuz have dramatically reshaped the nature of the Israeli public debate and subjected the *branja's* exercise of power to greater public scrutiny than ever before.

THE BRANJA'S MODUS OPERANDI

Frequent recourse to the Supreme Court is only one of the means by which the old elites circumvent the legislative and executive branches of government. Criminal prosecutions of public officials are another way in which the *branja* maintains control

over the political echelons.

Frequently, nothing more is needed than to open a file for a criminal investigation, as in the case of Knesset Speaker Ruby Rivlin. An investigative file on Rivlin lay dormant for four years, without being closed or a criminal prosecution initiated. Only when Rivlin, who has been a frequent and sharp critic of the Supreme Court, was mooted as a possible Justice Minister, did news of the file leak to select reporters.

The most egregious case of a crimi-

signed off on the indictment, knew that Neeman would be forced to resign as Justice Minister as soon as the indictment was filed. Even though the trial court judge summarily dismissed the charges, with sharp words of criticism for the prosecution, Neeman never regained his position as Justice Minister. In the words of *Maariv* editor Amnon Dankner, those "who fabricated a case against an innocent person and obstructed justice to pursue a purely political and ideological agenda" succeeded.

Dr. Vicki Shiran, in a study of political corruption in Israel from 1948-1997, found that not one MK from the ruling party had ever gone on trial. Almost all the MKs prosecuted were religious and/or Sephardi, and viewed as representing subversive political forces.

nal prosecution to protect against unwanted elements gaining too much power was that against Yaakov Neeman, Binyamin Netanyahu's first Justice Minister. Neeman is one of Israel's foremost legal authorities and a kipa-wearer to boot. As such, he was viewed as a threat to the entrenched forces in the State Attorney's office. No sooner was he appointed than an old file was dusted off and an indictment filed against Neeman.

Police investigators were not allowed to enter a written recommendation concerning Neeman's case because prosecutors knew that the recommendation would be to close the file. Nor were the police allowed to interrogate the only relevant witness in the case, despite his pleas that they do so, again because the prosecutors knew that he would fully exonerate Neeman.

Attorney General Michael Ben-Yair and State Attorney Edna Arbel, who both

Nor does the law enforcement system treat all prosecutions equally. As Professor Gavison observed, "What is bothersome is the feeling that an element of persecution is present in the system. The system denies this, but the denial is no longer convincing because the accumulation of cases has become too great."

Dr. Vicki Shiran, in a study of political corruption in Israel from 1948-1997, found that not one MK from the ruling party had ever gone on trial. Almost all the MKs prosecuted were religious and/or Sephardi, and viewed as representing subversive political forces. The only two ministers ever convicted of a crime – Aharon Abuhatzzeira and Aryeh Deri – were religious, Sephardi and "subversive."

Summing up Shiran's findings, Ari Shavit observed that whenever a corruption scandal touches upon those close to the real centers of power, the scandal fades. Either there is no prosecution –

e.g., Moshe Dayan's appropriation of antiquities for his own private collection, former president Ezer Weizman's acceptance of large unreported gifts from a businessman, and those responsible for Ehud Barak's phony non-profit organizations; or there is a pardon – e.g., former GSS agent Yossi Ginossar, responsible for framing Yitzchak Mordechai for the killing of two captured Arab terrorists in the Bus 300 affair; or the conviction is overturned upon appeal to the Supreme Court – e.g., former Jewish Agency chairman Simcha Dinitz's conviction for use of business credit cards to make tens of thousands of dollars of private purchases, Teva Pharmaceuticals chairman Eli Hurwitz's conviction for income tax evasion. "On the other hand, when the scandal touches on the religious, Mizrachim, the 'others,' there is a reasonable chance that there will be a conviction or at the very least a political execution," writes Shavit.

Not only is there discrimination in who is prosecuted, but also in the way the media covers different scandals. "In some cases there is a superfluity of coverage at the very early stages, in a way that infringes on the privacy of those in question, while in other cases there is repression and a ban on publication. ... It creates the impression that there is a technique at work for giving prominence to certain issues and not others," noted Gavison.

THE BRANJA'S DOUBLE STANDARD

As censorious as the *branja* is toward those outside the club, it is highly protective of its members. The investigation of Yechezkel Beinisch's handling of the finances of the bankrupt Jerusalem Symphony provides a good example of the latter. Beinisch is the husband of Justice Dorit Beinisch, who is slated to succeed Aharon Barak as Supreme Court President.

Yechezkel Beinisch and the Jerusalem Symphony, of which he was chairman, have been the subject of highly critical reports by the Israel Broadcasting Authority (which partly financed the symphony), the Tax Authority, and the Supervisor of Non-Profit Organizations, for a wide variety of potentially criminal violations. Yet, the media have been virtually silent about the scandal involving a high-profile figure.

Even suspicion of a cover-up failed to rouse the press from its lethargy. State Attorney Edna Arbel, who is one of Justice Beinisch's closest friends and whose candidacy for the Supreme Court was dependent on Beinisch's support, refused to consider criminal charges against Yechezkel Beinisch, citing her close personal relationship with the suspect. More surprising, she refused to assign any other prosecutor in the State Attorney's office to review the findings

of the Tax Authority, effectively ending any chance of a criminal investigation.²

Nor did the press cover show any interest in a very strong letter written by Aviram Bogat, the Supervisor of Non-Profit Organizations, to Attorney-General Elyakim Rubinstein, in which he accused Yechezkel Beinisch of having threatened an attorney in his office with dire consequences if she did not drop her efforts to have the Jerusalem Symphony dissolved as a non-profit organization.³ Only the chareidi newspaper *Mishpacha* even reported Bogat's letter.⁴

Usually the media love a mystery. Yet, it showed no curiosity as to why the Movement for Quality Government leapt to Yechezkel Beinisch's defense, publishing a report highly critical of the Israel Broadcast Authority's investigation of Beinisch. The Movement for Quality in Government had a major petition then pending before a Supreme Court panel, on which Beinisch's wife, Dorit, was sitting. Yet, that fact struck none of Israel's leading investigative reporters, except *Maariv's* Yoav Yitzhak, as significant.

Police Commander Moshe Mizrahi, chief of criminal investigations, is another darling of the *branja* and a

² That was only part of Arbel's service to Yechezkel Beinisch. When he filed a libel suit against the Israel Broadcast Authority for its coverage of his handling of the finances of the Jerusalem Symphony, the State Attorney's office refused to defend the IBA, as is customary procedure. Only after the IBA hired a private attorney and filed an answer filled with damaging allegations against Beinisch did the State Attorney's office attempt to intervene in the proceedings to suppress the IBA's answer. This strange behavior passed almost unnoticed in the media.

³ Rubinstein, who also needed Dorit Beinisch's support for his candidacy to the Supreme Court, dropped the matter, explaining lamely that no one had explicitly asked him to open an investigation, a conclusion belied by Bogat's sharply worded letter.

⁴ Shortly after Bogat's letter, Interior Minister Avraham Poraz announced his intention to fire Bogat. Those close to Bogat claimed that Poraz cooled on him only after the latter began an investigation of Yechezkel Beinisch's handling of the affairs of the Jerusalem Symphony. Yet, the media again ignored the question of why Poraz was determined to fire Bogat, who was generally credited with turning his office from a sleepy backwater to one of the most professional in the Israeli government.

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fecund source of leaks to chosen investigative reporters. The media sprang to Mizrahi's defense after then Attorney General Elyakim Rubinstein publicized a report on Mizrahi's wiretapping of leading politicians that recommended his dismissal. Rubinstein's 68-page report revealed that Mizrahi, in the style of the late FBI Director J. Edgar Hoover, maintained massive dossiers marked "political" of material gathered through wiretaps.

Ha'aretz reporter Amir Oren nominated Rubinstein for the Osama bin Laden prize for the support of international crime based on his recommendation to dismiss Mizrahi. *Ha'aretz* devoted more coverage to State Attorney Arbel's 14-page defense of Mizrahi than to Rubinstein's 68-page report. Readers of *Ha'aretz* would never have known from the paper's reporting of the controversy about the dossiers maintained by Mizrahi, or that those carrying out the wiretaps repeatedly complained that they were beyond what was permitted in court orders.⁵

It was *Ha'aretz's* coverage that provoked Rubinstein, in his November 21st speech at a forum on Law and Society sponsored by the Netanya Interdisciplinary Center, to charge that the self-styled "Paper For Those Who Think" had undertaken "to think for its readers by placing a wall between them and the information that would allow them to make a proper evaluation."

