

In the meantime, as mentioned previously, there are examples of unofficial *kehillos* that respond effectively to some of the religious and ordinary needs of its members. This success has been led by volunteers who have created chessed organizations, built orphanages, established homes for battered women, *hatzolah*, loan funds, *Tomchei Shabbos*, *Mesilla*/job-training programs, *kiruv* programs, anti-missionary organizations – the list goes on and on. With the continued growth of the Orthodox community, these organizations will, IY”H, become stronger and stronger as the needs arise, and new ones will be established as well.

However, without unity and focus, we will not be able to fulfill all the needs that we must. Divisiveness and the tendency to sit in judgment of others are among the most serious obstacles that can prevent us from accomplishing our goals. But as our communities grow, our challenges grow, and there is no shortcut to overcoming them. Without the authority of an official *kehilla*, our leaders will not have the strength that is necessary to tackle the wide-ranging problems we face today.

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## **ARE WE A KLAL?**

**A PERSON OPENED A SMALL VARIETY STORE** and was very successful. He added products, expanded the store, hired a cashier or two and the store thrived. He was quite a talented young man with an intuitive sense of what customers wanted. He was most pleasant and amicable, he could run through a column of figures in his head, he put in eighteen-hour days and he knew everything that went on in the store. The two or three workers he had were nothing but extra hands to supplement his own.

One day, he became convinced that he should expand his store into a chain with many branches and divisions. He had seen people of lesser talent and mettle successfully head such corporations. “After all,” he reasoned. “If I could take my small store and enlarge it to ten times its size, then by the same token I can take one store and make ten stores out of it.”

A year later, his chain came crashing down and he learned a difficult lesson: running a corporation is very different from running a store. It is not simply a question of magnitude; rather, it is an entirely different sort of enterprise.

And now to the *nimshal*. Many of the writers in this forum (and possibly readers) grew up in the post-war years in America. The Charedi community was miniscule and insignificant, its continuity uncertain. The stature and vision of a handful of great men, the tenacious and heroic efforts of a few capable askanim, and an extraordinary amount of *siyata d’shmaya* produced in half a century an incredible *tzibbur*. It would seem to us that we are in for a whopping *kal v’chomer*: if we could do it when

the cards were stacked against us, certainly we can do it today when we have such incredible resources and such a wonderful track record.

But the reasoning is as flawed as that of the fellow who tried to turn his mom and pop outfit into a national corporation. Our previous success *cannot* continue on its former terms because today's operation is of an entirely different nature. The problems are not, in my opinion, a lack of *midos* or *achdus*, etc., but rather that there are inherent structural issues that we need to recognize if we are to perhaps rectify it to some degree. It may even be that the problems cannot be surmounted completely for reasons that I will try to sketch out, though there very well may be may be partial solutions.

Let us start by stating the problem as perceived: Once upon a time, we were a cohesive *tzibbur* in which *gedolim* were on top of everything, initiating necessary projects, and providing guidance and answers which were adhered to by an entire public. Today, despite all the success that we enjoy, we are a splintered group with no clarity of direction, with special-interest askanim pushing their own agendas and without a strong sense of a *tzibbur* following *gedolim*.

The real reason for this sense is that we have gone from a "*kahal*" to a "*kahal goyim*," – from one fairly close-knit community to a multitude of communities. We are no longer the well-defined *tzibbur* we once were and this presents a new set of challenges that can be categorized as halachic, structural and attitudinal. Let us examine each of these and perhaps afterwards offer some sort of partial solution.

1] The first area is halachic. There is no halachic mechanism that can enforce the opinion of a majority on a minority without an "*amidah l'din*" of a *beis din*. When a *beis din* deals with monetary litigation, if two rabbanim rule a certain way, the third is *obligated* to support their opinion, no matter how wrong he thinks they are. In the days of the Sanhedrin, *all* issues of national significance were brought before them and their ruling obligated each and every one of them and all of Klal Yisrael. (Obviously, when there was a king, his dictates certainly obligated all of Klal Yisroel as well).

There is no Sanhedrin today, nor can there be, and no august forum can obligate its members in any way (other than in *dinei mamonos*). Thus, if there are 999 Rav Ahron Kotlers and one Satmar Rav, the one Satmar Rav is not only allowed but is actually *obligated* to speak out against all

the others. This means that the only way that such a body can adopt binding decisions is through consensus, and the broader the group is, the slimmer the scope of that consensus can be.