Rubinstein described an entire system based on the principle: "Give me [information] and I will write favorably about you." Senior law enforcement officials – both government prosecutors and police investigators – leak information from ongoing criminal investigations to a small group of investigative reporters,

⁵ The broad tolerance shown by *Ha'aretz*, a self-styled defender of personal liberties, for Mizrahi's wiretapping was hard to square with the paper's expressions of outrage months earlier when Rubinstein subpoenaed the telephone records of *Ha'aretz* investigative reporter Baruch Kra, in an attempt to uncover the source of leaks from the State Attorney's office to Kra in the Greek Island case. (Prosecutor Liora Glatt-Berkowitz subsequently admitted to leaking the information just prior to the elections to help defeat Prime Minister Sharon at the polls.)

and, in return, those same reporters write glorious profiles of their sources and work to advance their careers. The Attorney General characterized Israel's "new journalism" as "superficial, ignorant, and unethical, with its targets clearly marked in advance." He described much of the media as "little more than a sustained campaign to suppress other opinions."

Rubinstein's criticism set the stage for his successor's even more fundamental assault on the culture of the State Attorney's office.

THE ATTORNEY GENERAL SHAKES UP THE BRANJA

The *branja's* dominance suffered a major body blow in June when Attorney General Meni Mazuz issued his final report on whether or not to indict Prime Minister Sharon and his son Gilad for bribery in the so-called Greek Island Affair.

The press had already reported that Mazuz would not issue an indictment, which would have forced the Prime Minister to resign and plunged the

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country into political turmoil. But Mazuz did not just let matters rest with a bland conclusion that the evidence against the Prime Minister was insufficient to warrant a prosecution.

Rather, he launched into a blistering attack on former State Attorney Edna Arbel, who had submitted a draft indictment against the Sharons, and by implication on the entire culture within the State Attorney's office. Mazuz declared as unacceptable the approach "that if the prosecutor has doubts about whether the evidence is sufficient to convict, he should submit an indictment and leave the work to the court."

Clearly furious at the way he had first learned of the draft indictment from the media and not from Arbel herself, Mazuz wondered aloud why Arbel had chosen to reopen the case against the Prime Minister after three teams of police investigators had recommended against prosecution, and only last December, a team of senior prosecutors, with Arbel herself fully participating, had reached the same conclusion. He charged her with "targeting" the Prime Minister, and said that that attitude had spread to the entire prosecutorial team she had assembled for final consideration of the case.

Mazuz picked numerous holes in Arbel's case.⁶ In addition, he pointed out that many of the leaks from the State Attorney's office to the media were highly tendentious distortions of the evidence. Ari Shavit described Mazuz's report as a scathing indictment of all

the truth-finding institutions of the state, including both prosecutors and the media. Shavit went so far as to compare the impact of Mazuz's report to that of the Agranat Commission in the wake of the Yom Kippur War, which refuted the entire *conceptzia* (paradigm) upon which Israeli military doctrine was predicated.⁷

THE JUSTICE'S STARTLING LACK OF QUALIFICATIONS

The implications of Mazuz's report reached far beyond the State Attorney's office. The inevitable result of the furor about Arbel was to raise anew questions about Israel's anomalous method of judicial appointments – in particular the degree of control over the process of the three Supreme Court justices on the judicial selection committee, and the manner in which the decisions are arrived at in private by Supreme Court President Aharon Barak and the Justice Minister before the committee ever deliberates.⁸

A long laundry lists of questions were raised about Arbel's fitness for the Court prior to her appointment. Yet the judicial selection committee barely paused to consider the charges against her once the three Supreme Court Justices and Justice Minister Tommy Lapid settled upon her as their candidate. After Attorney General Mazuz issued his report, former Attorney General Michael Ben-Yair rushed to the

press to lay the responsibility for the prosecution of Yaacov Neeman on Arbel. She, in turn, had attempted to point the finger of blame at Ben-Yair before the judicial selection committee. Implicit in their mutual recriminations was the admission by both that the prosecution was unsupportable.

The Neeman prosecution was far from the only serious charge ignored by the judicial selection committee. Prior to Arbel's appointment to the Supreme Court, Education Minister Limor Livnat charged her with having solicited an appointment for her husband to a government board, at a time that Livnat herself was a potential target of investigation by the State Attorney's office.⁹ After initially denying the charge, Arbel admitted, once her appointment to the Supreme

⁶ The Attorney General noted that many of the services allegedly performed by Ariel Sharon for businessman David Appel took place before Appel employed Gilad Sharon (the alleged bribe), and that many of the payments from Appel to Gilad Sharon took place after Ariel Sharon was already in the opposition and unable to render Appel any assistance on his projects. He also noted that wiretaps of Appel showed that he had indeed valued the inexperienced Gilad's services, and that the huge salaries paid were commensurate with those of others working on the project.

⁷ No one was left with more egg on his face by Mazuz's report than Justice Minister Tommy Lapid. On the one hand, Mazuz's decision was a great relief to him, as his Shinui Party had committed itself to resigning from the government if an indictment would be issued against the Prime Minister. On the other hand, just a few weeks earlier, he and Court President Aharon Barak had been toasting each other upon successfully railroading Edna Arbel's appointment to the Supreme Court through the judicial selection committee. Now, he was left to explain the dispute between Mazuz and Arbel as nothing more than an issue of legal philosophy over the burden of proof required for commencing a criminal prosecution.

⁸ On the last round of appointments to the Supreme Court, prior to Arbel's appointment, Justice Dorit Beinisch nixed the candidacy of Professor Nili Cohen, according to press reports, because she felt it would adversely affect the chances of Arbel, her good friend and successor as State Attorney.

⁹ The solicitation on behalf of Uriel Arbel was apparently part of a pattern. During the investigation of the fake non-profit organizations of the 1999 Barak campaign, Prime Minister Barak sought to nominate Uriel Arbel to be a director of Zim Lines, but was deterred by press reports.

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Court was approved, that such an approach to Livnat had been made, but that it had been made by a third party.¹⁰

Now, for the first time, questions were asked as to why the judicial selection committee devoted almost no time to the Education Minister's accusations. Prior to Arbel's appointment by the judicial selection committee, Knesset Law Committee Chairman Miki Eitan took the unprecedented step of calling hearings on Arbel's appointment. He was promptly assailed in the media for undermining the Court and the rule of law. Suddenly, his decision seemed like sweet reason. Even *Ha'aretz*, normally a reliable defender of the judicial selection process and Court President Barak, wondered how someone of Arbel's mediocre legal talents had been appointed.

The prestige of the Court was itself tarnished by having such damaged goods as Arbel pushed upon it, further proof of the adage of labor organizer Saul Alinsky: Immoral enemies make stupid mistakes.

MORE THAN A DAGGER IN THE HEART

Mazuz drove a dagger into the heart of one of the bastions of the *branja's* power, the State Attorney's office. But he did more than that. He took an approach totally at variance with that of the *branja*. As a native of the Negev development town of Netivot, he is an outsider to elite circles. Perhaps his background spared him the assurance of the traditional Israeli elites that it is their divine right to dictate all societal norms.¹¹

¹⁰ Other charges against Arbel included taking a government pension of 200,000 shekels to which she was not entitled, and failing to return it after a public commission found that the pension had been improper. *Maariv's* investigative reporter, Yoav Yitzhak, also accused her of lying on her resume about her academic credentials.

¹¹ A number of the most effective critics of the *branja* come from similar backgrounds. Ben-Dror Yemini, the op-ed editor of *Maariv*, is the grandson of a leading Yemenite *chacham*, and grew up in Tel Aviv's poor Hatikva quarter. Yoav Yitzhak, *Maariv's* leading investigative reporter and the principal thorn in the side of the *branja*, is also Yemenite.

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The scion of a long line of Tunisian rabbis, he began his term in office by announcing that he is no *rav* – i.e., his job is to enforce the law, not to be a moral arbiter for the country. He is also the first Israeli Attorney General in nearly thirty years not to make a practice of attending every cabinet meeting.