Lest anyone bring proof from the early Agudah years in Europe, let us consider the following: Agudath Israel was never founded to deal with the internal issues of Klal Yisrael, but rather to present a unified front vis-à-vis the anti-religious camp and the anti-semitic governments of Eastern Europe. It was stipulated in its original foundation that "*nahar nahar uphashte*" – each stream in Agudah was equally legitimate in its own internal affairs. The Gerrer chasid would not impose his views on the Yekke or vice versa. This meant that Agudath Israel would stand against anti-Torah forces with speeches, writings and government lobbying, but nothing else. True, Daf Hayomi was launched by Agudah but this was the unusual exception, not the rule.

In Israel, the Agudah (like the other Charedi parties) is a strong force only because the government is such an important player in Jewish religious life. The government funds a big part of Charedi religious activities but at time enacts laws that may or may not be favorable for Charedi Torah life. It is doubtful that anyone feels that Agudah is or should be a super-community of the Charedi world. For instance, the *beis din* and *hechsher* of Agudah in Israel faded to oblivion.

Agudas Yisroel in the early years in America was "kehilla size" in its numbers and scope. It was still an "everybody knows everybody" organization. It founded shuls, youth groups and camps. The vast majority of the subgroups of Agudah were too small and impoverished to establish these institutions, and thus Agudah was a kehilla of sorts.

2] The second issue is structural. This issue is most akin to the example of the Mom and Pop store. We are used to the idea of a Rav handling all *shailos* at all hours for everyone in town. He knows all the people and issues first hand. This might be ideal for an environment of hundreds or perhaps even a very few thousand families. But when we begin speaking of large numbers – in the tens and hundreds of thousands of people – this becomes impossible. A bureaucracy becomes absolutely necessary. But this is a structure for which we have no paradigm in our community or in our immediate collective memory. In the times of the Torah there were *sarei alafim*, *sarei meos*, etc. The kings had *sarei tzavah*, *memunim*, *mufkadim*, etc. How do we do this today? How does one organize an

information gathering apparatus, or an hierarchy for asking *shailos* or for providing a means of enforcement?

Even Chasidim, who have a very cohesive sense of society and a very strong personal attachment to their Rebbe, tend to splinter as they become larger in number because they do not succeed in building an effective bureaucracy. And the ability of a single individual to relate personally to ever increasing numbers is limited (stories notwithstanding).

3] The third issue is the mindset of Klal Yisrael. There are nations whose essence seems to be the adoration of being a cog in a great machine. For instance, the Germans (*ym"sh*) and the Japanese both attained extraordinary achievements and conquests because of this national trait. They nearly conquered the world, and then rebounded after their devastating defeat because of it. Their attitude was that the sergeant's orders are as important as the general's. A stop sign is obeyed even if no one is around. When Nazis defended themselves by saying that "they were just following orders" it is not as farcical as it sounds to us. In their mindset, obeying orders was indeed of the highest moral magnitude.

Most of Klal Yisrael has a radically different mindset. We laugh at the Yekke's infatuation with the law. Bureaucracy is an obstructive maze to be detoured by speaking to someone "really important." The rules and regulations which create a semblance of order in society are seen as unreasonable and obstructive. Thus, very *ehrlischer* Yidden who are extraordinarily careful about *gezeilah* and *pikuach nefesh* think nothing about violating zoning or safety code regulations. It is part of our mindset – some of it stemming from positive attributes and some of it otherwise. But it is a mindset that makes it almost impossible to make the transition from *yechidim* to klal.

(An interesting corollary to the essential need for the attribute that turns the individual into part of a klal is to be found in the human body. *Chazal* have described the body as having 248 "*evarim*" and 365 "*gidin*." The *evarim* are separately identifiable units of body – loosely translated as limbs or organs – while the *gidin* are the connective tissue, such as sinews, nerves and blood vessels. It is remarkable that there are one and a half times as many structural elements as substantial ones!)