Mazuz is not such a naïf as to believe that David Appel would have hired Gilad Sharon if his name was

Buzagulo, any more than Elisheva Barak would have been appointed to the National Labor Court if she were not married to Aharon Barak. But he did not give himself the task of reforming all that reeks in Israeli public life. He would leave it to the voters to create the unwritten norms and to enforce them in the traditional fashion: “Throw the bums out.”

The traditional elites showed no tolerance for Mazuz’s conception of the limits of his office. Retired Justice (and former Attorney General) Yitzchak Zamir charged Mazuz with having opened the doors to bribery of public officials by focusing on the narrow legal question of the sufficiency of the evidence against the Sharons, father and son. And former Justice Minister Prof. Amnon Rubinstein argued that the Attorney General is not permitted to limit himself to the narrow question of whether or not a crime was committed, but must take into account public norms.¹²

In other words, the Attorney General’s job is not to enforce the law but to impose proper standards. That is why the *branja* is so unrepentant over the long series of failed prosecutions of public figures. In its view, the defendants deserved their public humiliation and huge legal fees for raising suspicions in the eyes of the *branja*.

Thus far Mazuz has been uncowed by his critics. He has completely shaken up the old clique of female prosecutors that has dominated the State Attorney’s office for more than a decade, and successfully pushed his candidate Eran Shendar as the new State Attorney. It was Shendar who wrote the original report highly critical of the wiretaps of politicians conducted by Police Commander Moshe Mizrahi.¹³

But Mazuz’s greatest service has been to deprive the phrase “undermining the rule of law” of its talismanic power to delegitimize all critics of the Supreme Court or the government legal system. Now that the official who stands athwart the entire government legal system has raised fundamental issues about its operations, points out *Maariv*’s Amnon Dankner, it will never again be possible to accuse critics of “undermining the rule of law.” That, in turn, opens the way for Israel to more fully realize its justified claim to being the only democracy in the Middle East. ■

¹² MKs Yossi Sarid and Eitan Cabel did not even bother to read Mazuz’s report before filing petitions in the Supreme Court against his decision. That lack of interest in the evidence is strange given that an indictment would have forced the resignation of a prime minister elected by a landslide. Then again, democracy is always viewed by the *branja* as something of a nuisance – a system in which the views of the great unwashed may carry greater weight than the elites’ enlightened opinions. That is why the *branja* always seeks to expand the powers of the judiciary, the least democratic branch of government.

¹³ Mizrahi announced recently that his Criminal Investigations Department is giving the highest priority to the investigation of a complaint against Shendar for his conduct as head of the Police Investigative Unit in the Justice Ministry in a probe of the Deputy Commander of the Nahariya district.

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I. INTRODUCTION

The “Alter’s” Approach...

In his classic work, *Mezakeh Harabbim* (To Turn the Many to Righteousness),¹ Rabbi Yosef Yoizel Hurwitz, the *Alter* of Novaradok, poses questions regarding *chinuch* as springboards for discussion and clarification, bearing messages of guidance that speak to us, today.

He opens chapter eight with: “Are teachers obligated to closely scrutinize all of their young charges’ activities and to examine whatever they do with an eye to help them improve?” He begins his response citing a *Gemora*:

Rav once came to a certain place and decreed a fast, but no rain fell. When the prayer leader recited: “*Mashiv haruach* – He causes the wind to blow,” however, the wind blew, and when he

continued: “*umorid hageshem* – He causes the rain to fall,” the rain fell. Thereupon Rav asked him: “What is your occupation?” To which he replied: “I teach the young, the sons of the poor as well as those of the rich, and I take nothing from those who are lacking in means. Also, I have some fish ponds and if a student is recalcitrant I bribe him with fish, and accommodate him, and conciliate him until he is won over to study” (*Taanis* 24a).

The *Alter* then comments:

How great were that teacher’s deeds! Not only did he devote himself to teaching the sons of the poor as well as those of the rich, taking nothing in return from those of limited means, but he exerted himself even further in all kinds of actions which would draw the hearts of the recalcitrant ones closer to Torah. For on the face of it, would it not have been sufficient had he expended all of his efforts on those who desired to learn from him and who were

completely receptive to his words, and who, nonetheless, would demand from him a tremendous expenditure of energy if they were to understand and to progress as they should? Was it also necessary that he unceasingly pursue and encourage even the recalcitrant ones, confirmed in their obduracy?...

Teaching the material is not enough. It must be accompanied by exertion and zealotry to correct whatever is in need of correction, as in the instance of the teacher in *Taanis*, who engaged in two activities – studying with those who aspired to learn, and exerting himself to create permanent aspirants.

Chapters nine and ten of this *sefer* question (a) whether involvement in educational efforts is incompatible with self-improvement, and (b) how knowledgeable one must be of his charges before embarking on a teaching program. The *Alter* addresses these two seemingly unrelated questions with an incident recorded in the *Gemora* (*Eiruv* 54b):

Rav Preida once had a certain

Mrs. Steinberg, of Brooklyn, NY, serves as Director of Agudath Israel’s Project L.E.A.R.N. Her article, “Meeting Every Child’s Needs – It’s Up to All of Us,” was featured in *JO*, Apr. ’01.

¹All quotations are from Rabbi Shraga Silverstein’s translation, published by Feldheim (1970).

pupil who had to be taught a section four hundred times before he understood it. One day, Rav Preida taught his lesson after being summoned to attend to a matter of mitzvah, and the pupil could not master it. Upon being asked what the trouble was, the latter replied: "From the time that the master was summoned to attend to a mitzvah, I have not been able to concentrate, thinking: Perhaps the master will go now... Perhaps he will go now," Whereupon Rav Preida said: "Give me your attention and I will teach you again." So saying, he taught him an additional four hundred times, after which the pupil mastered his lesson.

Thereupon, a Heavenly voice went forth to Rav Preida: "Would you rather that four hundred years be added to your life or that you and your generation merit the World to Come?"

He answered: "I would rather that I and my generation merit the World to Come." At this, the Holy One Blessed be He pronounced: "Give him both."

The *Alter* points out how self-negation and dedication to public service on the part of Rav Preida actually unlocked extraordinary storehouses of spiritual treasure for so many. Moreover, this episode also dramatically shows how an effective *rebbe* puts no limits on how much effort he will expend to penetrate the unyielding mind of a difficult student. We must bear responsibility for *all* children; this will prove to be to everyone's benefit.

... Speaking to Us Today

The *Alter* of Novaradok did not present any *chiddushim* – no innovative or creative insights – in his *sefer*. His lessons are obvious conclusions drawn from well-known sacred texts. Yet, when he wrote his *sefer* close to a century ago, he felt that it was essential to spell out the urgency of including *all* children in his mandate to be *mezakeh harabbim*. He, in effect, began a revolution of mass-scaled outreach.

By the same token, in the highly competitive, crowded classrooms in the

current *chinuch* scene, it is unlikely that teachers like Rav Preida, or like the one who inspired the rains in Rav's fast-day *tefilla* session, would have much opportunity to discover which children have special needs, and then would have the time to pursue a program to meet these needs.... At least, that would have been the sorry assumption ten or fifteen years ago. As of late, however, significant changes have been taking place in the general educational scene in terms of meeting the needs of children struggling with individual challenges and difficulties in learning, and many of the benefits of these changes are being realized in the yeshiva system, as well. There are many more hurdles to be negotiated in the yeshiva world than in the public school system, but these are gradually being overcome, and we hope for more progress in the future.

In the pages that follow, we will define the nature of special education, present some of the goals of an effective special educational program, enumerate the difficulties that must be overcome before a child can benefit from such programs, and then make some general suggestions

II. WHAT IS SPECIAL EDUCATION?

Special education is basically a matter of applying well-honed teaching skills to addressing specific needs – needs which left unmet, make it difficult or impossible for a child to progress within his or her class.

In the words of Dr. Nathan Solomon,² a clinical psychologist who is expert in the field:

The special needs that must be addressed could be the result of emotional disturbance, mental retardation, physical handicap, or a situational disadvantage such as a family dysfunction. [Dealing with these types of problems are often beyond the purview of the classroom and require treatment in a specialized setting. The learning disabilities that teachers *do* work with effectively]... are physiological and

² These comments are culled from Dr. Solomon's article, "Learning Disabilities: A Primer," which appeared in JO, April '01.

developmental in origin. Their causes can include genetic, prenatal, perinatal, postnatal, and central nervous system compromise. Generally speaking, a learning disability is no one's fault; it is a *nisayon*—a test – visited upon not only the child, but also the entire family....

The effects of learning disabilities on school performance and the acquisition of academic skills can be profound. Though, as neurological deficits go, learning disabilities tend to be extremely subtle and even mild, they make normal learning in the traditional manner almost impossible without intervention in the form of adaptive learning techniques. [This can affect] word decoding,... auditory and visual discrimination,... and short-term and long-term memory... [among other skills crucial to reading and cognitive thinking].

The most important effect of learning disabilities, however, is not academic. It is emotional and interpersonal. A learning-disabled child will feel he is a failure, as though he is to blame for the problem, even if he is fortunate enough to have been told that he is not, but especially if others have told him that he *is*. His self-esteem is profoundly affected, and he will prefer to suffer day after day of academic bewilderment in silence, rather than experience the shame of admitting, "I don't understand." Without awareness of the true nature of his problem, teachers and parents cannot offer the support and understanding, the patience and special attention that could carry him through school and peer relationships.

An effective special ed program, then, cannot begin until the school identifies the children who require such help, and determines how their needs can best be met – in the framework of a special class, a part-time tutorial program, or simply by special attention within the conventional classroom setting. The principal then enlists the cooperation of teachers and parents, and the child's special education pro-

ceeds. The more “mainstream” the venue, the more positive the attitude and self-image of the child.

When an Evaluation is Called For

The alert and educated teacher or parent can often spot the child having learning problems. Sometimes, however, the teacher may miss the signals that something is wrong.

Chany is a wonderful girl; however, she never has her finger on the place. Chany can't

read, yet her teacher doesn't know it. She is able to keep up with the work because she has a phenomenal memory. As she struggles to hide her horrible secret, her problems are compounded, since her teacher is constantly calling on her and finding her lacking. Time and time again, her teacher embarrasses her in the hope that Chany will finally learn her lesson and listen in class. The only thing accomplished with this methodology is that we now have an angry, nervous, disillusioned child.

When children don't do well in school, educators must remember that

lack of effort is not the norm, and that something must be amiss. If the will to learn has been thwarted, the educator's goal must be to find out why, and give the child a real chance. The first step, of course, is testing to determine the nature of the problem.

There are children in our classrooms who are suffering because their auditory processing is not up to par, or they are dyslexic, or they have a form of ADHD, which does or does not manifest itself with negative behaviors, and keeps these children from learning. The teacher in front of the class cannot be expected to figure out the exact reason each of these children seems lost. As soon as the school or parent realizes that a child is not functioning as expected, an evaluation should be recommended. If this is done at the first sign of trouble, the child can get the support he needs as soon as possible, and have a fair chance to remain in the mainstream environment. This can help alleviate the horrible feeling of repeated failure, which frequently is the forerunner of behavior problems.

Although waiting to see if the problem will correct itself may work in some instances, there is much more to lose by testing too late than by testing too early.

*Cooperation:
A Two-Sided Protocol*

If it is common knowledge that early intervention is the best cure, why are so many children left waiting until they are drowning before they get help? The reason, although simple, is very difficult to correct. Schools are at a loss as how to break it to parents that their child is really not the genius they had dreamed of, and parents do not want to lose a coveted placement in a prestigious yeshiva by telling the school that their child is anything less than perfect. Yet, both custodians of the child's future – the parents and school – must accept the child as he (or she) is, and not close their eyes to his (or her) specific needs.

A partnership of this sort between parents and school is not only beneficial, it is truly vital to the success of the child

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suffering learning difficulties. This means embarking on a joint effort. It does not mean that once the parents accept the reality of the child's status, and the school accepts the child as one of its students, the parents can drop the whole burden in the principal's already overcrowded lap. Although the school is there to teach every child, parents are obligated to step in with appropriate assistance when anything out of the realm of normal educational needs comes up. And when a child's behavior is disturbing the class, the school is well within its rights to ask the parents to join them in providing the necessary intervention.

Schools are often reluctant to accept a child with unusual needs because they are afraid that they will be left holding the bag. If, at registration, the parents are asked to sign an agreement with the school that their cooperation can be counted on, both parties will be secure, and the child can be assured that the adults in his life will be there for him. On the other hand, yeshivos may well exercise a policy of zero tolerance of lack of parental cooperation. If all yeshivos enforced such standards, parents would have no choice but to cooperate, and the end result would be better education for all our children.

A school director related the following to me:

A child was acting up, and an evaluation was requested to explore which measures could facilitate the child's functioning better – even, if absolutely necessary, resorting to medication or employing a shadow.³ The parent refused, stating that it was the school's responsibility to educate the child, and that she would never medicate her, no matter which professional would tell her to do so. While a parent certainly has the right to question extreme steps, a signed statement

³ This is a colloquial expression for various paraprofessionals. A health paraprofessional is an individual who accompanies the child with medical issues in the classroom and assists him with daily living needs, such as feeding, ambulating, transitioning from one activity to another, etc., to make it possible for the child to be educated in the least restrictive environment. A management paraprofessional is an individual who accompanies a child with behavior issues in the classroom to make it possible for the child to be educated in the least restrictive environment.

of cooperation would go a long way toward avoiding such a difficult stalemate.

On the other hand, a parent who is an educator related the following story about his experience in trying to forge a cooperative relationship with his daughter's school. As you will see, all the right steps were taken, but the plan of action fell apart anyway.

Rena has a math disability and reverses her numbers. The parents and child are doing everything possible to work on this, and have seen tremendous progress, but they still have a way to go. At the beginning of the school year, the parents requested a meeting with the principal and teacher to make sure that nothing would happen to make Rena feel like a failure, which could undermine all her efforts. The parents were reassured that if an issue should arise, the teacher would call them without hurting the child, and the parents could then take the necessary steps to work things out. The first test came, and everything fell apart. The teacher returned the papers with red marks all over them. To add insult to injury, "SEE ME" was written right across the coversheet.

The child came home devastated, and the parent was in a state of shock. What happened to the promise of cooperation? It was as if the meeting had never happened! As one parent later said, "Don't promise that you'll work with me if you have no intention to." With a bit of extra attention, this child could succeed in a mainstream class. Teacher and parent must work together, and that means much more than lip service.

Seeking the Ideal Venue

If at all possible, the child's needs should be met within the context of his or her classroom. Only after all efforts are exhausted in the general education system should a child be referred to a special education classroom. (If this revolution of inclusion exists in the public school system – and it does – how much more so should it exist in our yeshivos!) Our premise should be that children who need supportive services are no different than other children in their hopes and dreams for the future, and parents and educators must work together to help fulfill their dreams.

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Unless we are dealing with limitations that require special, long-term attention, it is possible that they can be dealt with in the conventional mainstream classroom. As mentioned, this can be achieved if a partnership is forged between parents and school, for, with

such cooperation, children who were failing have blossomed beyond anyone's wildest expectation. Years ago, it would have been most unlikely that in the conventional yeshiva or Bais Yaakov classroom, which can find one teacher responsible for 25 to 35 students, the special needs of a disadvantaged child would be met in the classroom.

Moreover, funding a supplementary remedial class or a self-contained special ed program would be far beyond the financial resources of the average school. As of late, however, in New York City (the geographic area with which I am most familiar), the Department of Education (DOE) has been making special education, one-on-one tutoring and many therapeutic services available in the yeshivos under certain conditions.

In the past, standard protocol dictated that children who needed intervention simply were not able to remain in our system, and were sent to public school for their special education needs to be met. When a child was failing, parents

who could not afford supportive services had few choices, and had to accept their lot. Today, things are different. If a child is not succeeding in school, he can get a free evaluation and services from the DOE. Often, the DOE will recommend that the child receive services in a public school. If it can be proven, however, that such a plan would be educationally inappropriate, the child can usually get the help he or she needs either in the school they are in, or in another location from private providers paid for by the DOE.... The individual child's needs can be met "at home," or on friendly turf.

III. SOME RECOMMENDATIONS

As our yeshivos are constantly growing and seeking new methods to reach all children – in knowledge, skills, and *hashkafa* – the following recommendations could truly help improve our system as a whole.