It is fine and well to laugh snidely at the world around us with their "secretaries, appointments, committees, departments, meetings, etc." and

contrast it with the "one-man show" of a Rav. But if we are ever to transition from a *shtiebel* to a significant klal, we will have to buy into a "system" and not just into a person.

Let us pick a recent event to demonstrate some of these issues. A few weeks ago, an anonymous ad appeared in the Charedi press stating that someone went into R' Chaim Kanievsky with a letter asking what should be done in light of the fact that Jews in America are suffering economically, people are dying young from many diseases and there is a big problem of children going off the derech. A copy of the letter is shown in the ad with the response of R' Chaim Kanievsky penciled in: they should say Yom Kippur Katan.

At first glance, this ad is a very positive phenomenon: 1. An anonymous Yid in Klal Yisrael was terribly concerned about problems besetting our people; 2. He lives with the Torah's exhortation not to take these things as random events, but rather as means to awaken us to teshuva; 3. He has *emunas chachamim* in *gedolei Yisrael*; 4. He personally paid to advertise in the press for *zikui harabim*. Also, R' Chaim Kanievsky certainly is one of the *gedolei hador* and Yom Kippur Katan certainly is a time-honored method for *hisorerus* to teshuva. All these wonderful activities rolled into one advertisement!

Yet, a second and closer look will reveal so many of the issues that plague us:

1. What does it mean when a Yid from America goes directly to R' Chaim to speak about the problems of America? Where is his Rav? Rebbe? Rosh Yeshiva? If they feel [for whatever reason] that nothing should be done, why is he overriding their decision? If the rabbanim themselves are in doubt, they might choose to ask R' Chaim, but it is certainly not in the purview of that *yachid* to do so himself. *Emunas chachamim* is a wonderful attribute but when it is used to override local authority [which, as we shall see, is in many cases halachically mandated] it is destructive!

Imagine a *bochur* who feels that there is a problem of a lack of *yiras shamayim*, or there is a flaw in the *derech halimud*, in his yeshiva. He then sends a letter to R' Chaim – not for personal instruction but on behalf of the yeshiva – and when R' Chaim sends an answer the *bochur* posts it on the bulletin board! Would anyone approve of what this *bochur* has done?

2. The evaluation that the crisis needs to be addressed through extraordinary means is an issue within itself. The source for the response to crisis is in *Meseches Taanis*, where the institution of *taanis* with its *tefilos* and *seder hayom* is discussed at length. One of the criteria for calling a *taanis* is the determination that an event is truly unusual: i.e., how many deaths in what period of time, location of animals attacking people, etc. Just like we don't say Hallel about commonly occurring events of nature – even though they are no less works of Hashem than so-called “miracles” – so too, the common tragedies of the human condition do not warrant *taanis*; rather, it is the “unnatural” which has halachic guidelines.

This means that unless we live in a very small community, we must have some statistical tools at hand. The anecdotal observations and common remarks of “we never ever heard of so many *cholim*; what's happening to us” are noble sentiments, but poor in facts. Are the deaths of young people tragedies? Of course! Terrible ones! But when does the number become “uncommon”? I went to school in the sixties and there were quite a few *yesomim, rch"l*, in school. The only way to determine if our situation is unnatural is by having some statistics at our disposal.

And what about *chinuch*? Yes, we see many children at risk, *rch"l*. Not even one *neshama* should be lost. But to say that the situation needs procedures such as *taanis* requires evaluation. If we have a thousand kids in yeshiva, then ten of them represent 1%. If we have ten thousand kids in schools, then one hundred are 1%, and so on. In Eretz Yisroel there are 150,000 students registered in Chareidi schools and kollelim. And this is besides the ones who don't take money from the government. That means that 1,500 (!) people who left religion represent one percent. Of course each child is a *churban*. But would a one-percent failure rate be an “unnatural” episode? These children are highly visible and justifiably cause us great distress. But it should be classified as it really is. [Even dealing with the crisis itself, we are desperate for statistics. Is the system broken to the point that it should be completely overhauled or is it wonderful with a 97-99% success rate?]

This *shoel* gave R' Chaim a “fact” and asked for a *psak*. If I think that a *lulav* is crooked and I ask a *shayla*, “is a crooked *lulav* kosher?” what do you think the *psak* will be?