1. Standardized testing can be utilized very effectively to identify which children are having problems in school. If a child scores below a satisfactory level, the parent should be notified. After consultation with the principal and guidance counselor, more testing may well be in order – ideally, at the earliest stage possible. Identifying the problem early very often nips it in the bud, and the child's self-worth does not have to suffer through repeated, reinforced failure in the interim.

2. Having an enrichment program running parallel to the resource room program⁴ will allow the child's self-esteem to stay intact even though he is being pulled out of class. It is very important that, as a matter of policy, no remark should be made regarding what type of session a child is attending. This will certainly help protect these children from being stigmatized.

3. Let us stress time and time again that people are not judged on Yom Kippur by their grades, but by their

⁴ A resource room is a setting for special education tutoring that addresses the skills that the child is lacking to succeed in the mainstream environment.

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*Based on a thought brought down in "Reb Yaakov" (Mesorah Publications).

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middos. Recognition of acts of *chessed* should be part of the school's policy. By the same token, being cruel should be dealt with harshly, and children should know that a possibility of expulsion exists if behavior is anything less than what is expected from a *ben Torah* or *bas Yisroel*. Often, children with issues are clumsy or display behaviors that are a little different. They may be impaired in some areas, but they are unimpaired in their ability to understand that they are being ridiculed or dealt with in a condescending fashion. Often, when these children erupt after months of abuse, they – the victims – get punished for their reaction, not the perpetrators. The justification for teasing is "Boys will be boys." That response may be acceptable in the secular world, but has no place in our Torah institutions.

4. Effort should be rewarded, not just brain capacity. How often do we see children give up because they feel that their grade simply doesn't matter unless it hits that ever-elusive 100%? On the opposite end of the spectrum, many brilliant children do not reach their true potential because all that seems to matter is the mark, and they just about sleep through class and still win "the prize." These children are also not taught the art of perseverance and concentration, which are the true benchmarks of learning. If effort were recognized as a respectable measuring rod for success, all children would gain – not only during the years that they spend behind the classroom desk, but as they grow into adulthood, as well, for they will have learned skills and attitudes they need to succeed.

5. Evaluations should be an avenue to help a child. Common sense dictates: evaluate the child and get him the support he needs. But reality is not always consistent with common sense. Some parents are simply mortified when faced with the prospect of having an evaluation done. They are concerned that their child's reputation will be irreparably damaged. They should be reassured that the school will be there to help them in accordance with the

results of the evaluation.

Top professionals are aware that parents and child are attached at the heartstrings, and they take parents' insights into their children seriously. The little nuances that parents know about their child are extremely important – especially when dealing with a child with special needs. Only when parents and school work as a team does the child have a chance at success.

6. The breakthrough of special education programs is wonderful and long overdue. It does, however, bring with

it dangers that cannot be ignored. Many children with issues can and should be kept in mainstream schools, and not referred out to a special class. Yet, our classes are often too big, and even the most dedicated teachers are unable to give children the attention they all so sorely need, let alone children who are having difficulties. Strictly limiting our class sizes and making our teaching staffs aware of differences in learning styles would go a long way toward keeping marginally learning-disabled children out of special education pro-

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"He who loans to a poor man in his straits, regarding him Scripture states, "Then, you will call out, and Heaven will answer" (Sanhailin 76:)

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grams. But due to financial considerations, many of our schools do have large classes, and many of the faculty members are neither trained to recognize learning disabilities nor equipped to work with them. It is up to the parents, then, to provide the support for a child with special needs if he is to succeed. With everyone's combined efforts, special education programs could be reserved for those children for whom every effort has been expended to keep in the mainstream, and was demonstrated to be unfeasible.

When All Else Has Failed

What happens when all else has failed and a self-contained class is the only option? Some of our *yeshivos* have answered the call, and have introduced self-contained classes into their schools. Although educationally this is a very sound solution, the issue of the self-esteem of these children is much more complicated. Learning-disabled children are often very bright and perceptive. They are fully aware that they are in a special

class. Unless addressed properly, their sense of self-worth can be irreparably damaged. The schools are working hard to offset any harm by including these children, who are often very talented, in school presentations such as choir, dance, plays etc.

Parents also carry a responsibility to teach their own children that those kids in "that class" are no different than they are, and should be treated as equals. In my experience, I can attest to the fact that many schools are accomplishing their goals in emotional terms as well as by educational criteria. When asked where they go to school, the children hold their heads up and respond with the names of the most respected *yeshivos*. They feel – and are – full-fledged members of our community. Instead of the embarrassment and shame these children could have been suffering, they are already a great source of *nachas* for all involved.

Our community has come a long way in truly integrating and educating the special education population. Hopefully, total success is just around the corner. ■

Editor's Note:

In her capacity as Director of Project L.E.A.R.N., Mrs. Steinberg assists parents with a broad spectrum of special education issues that affects their children's ability to be educated within our community at large. This includes helping parents access DOE services to help their child remain in the mainstream environment, finding a mainstream school which could best address their child's specific needs, locating special education programs to address their child's needs within the Orthodox community, and working on creating special programs to address specific needs within our community. The issues discussed in the above article have crossed her desk and should be addressed by the greater community.

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Many differences exist between the challenges in the life of a child growing up today and those of the child who was being raised forty years ago. Today, there are more families where both parents are working outside the home, more single-parent families, larger families, larger schools, fewer student openings, greater social competition for wealth and opulence, more kosher eateries – more kosher eateries open until two a.m. Years ago, a child who wished to communicate with someone, either looked him in the eye or had to use his parents’ land line. Today, inexpensive, readily available electronic communication, both voice and text, through computers and cell phones, has created a social climate with challenges unimaginable only two decades ago. Today, there seems to be no such thing as safe media or entertainment, neither electronic nor print. These are but a few of the differences.

It must also be clearly stated that each and every child is unique and complex, as is each and every parent. Not only is each child different, but even the same child may react or be affected differently on two consecutive days. It should therefore come as no surprise to see that within the thousands upon thousands of pages of halacha that regulate every area of life, relatively little is said about the details of raising children. “Chanoch lanaar al pi darko – Educate the child in accordance with his ways” is about as specific as it gets. Obviously, we must, with the guidance of daas Torah, think and rethink each act as a parent. The following article seeks to identify what may be two of the most significant and under-reported differences between the culture of today and that of previous generations.

**THE WAY IT WAS...
AND NO LONGER IS**

Do you remember when children were expected to love, admire, respect and even stand in awe of their parents – even after they turned fifteen? *Do you remember when* there was

Rabbi Klestzick is principal of the Rudin Torah Academy (K-8) which also includes Shaarei Torah and the Yeshiva of Virginia High Schools in Richmond, Va. This article is based on a presentation at a symposium on parenting at a recent National Convention of Agudath Israel of America.

no glory in the phrase “teenage rebellion,” nor was that phrase seen in anything other than novels not often found in Torah homes? *Do you remember when* “at risk” was a phrase for the insurance industry? *Do you remember when* they used to say that children should not only not ignore a parent’s request to help clear the table, but should clear it without needing to be asked? *Do you remember when* there were no parenting courses, and no workshops at conventions on the topic? Yet, most parents somehow managed to raise well-mannered, healthy and productive young adults, as did their parents and grandparents.

If you are a young parent, you probably heard of those times. If you are my age, you may have some recollections of your own. If you are of my parents’ generation,

you must be in a state of shock and awe, wondering how so much of the world has turned upside down so quickly. One need not be a rocket scientist nor a *mekubal* to conclude with clarity that something in today’s parenting approach differs greatly from the *mesora* of our great-grandparents.

One, of course, must be very careful not to oversimplify and suggest that everything was always perfect and now everything is completely awful. But we have no right to ignore some obvious truths.



Parents at Risk

We need to recognize that we have allowed a subversive culture to invade our homes and even our institutions. This dangerous set of modern-Western ideas promotes two main concepts which together form a powerfully attractive philosophy running totally in conflict with Torah standards.

FALLACY NUMBER ONE: HAPPY INSTEAD OF GOOD

The first is that the world ought to be child-centered. Gone are the days when age, experience and wisdom were the prizes of life. Now, youth and childhood are grabbing all the attention. We have become obsessed with childhood. Beginning with infant furniture, toys and activities, we employ the kind of passion previously reserved for life-and-death decisions to seek out the very best and most stimulating educational materials, lest our child be the one to lose that edge. Despite the fact that there is no evidence that the youngster who learns to walk earlier as a child runs faster as an adult, many parents have “bought into” this pattern and feel intense guilt if they are not obsessing about their child’s activities.

While the Torah community neither promotes nor appreciates the “Soccer Mom” culture, we must remain on serious guard, lest it become attractive to us. It may seem at first glance as an example of good parenting – parents showing an interest in their children’s lives. Don’t be fooled. It is a prime example of our generation’s focus on children’s happiness instead of their goodness. What message does today’s “good” parent send to his child? He tells him not only how much he loves him, but also how he is the most important thing in the world to him – that all he wants is for him to be happy. What a tragic mistake! Instead of directing him toward the ideals and virtues of a life of goodness (which, not coincidentally, is the only path that leads to real happiness), a life exclusively devoted to reaching a level where our will is totally in line with the will of *Hakadosh Baruch Hu*, too often, we focus on the child’s pleasure, imme-

diately gratification, and superficial happiness.

The child then has no choice but to conclude that he must be the most important thing, the central focus of life, even more important than his parents. After all, their life’s purpose is to make him happy. He has got to be more important than they. This notion is readily accepted by the child, appealing to that egocentric side in everyone – the part that wishes that one really were the center of the universe. It is our responsibility to convey to our children that they are not the center of the universe, that their purpose in life is to be *ovdei Hashem* – servants of G-d. This sense of purpose will give real meaning to children and keep them from the emptiness that so many experience, for a spiritual void is the breeding ground for misery and rebellion.

So, when you think you are witnessing rebellion in our youth, think again. You are witnessing children who were really tuned in to their parents’ message. Why shouldn’t they be? It sounded good to them. Then, when they become teenagers and they find out that they are not quite as important as they had thought, they become depressed and angry at the world.

Sadly, this misplaced ordering of priorities leads neither to goodness nor to happiness. Contrast today’s cultural climate with the concept of parents being concerned primarily with the character of their children, with goodness rather than happiness. Children would not only be “better,” they would be happier. Being in line with their loftier parts, the *tzellem Elokim*, they feel more fulfilled, more successful... happier. Depression is not a symptom of teenage life, but of a life lacking goodness. And goodness requires dynamic parenting, practicing a *chinuch* filled with love and discipline.

FALLACY NUMBER TWO: AFRAID OF FEELING AWE

A second destructive element of today’s pop culture is the notion that *yira* – fear and awe of authority – is a bad thing. The genera-

tion of the 1960s sought to uproot the benefits and value of a healthy sense of guilt from society, claiming it was bad for the human personality, the contemporary attempt to remove *yira* is no less insidious. In an attempt to completely undermine the virtue of respect for “authority,” parents are being told that their children should not fear them. Young parents are frantically searching to manage their children’s behavior and to be *mechanech* them without instilling awe, lest the child grow up to resent “overwhelming parental oppression,” and rebel. What an awful miscalculation! Children need to see their parents in a position of control in order to feel secure and become healthy adults.

The sense of awe that I am speaking of should find expression in a fear of violating the will of authority figures. That requires a child to recognize the existence of authority, and to relate to it in a specific way. From a very early age, the child must perceive that there are limitations to his or her impulses and actions.

Every child is unique and each would need different experiences to realize the desired results. The younger the child, the easier it is for him to establish a proper relationship with authority. When a father wants his son, let us say, to stop hitting a newborn sibling, a two or three-year-old child may respond to the severe tone of the father’s voice and the disapproving look in his eyes. If a parent waits until the child is seven to demand that the child submit his will to that of the authority, he will likely need more than just a deep voice and a serious facial expression.... I don’t have to mention the results of waiting until the child is fifteen.

A child’s respectful awe of parents is the prelude to his fear and awe of all authority, eventually leading to dealing with the ultimate Authority – and achieving *yiras Shamayim*. This important foundation interfaces with the love and closeness among family members that all people crave. A parent who nurtures a respectful child will be able to share with him the closest and most loving relationship.

Parents who are struggling with rebellious teenagers may consult therapists who might understand the problem and mean well, yet neither understand our *mesora* in this area nor prescribe a workable solution. They tend to posit that children rebel exclusively because of lack of love demonstrated by parents and/or poor communication between parents and children. Overwhelmed with a sense of guilt and incompetence, many parents are all too eager to accept this theory as fact. Desperate to “win back” their

child, or at least “not lose him altogether,” they resort to a strategy that works against their best interests. Worse yet, they often resolve not to let this happen to their younger children, and unwittingly create even more destructive conditions for them.

Showering love and affection on someone who lacks respect for authority and who over-estimates the importance of his own happiness – or overlooking the lack of minimum respect due a parent in order to “reach him” – is the equivalent of giving an alco-

holic a drink in order to communicate love, in hope of removing his need for satisfying his addiction. These children’s misplaced sense of entitlement, be it in the area of freedom, privacy or pursuit of happiness, is reinforced by their parents’ attempts to show love and to increase lines of communication. The problem is that all the love in the world will be insufficient, since, as the center of the universe, they feel they deserve more. Their appetite for happiness is insatiable.

**SENSIBLE, JUDICIOUS
STRENGTH... AND LOVE**

Further, some misguided experts suggest that rebellion invariably results from strict parenting. Rebellion is neither caused nor exacerbated by strict or strong parenting *as long as it is reasonable and flows from the parents’ love for their child.* Rebellion can be triggered by the child’s perception of parental weakness. Every child has a natural inclination to push the limits of restriction. This comes from both a desire to feel secure with the knowledge of the actual limits, and a separate wish to ideally remove all restrictions. The more clear and less flexible the limits and consequences are, the less is rebellion bred. The more a child perceives the authority to be weak, the more is rebellion fertilized. This has nothing to do with being open, communicative or warm. Those elements must always be present.

The ongoing trend to completely undermine the beauty and value of authority fosters a continued weakening of the parent. By confusing powerful and smart parenting with harsh and inconsistent parenting – or even worse, with abuse – some “experts” fool us into rejecting, even mocking, the strong parent. Remember, we are talking about producing an effective parent, not, G-d forbid, an abusive one.

After all, strong parenting is not mutually exclusive of warmth, love and affection. To the contrary, it is an expression of these attributes. Further, sensi-



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ble, judicious strength can almost always be expressed with warmth. After all, love and warmth never water down strength and power.

In order to have the loving and successful relationship between a parent and child continue into the teenage years, one must first, at a very young age, develop a human being who has a healthy relationship with his world. Once this is done, friction is all but eliminated, warmth and deep love can be conveyed, and real family-wide happiness is experienced.

It is important to note that a parent must also realize the responsibility to develop within each child a healthy “can do” attitude – a belief engendered within the child that he can overcome challenges. The most successful adults were children who, through the warm love and strong support from their parents, overcame the natural insecurities of childhood to achieve greatness.

This is not at all in contradiction with the previous points. The resolution to the apparent paradox is to be understood by recognizing that the development of ambition requires warm, loving and nurturing parents who truly believe in their child’s strengths and abilities and convey that to him. To turn that child into a healthy, productive and successful adult citizen requires embracing the virtue of seeking goodness over pleasure, as well as developing an awe of authority, starting with the fear of violating the will of “the authority.” Clearly, the “love” aspect of this formula deserves a discussion of its own.¹

REVIVING POSITIVE MEMORIES

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ed to grow into *nachas*-producing teens, and then adults, not into self-centered pleasure seekers?

Effective parenting must start with a dedicated parent. Parents must realize that they have an enormous responsibility to engender within their children a sense of awe for authority, starting with the child’s relationship to the parents, as well as an understanding of and commitment to goodness, (i.e., a higher purpose in life) – simply put, real *yiras Shamayim*. Once that is done, then you have a relationship that

is ripe for effective *chinuch*.

The reason children do not grow into the people we want them to be is that the world is upside down. Instead of parents focusing on and feeling responsible for the goodness of their children, they focus on and feel responsible for their happiness. Instead of children being afraid of their parents, parents are afraid of their children – parents are afraid to be parents. If we want to address the so-called “at risk” teen, perhaps we should take a closer look at the “at risk” parent. ■

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¹ We refer the reader to the article by Rabbi Noach Orlowek which follows, while the above article focuses on the discipline part of parenting. – The Editor

Although I have never met Rabbi Klestzick, I look forward to one day meeting him, for as someone who is bringing Torah to Jewish children, he deserves, and receives, my utmost respect and support.