3. In the *seder* of *taanis*, the elders meet and discuss the issues facing the community. Had leaders of the community posed the question, they might have concluded “we think that the issues facing our community are x, y and z” and asked R' Chaim what they should focus on. The problem with this “Yom Kippur Katan” reply is that an opportunity to address important issues is being substituted with something generic because no other information was given.

4. The posting of a public notice anonymously is disturbing. It is absolutely false to state that “R' Chaim Kanievsky told American Jewry to practice Yom Kippur Katan because of all the *tzaros* that have beset them.” He responded to a personal *shoel* and to him only. Its public posting is a projected distortion, good intentions notwithstanding.

The entire issue seems to demonstrate so vividly the words of the Kuzari (2, 29). The king of the Khazars asks the rabbi (hachaver), “If what you say is correct (i.e., that the *Beis Hamikdash* is the heart and mind of Klal Yisrael), then the Israeli nation today is like a body without a heart or mind,” to which he replies, “It is even worse than that. We are like limbs strewn about.” R' Yehuda Halevi is thus describing the condition of Israel as being pieces with no connections. The *eivarim* exist, but the *gidin* have unraveled.

Is there anything we can do, or are we doomed to this particular curse of *golus* until the day Mashiach comes? Will our numerical increases create exponential fragmentation, *chas v'shalom*?

*Chazal* have given us a tool for some level of community and that is “*bnei ha'ir*.” A local community has substantial powers of self-jurisdiction. In *Choshen Mishpat* (163) we have an extensive enumeration of many of these sweeping powers. On the level of *issur v'heter*, the Shach, in his *hanhagos* of *hora'a* #10, describes in sharp words how a town's *beis din* must always come to a uniform decision regarding all halachos (see also Pri Chadash O”C 496:11 regarding powers of the local *posek*).

The advantage of a much greater stress on fidelity to the *kehilla* and *achdus* on the community level is that halacha actually empowers the officials of the *kehilla* and that it is much easier to run an individual community without the need for a bureaucracy.

It does require, however, educating our children about the importance of listening to local *manhigim* and of the value of a strong and vibrant *kehilla*. Just as we taught a whole generation the meaning and value of *gedolim*, so too must we teach our children the concept of *kehilla* and of a *Mara D'asra*. We need to teach them the Rambam (*Mamrim* 1:4) which says “when the *Beis Din Hagadol* existed, there was no argument in Israel. If someone had a question, he would *turn to the* *beis din of his town* and ask them. If they knew, they would tell him. If not, the one with the query – *together with the local* *beis din* – would go up to the *beis din* at the entrance to the Temple Courtyard. If they knew, they would tell them; if not, they would all go to the *Beis Din Hagadol*.”

The Rambam is very clear that the appropriate way of asking is to go to one's local *beis din* first, and only upon their volition, to move upwards through the ranks.

Furthermore, we must pick our local rabbinic leadership, not only on the basis of speaking ability, or particular *issur v'heter psakim*, but we must also look at the broader picture. We need to choose people who have the stature and wisdom to lead the community on broader issues as well.

I was at the *k'nessiah gedolah* of 1980 in Jerusalem. There was an evening when each of the members of the *Moetzes* addressed the attendees, offering a proposal for some sort of *takkanah*. Many of the *gedolim* offered proposals for new learning (e.g., *daf yomi* of Yerushalayim was introduced by the Gerrer Rebbe). R' Shneur Kotler, zt"l, chose a very different issue to address. He said that many *minyanim* of *bnei Torah* (*chanichei yeshivos*) were starting and that it was very important to hire a Rav for each and every one of these *minyanim*. It was a most prescient observation. He knew that together with the tremendous *beracha* of *bnei Torah* forming shuls and communities comes the potential for the “*kol haedah kulom kedoshim*” attitude and for each and every *mispallel* running to a different *gadol* and presenting his version of an issue and reporting back with his version of an answer.

It is fascinating to note that R' Ahron Kotler, zt"l, laid the foundation for the *yechidim* to become *bnei Torah* and that perhaps R' Shneur's prescient words are the foundation for those *yechidim* to become communities.

The idea of a stronger community cannot possibly address all of the issues facing Klal Yisrael – especially the broad issues. But is certainly a step in the direction of building a real klal and not just a *mega-shtiebel*.

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