I will disagree with some points he has made, but first I must strongly agree with Rabbi Klestzick on a vital point that is rarely stressed.

“GOOD” VERSUS “HAPPY”

Rabbi Klestzick underscores the importance of teaching children the difference between happiness and correctness: we do not strive for happiness, we strive for goodness; happiness is a natural byproduct of that goodness.

My Rebbi, Rabbi Simcha Wasserman, זצ”ל, commented that the Era of the *Moshiach* will be characterized by mankind’s leading a *correct* life, not just a *happy* life. If the Era of *Moshiach* were merely a happy time, *Mori V’Rabbi* said, then the Torah would not place such a strong obligation on hoping for that time’s arrival.

The idea can be expressed as follows: happiness is not a goal – it’s an asset. In order to accomplish what one must in life, and in order to be able to access the energy needed in order to say “No” to our baser inclinations, we need

to be happy people. By contrast, “Don’t worry, be happy,” or, “As long as it makes you happy, dear...” – these are not Torah ideas.

We need to teach our children to appreciate the happiness that comes from a correctly lived life – that there is no

al, and I pray that I will not be misunderstood.

FEAR AND AWE

Rabbi Klestzick and I are in full agreement that parents must occupy a position of authority. Some of his word choices, however, could be misinterpreted. He points out the need to instill fear and awe in a child. First of all, these words, although used interchangeably in the article, are not equivalent. Fear can be imposed from the outside, while awe is a matter of internal recognition. I am not saying that there is no room for fear in raising children, but, today, as Rabbi Yoseif Shalom Elyashiv שליט”א¹ pointed out, children are more independent; what worked in previous generations will not work today; children will resist an effort to impose on them rules based mostly on fear. Eventually, this resistance almost always prevails, unless you succeed in crushing your child. When we seek to instill fear in children today, we are sowing the seeds of eventual revolt, a revolt that, as stated, usually succeeds.

Awe, on the other hand, is a good thing, *but it requires long and hard effort for a person to become perceived as someone worthy of awe*. Today, many people want to take the short route in solving their problems.² I often meet people, when I am on my way somewhere, who

Avoiding the Risks of Unthinking Parenting

greater “*Olam Hazei*,” this-worldly pleasure, than the taste of satisfaction that comes from a well-used day.

There are, however, some hard issues where I feel that Rabbi Klestzick’s article falls short, either in content or in making certain that issues are clearly expressed. It is truly a fearsome matter to write an article for public perus-

¹ See *Sefer Hilchos Melamdim*, page 273

² The idea that we must be willing to take the long route in establishing a healthy home with healthy relationships is alluded to in the verse “*Ve’lo nacham Elokim derech eretz Pelishtim ki karov hu*” (*Shemos* 13, 17) – Hashem did not take the route to Cannan through the land of the Philistines because it was the short route. We see that shortness of a route is a detriment. We must be willing to invest and be patient if we are to see meaningful results in the areas of life that matter the most.

Rabbi Orlowek is a *Mashgiach* in Yeshivas Torah Ore, Jerusalem, and is the author of *My Child My Disciple*, *My Disciple My Child*, and *Raising Roses Among the Thorns*. He is a frequent contributor to these pages.

say to me, "I have a quick question," and proceed to ask for guidance regarding their child. I generally refuse to answer questions in this venue. The mere fact that people actually are willing to ask about their child's needs in such a manner bodes poorly for their children. Often the queries are not thought out properly, and a few judicious probes on my part reveal this. In my opinion, most questions about a child are "pikuach nefesh" – a life-and-death situation (non-halachically) – and deserve time and thought.

RULES AND LIMITS

Rabbi Klestzick declares that children need to have "parents in a position of control." An example of the danger of making such a statement is that parents can take this phrase to heart and proceed with vigor to accomplish this, without taking the time to truly understand that this must be approached in a very careful and gentle manner.³

The reality is that children certainly need rules and limits, and this is increasingly hard to achieve in a world where limits are considered "undesirable." It follows that these limits should be set with a lot of thought, coupled with a sincere, long-term investment of love and attentiveness.⁴

³ The *Chofetz Chaim*, at the end of *Hilchos Lashon Hara, Klal 8*, says that parents must talk to their children about guarding their tongues in a soft manner, and *only* in a soft manner. This, even in the "good old days" that Rabbi Klestzick is referring to.

⁴ The *Alter of Kelm* (Rabbi Simcha Zissel Broyde) said (*Chachma UMussar, maamar 225*) that in order for a child to love his parents, he needs to know two things about them: 1. They know more than he does, and 2. the directives that they give are for the child's benefit, not their own. Thus, the expression "love and attentiveness," for these words convey the concept that the child needs to be – and feel – understood and cared for; then the advice or rules that the parents provide stand a far better chance of being observed. If you are attentive to your child, if you spend time with him/her, mostly listening, then even if you don't know more than the child in any given area, the child will feel that you understand him (or her) and *want to understand him*, which means that the child will fill you in as to where he is. And your rules are more likely to be obeyed.

A QUICK ROUTE TO INSTILL FEAR – DYNAMICS OF AN ADDICTION

Rav Yisroel Salanter זצ"ל is quoted as saying that not everything that a person thinks should he say, not everything that a person says should he write, and not everything that a person commits to writing should he publish. When people read about instilling fear in children, many will take the short route – that is, by expressing anger through shouting and punishment. The results, in the short-term, are likely to

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that is easy, quick and total in its impact will be used again. And again. The same is true of anger and shouting— it's quick, easy and brings total compliance. It will certainly become a way of life in that household – with tragic effects. The home will not be a secure, happy place, and while the parents will be feared and (temporarily) obeyed, they will not be respected. Certainly the child will choose not to follow their path in life. While Rabbi Klestzick is correct in stating that parents need to be in control, there is a short step for people to interpret this as *being controlling*, and this almost always, in my experience, backfires.

TODAY'S WORLD

Even if we accept Rabbi Klestzick's near-idyllic description of the world forty years ago (I remember it differently), the reality is that we live in different times – and we cannot turn the clock back, when so much of

our world is not even slightly under our control. Our challenges today are different, and so must our solutions be different. While the age-old principles of Torah remain totally relevant, their application needs to be in tune with current realities. Rabbi Yaakov Kamenetzky זצ"ל said that the mitzvah of teaching Torah is achieved not (as with other mitzvos) in the process (as there is a specific formula for how we do a mitzvah, such as blowing the shofar or eating matzah), but rather in the result. If our students, and children, end up developing a love for Torah, a feeling that they belong in a Torah world, and a sense of pride in being a Torah Jew, then we've been successful in our efforts. If not, then no matter how "well educated" our children will be, even in Torah knowledge, we will have failed. Certainly we need a *mesora*, a tradition, but we need to be such good students of our teachers, *zichronam livracha*, that we are able to assess what they would have said today, and to project how they would have reacted to the

challenges of our generation.⁵

Despite the fact that many people want a quick answer to their problems, this is not to say that they are not interested in doing difficult things for their children. For the past decade, I have traversed the world several times, and have seen very many Jewish communities, both large and small; the intense desire that parents have to help their children grow up to be both good people and good Jews is truly amazing. There is no question that *Hashem* will reward their efforts and respond to their prayers. ■

⁵ See *Pachad Yitzchok, Chanuka*, 8:6-10, that a wise man is greater than a prophet in that the prophet can tell you what *Hashem* says, but a wise man can tell you what *Hashem would* have said; that is, even when *Hashem* is silent, the wise man can infer what He would have said. So, too, can a devoted student surmise what his *rebbe* would have said.

Rabbi Avrohom Yaffin זצ"ל of Bais Yoseif Novaradok is quoted as having explained the *Chazal*, "*Im shamata beyashan tishma bechadash*" (*Berachos* 40a) as meaning that if you heard how your *rebbe* reacted to his generation's trials, then you will know how to react to today's newer trials.

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Of WIGS and Wags

Well, it's official – religious Jews are certifiably insane. Of course, many readers of *The New York Times* have known this for a long time, having been treated regularly to such momentous news items as the *Times*' perennial fall-time photos of the *kaparos* ritual being performed in one or another religious Jewish enclave. Last year's picture, for example, captioned "Ready for Atonement," featured a Jerusalem man swinging a hen over his sweet-faced little daughter. The accompanying text authoritatively averred that the ritual "expresses a recognition of one's sins before they are transferred to the hen."

So there we have it. No matter that that Orthodox doctor neighbor of yours seems intelligent and well-adjusted; the fact is, he secretly believes in and practices the old transfer-the-sins-to-the-hen trick. Perhaps even more outrageous, he apparently believes that cherubic four-year-olds have "sins" in desperate need of such transferal. We're talking weird stuff, man.

But, for the edification of those readers who don't often venture past the first section into the local coverage pages, the paper of record has recently seen fit to run a Page One story on a tempest now swirling in Orthodox communities over the wearing of women's wigs (by women, mind you). Nestled among coverage of the chaotic violence in Iraq, the shifting trends of the '04 presidential campaign and sundry other reportage of international and national import, is a piece detailing the uncertainties that have arisen regarding the Jewish legal status of such hairpieces, known colloquially as *sheitels*. Many of the *sheitels* worn by Jewishly observant married women originate, it

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seems, on the heads of Indian women, who shave their locks and offer them up as part of a Hindu religious rite. Such origins, if confirmed, might well render the wigs impermissible for use, due to Judaism's strong abhorrence of anything connected to idolatrous beliefs and practices, in this instance of the Hindu polytheistic variety.

The Flames of Zealous Demonstration

To be fair, the *Times*, like *The Wall Street Journal*, often reserves some front-page space for human interest stories showcasing the quirky and offbeat, which the still-unfolding *sheitel* saga certainly is. But then again, given the *Times*' record of portraying the religious Jewish world to its readership through pictures of swinging hens and tales of talking fish (another *Times* front page in March 2003), inhabitants of that world might understandably not be inclined to give the paper the benefit of the doubt.

The *Times* itself, however, removed any such doubts fair-minded folks might have had when, only days later, it saw fit to run yet another sixteen paragraphs on the wig story, accompanied this time by two photographs. The editors were clearly in a no-more-Mr.-Nice-Guy mood, since, this time, it chose to focus the attention of its readership on a public wig burning that occurred in Williamsburg, Brooklyn, in keeping with millennia-old

Jewish legal rulings requiring the destruction of accessories to idolatry.

The bonfire on Williamsburg's Lee Avenue wasn't the only thing generating heat in the article, however; the writer's over-

heated prose was put to use in his own little roasting effort. Thus, we are told that the gathering – described as a "demonstration" – was the result of an "emotional upheaval" that "spilled into the streets." The reporter notes that people in the crowd said the gathering "was not intended to provoke violence," an observation that he presumably would not have seen fit to make were he reporting on a weenie cook-off on the Great Lawn in Central Park.

And, for the benefit of the more obtuse reader who might not have grasped the ever-so-subtle atmospheric portrait being painted, the piece goes on to note that, in fact, "the demonstration was not without incident," but included "pushing and shoving" and the detention by police of a man who "darted inside the ring of people to throw yet another wig on the fire..." Jeepers! I mean, first the Crips and the Bloods in our schoolyards, then gangsta rapper rubouts on the street, and now *this*? What in tarnation is Brooklyn coming to?

No *Times* coverage of religious Jews is complete, of course, without a howler – that is, some belly laugh-inducing gaffe that reveals this ostensibly most sophisticated of publications in all its breath-taking ignorance of things Jewish. We are

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speaking, after all, of the paper that is said to have once, in all seriousness, deemed it “fit to print” that Orthodox Jewish men shave with rams’ horns.

And so, not to disappoint, the copy beneath one of the *Times*’ wig burning pictures, captioned “Wigs Burn in Brooklyn Streets,” tells of “leaders in Jerusalem [who] denounced wigs” made of Indian hair. Now, working with the Webster’s definition of “denounce” as “to pronounce blameworthy or evil,” that term might tend to conjure up images of angry-faced clerics blaming those nefarious wigs within the Jews’ midst for all their troubles; it’s difficult, however, to see how it relates to the dispassionate legal ruling of a gentle Jerusalem scholar. Put another way: Tories denounce Whigs? Happened all the time in the 18th century. Rabbis denounce wigs? Not likely. Then again, if the *Times* version of Jewish religious reality is populated by the likes of hell-bound hens and garrulous guppies, perhaps heinous hairpieces aren’t so far-fetched an idea after all.

The Water Next Time

Then, about a week ago, and just when religious Jews thought it was safe to venture out to the newsstand, the *Times* weighed in with yet another front-page “expose,” this time reporting on the recent tumult that ensued within local Orthodox communities after it was revealed that the New York City water supply contains a form of zooplankton, known as copepods, whose ingestion is forbidden by Jewish law.

Assuming the *Times*’ latest spate of hyper-coverage has subsided, we can now tally the numbers. The paper expended three prominently situated articles, totaling many thousands of words, along with a number of photos, on a pair of arcane, albeit intriguing, religious controversies that are of sole concern to a subgroup that comprises 10-20% of American Jewry, itself less than 3% of the overall American population. Don’t even ask what percentage of the world’s human beings that represents.

The Times’ Jewish Problem

There are, it would seem, two ways to interpret this rather excessive magnification of the miniscule. One is that the *Times* lavishes this sort of attention on groups that it admires or that it believes its readers’ inquiring minds want to know about. The other – offered here at the risk of practicing psychotherapy without a valid New York State license – is that the paper exhibits an almost clinically identifiable fixation, one that Mr. Sulzberger and his editorial board are almost surely not fully aware of, if at all. It is a not-altogether-healthy fascination that has its roots in the paper’s long-standing Jewish Problem, a complex mix of visceral embarrassment, animus and standard liberal anti-religious bias that has surfaced in varied ways.

In an earlier era, the paper’s desperate flight from Jewish identity resulted in true travesties large and small, from its inexplicable – and feebly regretted – failure to adequately report and speak out on the decimation of European Jewry to its opposition to Jewish Supreme Court appointees and the use of initials for its journalists with Jewish-sounding names. But times have changed and so has the *Times*, and now whatever biases exist are oftentimes of such gossamer subtlety as to be ultimately unprovable, and it is left to the sensitive reader to discern whether they exist at all. Only in regard to Israel, which is a subject on which veiled anti-Semitism is yet respectable – the world’s proxy Jew, as it were – does some of the *Times*’ uglier sentiment begin to emerge.

In its coverage of religious Jews, the composite portrait that emerges over time is one of communities and individuals who are, by turns, comically pedantic and faintly threatening. Above all, they are guilty both of being unself-consciously out of step with modernity and of taking life too seriously, two unpardonable sins in a Western liberal canon that preaches pluralism and intellectual breadth but practices precious little of either.

They (Gasp!) Really Care!

What so unsettles the *Times* about wig burnings may be the very idea that these people believe in something deeply enough to want to *burn something* over it. Such passion, so the contemporary credo goes, is acceptable, even virtuous, when limited to things far removed from one’s personal life, such as politics, the arts and sports. To assert, however, that seemingly abstract concepts like G-d and His will exert an impact on life’s myriad quotidian details, that things truly do matter – and to unabashedly, exultantly live by that belief – is, for many moderns, insufferable.

The *Times* piece on copepods in the drinking water is a similar case in point. It’s not that such tiny creatures cannot possibly matter at all. Indeed, the article quotes an academic whose career is devoted to studying the migratory patterns of copepods, and one can easily imagine a Science Times feature highlighting the grants and accolades he has garnered for his abstruse research. But, somehow, for the ingestion of the minute copepod to be of spiritual significance is disturbing to some contemporary minds.

Meaning in life, it seems, is a good thing, so long as it doesn’t become too meaningful, or, alternatively, we are given free reign to “create our own meaning,” as the contemporary mantra has it. When, however, meaning becomes a Divinely determined notion, and one that permeates every last aspect of human life, it begins to be seen as too much of a good thing. The thought that everything we do matters and, in particular, to Whom it matters, can be, at once, exhilarating yet profoundly disquieting. In his well-known work *Man’s Search for Meaning*, the psychotherapist Viktor Frankl posited the discovery of meaning as an essential human need. Yet, as Rabbi Motty Berger (of Aish HaTorah fame) observed, modern man is embarked on an equally urgent quest that could well be called *Man’s Search for Meaninglessness*. ■

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